

Court of Appeals, State of Michigan

ORDER

People of MI v Travis Joseph Calloway

Docket No. 349870

LC No. 18-018798-FH

Amy Ronayne Krause
Presiding Judge

Kirsten Frank Kelly

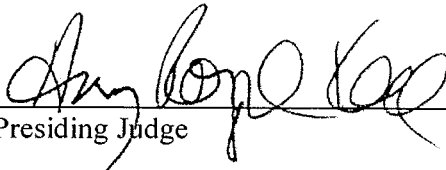
Jonathan Tukel
Judges

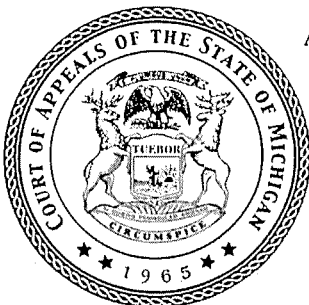
The Court orders that the motion for appellate bond is GRANTED. Administrative Order No. 2020-1 (issued March 15, 2020) directs courts to consider the public health factors arising out of the present public health emergency to mitigate the spread of COVID-19. Under the facts before this Court and all of the circumstances, the trial court abused its discretion in denying defendant a bond pending appeal. See MCR 7.209(B)(2). Defendant is to be immediately released on personal bond, subject to defendant agreeing: (a) to prosecute the appeal to decision; (b) to surrender himself to the sheriff of the county in which he was convicted if the sentence is affirmed on appeal or if the appeal is dismissed; (c) to appear in the trial court if the case is remanded for further proceedings; (d) to remain in Michigan unless the trial court gives written approval to leave; and (e) to notify the trial court clerk of a change of address. Any further issues with regard to defendant's bond shall be addressed to the trial court, and supervision of defendant's compliance with the terms of the bond shall be carried out by the trial court, pending further proceedings. The case is REMANDED to the trial court for proceedings consistent with this order to ensure defendant's immediate release pending his appeal.

The motion to file a supplemental brief is GRANTED and the brief is accepted for filing. The prosecutor's response brief to the supplemental brief is due in accordance with Administrative Order No. 2020-4.

The motion to expedite the appeal is DENIED.

This order is to have immediate effect, MCR 7.215(F)(2). The Court retains jurisdiction.


Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

MAR 31 2020

Date


Chief Clerk