

# HOUSE BILL No. 4625

May 4, 1999, Introduced by Reps. Gilbert, Shackleton, Julian, Kowall, Howell, Hager, Patterson, Tabor, Voorhees, Vear, Garcia, DeRossett, Mortimer, Caul, Rocca, Gosselin, Pappageorge, Byl, Ehardt, Green, Van Woerkom, Sanborn, Toy and Scranton and referred to the Committee on Criminal Law and Corrections.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
(MCL 760.1 to 777.69) by adding section 3a to chapter X.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

### CHAPTER X

SEC. 3A. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), A  
DEFENDANT WHO PLEADS GUILTY OR NOLO CONTENDERE SHALL NOT HAVE  
APPELLATE COUNSEL APPOINTED FOR REVIEW OF THE DEFENDANT'S CONVIC-  
TION OR SENTENCE.

(2) THE TRIAL COURT MAY APPOINT APPELLATE COUNSEL FOR A  
DEFENDANT WHO PLEADS GUILTY OR NOLO CONTENDERE IF EITHER OF THE  
FOLLOWING APPLY:

(A) THE APPEAL IS BY THE PROSECUTING ATTORNEY.

1           (B) THE DEFENDANT'S SENTENCE EXCEEDS THE UPPER LIMIT OF THE  
2 RECOMMENDED MINIMUM SENTENCE RANGE OF THE APPLICABLE SENTENCING  
3 GUIDELINES.