

# Court of Appeals, State of Michigan

## ORDER

People of MI v Robert Terell Forbes

Docket No. 357529

LC No. 20-001774-FH

Douglas B. Shapiro  
Presiding Judge

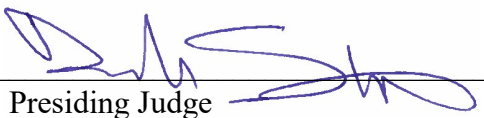
David H. Sawyer

Mark T. Boonstra  
Judges

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The motion for immediate consideration is GRANTED.

The motion to review bail is GRANTED, the modified pretrial release conditions imposed at the February 23, 2021 proceedings are VACATED, and this matter is REMANDED to the Kent Circuit Court for REINSTATEMENT of the pretrial release conditions imposed at defendant's February 4, 2020 district court arraignment. The trial court abused its discretion when it sua sponte modified the terms of defendant's pretrial release. MCR 6.106(H)(1) and (2)(b). Money bail may only be imposed where the "defendant's appearance or the protection of the public cannot be otherwise assured." MCL 6.106(E); see also 5a Saltzman & Deming, Michigan Court Rules Practice, § 6106.3, p 162. Defendant's conduct while on bond from February 2020 until February 2021 demonstrates that the modification made by the trial court was not required to ensure defendant's appearance at court proceedings or to protect to public. This order has immediate effect. MCR 7.215(F)(2). The Court does not retain jurisdiction.

  
Presiding Judge



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

June 23, 2021

Date

  
Chief Clerk