

# Order

Michigan Supreme Court  
Lansing, Michigan

November 29, 2021

Bridget M. McCormack,  
Chief Justice

163031

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

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 163031  
COA: 350061  
Wayne CC: 19-000114-FC

ANTOINE EARICO BOWMAN,  
Defendant-Appellant.

On order of the Court, the application for leave to appeal the April 22, 2021 judgment of the Court of Appeals is considered. Pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE that part of the judgment of the Court of Appeals addressing the defendant's claim that he was denied the effective assistance of counsel by counsel's failure to object to the prosecutor's closing argument. We REMAND this case to the Wayne Circuit Court to conduct an evidentiary hearing pursuant to *People v Ginther*, 390 Mich 436 (1973), to determine whether: (1) trial defense counsel was ineffective for failing to object to the prosecutor's closing argument that the defendant could not use self-defense because he was committing the crime of felon in possession of a firearm at the time he shot the victim, see *People v Dupree*, 486 Mich 693 (2010); and (2) trial counsel was ineffective for failing to ask the trial court to instruct the jury in accordance with M Crim JI 7.25. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.


We do not retain jurisdiction.



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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.

November 29, 2021

  
Clerk