

Court of Appeals, State of Michigan

ORDER

People of MI v Donald Kissner

Docket No. 364626

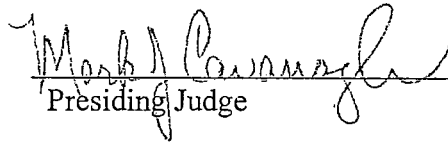
LC No. 2020-005314-FH; 2021-005692-FH

Mark J. Cavanagh
Presiding Judge

Elizabeth L. Gleicher

Colleen A. O'Brien
Judges

The application for leave to appeal is DENIED for lack of merit in the grounds presented.

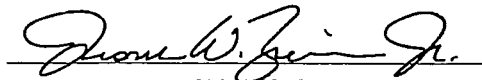

Presiding Judge



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

May 24, 2023

Date


Chief Clerk

Court of Appeals, State of Michigan

ORDER

People of MI v Donald Kissner

Docket No. 364626

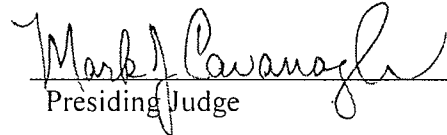
LC No. 2020-005314-FH; 2021-005692-FH

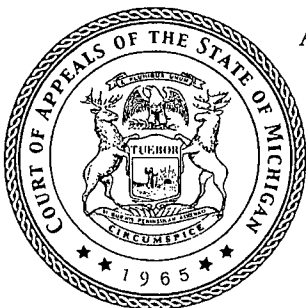
Mark J. Cavanagh
Presiding Judge

Elizabeth L. Gleicher

Colleen A. O'Brien
Judges

The motion for reconsideration is DENIED.


Presiding Judge



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

July 13, 2023
Date


Chief Clerk

Order

Michigan Supreme Court
Lansing, Michigan

October 31, 2023

Elizabeth T. Clement,
Chief Justice

166008 & (31)(32)(33)(34)

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Megan K. Cavanagh
Elizabeth M. Welch
Kyra H. Bolden,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 166008
COA: 364626
Shiawassee CC: 2020-005314-FH
2021-005692-FH

DONALD KISSNER,
Defendant-Appellant.

On order of the Court, the motion for immediate consideration of the motions to file an amended or supplemental brief, for production of documents, and for adjournment and remand to the trial court is GRANTED. The motion to file an amended or supplemental brief is GRANTED. The application for leave to appeal the May 24, 2023 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court. The motions for production of documents and for adjournment and remand to the trial court are DENIED.



p1023

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 31, 2023

Clerk

Order

Michigan Supreme Court
Lansing, Michigan

January 30, 2024

Elizabeth T. Clement,
Chief Justice

166008 (40)(41)(45)(46)

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Megan K. Cavanagh
Elizabeth M. Welch
Kyra H. Bolden,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 166008
COA: 364626
Shiawassee CC: 2020-005314-FH
2021-005692-FH

DONALD KISSNER,
Defendant-Appellant.

On order of the Court, the motion for reconsideration of this Court's October 31, 2023 order is considered, and it is DENIED, because we are not persuaded that reconsideration of our previous order is warranted. MCR 7.311(G). The motions for appointment of counsel and for remand are DENIED.



s0122

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 30, 2024

Clerk

STATE OF MICHIGAN
IN THE 35TH CIRCUIT COURT FOR SHIAWASSEE COUNTY

PEOPLE OF THE STATE OF MICHIGAN,

Case Nos. 20-5314-FH
21-5692-FH

Plaintiff,

Hon. Matthew J. Stewart

v

DONALD KISSNER,

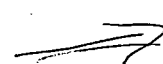
Defendant.

Order

STRIKING MOTIONS FILED PRO SE

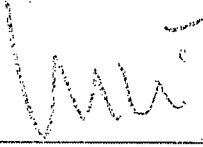
Defendant filed several motions on his own behalf while represented by court-appointed appellate counsel. There is no constitutional right to hybrid representation. *People v Dennany*, 445 Mich 412, 442 (1994). Indeed, "a defendant must choose between his right to court-appointed counsel and his right to conduct his own defense." *People v Ramsey*, 89 Mich App 260, 264 (1979).

Accordingly, this Court declines to entertain motions filed by Defendant on his own behalf when he has counsel to take such actions for him. If appellate counsel believes these motions are consistent with Defendant's objectives and supported by the law and facts, then counsel can frame those issues for the Court's consideration.



THE COURT THEREFORE STRIKES Defendant's pro se Motion for Disqualification-Recusal, Motion to Withdraw Plea, and Motion for Evidentiary Hearing.

Dated: 8-22, 2023



Hon. Matthew J. Stewart, P58047

**Additional material
from this filing is
available in the
Clerk's Office.**