

Court of Appeals, State of Michigan

ORDER

People of MI v Moneasha Ann Ferguson

Docket No. 353226

LC No. 2019-270536-FH

Elizabeth L. Gleicher
Presiding Judge

Deborah A. Servitto

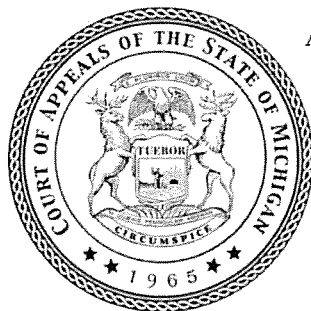
Colleen A. O'Brien
Judges

The Court orders that the motion for immediate consideration is GRANTED.

In lieu of granting the “emergency motion for modification of release decision,” which this Court has docketed as an application for leave to appeal, the Court orders that, pursuant to MCR 7.205(E)(2), the March 18, 2020 order of the Oakland Circuit Court declining to hear defendant’s motion for bond until April 28, 2020, hereby is VACATED. Administrative Order No. 2020-2 (issued March 18, 2020) defines circuit courts’ essential functions as including in-custody criminal defendants’ emergency motions regarding bond, and directs circuit courts to conduct such hearings remotely. In light of the Supreme Court’s order, the circuit court should not have delayed deciding defendant’s bond motion. Further, considering the public health factors arising out of the present public health emergency, the circuit court should have granted defendant a personal bond. The case is REMANDED to the circuit court for proceedings to ensure defendant’s immediate release on bond.

This order is to have immediate effect, MCR 7.215(F)(2).

The Court retains no further jurisdiction.



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

MAR 23 2020

Date

A handwritten signature in black ink, appearing to read "Jerome W. Zimmer Jr.", is written over a horizontal line. Below the line, the text "Chief Clerk" is printed.

Chief Clerk