

QUESTION 5 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK II

Vickie Victim owned a duplex in Hillsdale, Michigan, in which she lived in one unit and rented the other unit to Peter Perp. In the early morning hours of July 1, 2008, Peter found himself craving crack cocaine, but he had no money with which to purchase the drug.

Peter broke into Vickie's unit to search for cash. Vickie confronted Peter. Peter overpowered Vickie and eventually strangled her to death. Peter took \$500 from Vickie's bedroom and purchased drugs with the money. The next day Peter was arrested and charged with first-degree premeditated murder.

Peter was declared indigent and the court appointed trial counsel to represent Peter in the circuit court. After waiving a preliminary examination in the district court and being arraigned on the information in the circuit court, Peter, overtaken with guilt, announced to the circuit court and his lawyer that he did not want or need the assistance of trial counsel and he demanded that the court accept his plea of guilty as charged. The circuit court

accommodated Peter and accepted his guilty plea. Peter was sentenced to life in prison with no possibility of parole and the trial court entered the judgment of conviction and sentence. The following day, Peter arrived at prison and had a change of heart. Peter immediately wrote a letter to the trial court and the clerk of the circuit court in which Peter expressed his desire to exercise his right to an appeal.

Peter also asked for the appointment of counsel to represent him on appeal. The clerk of the court and the trial court received the correspondence a few days after the trial court entered Peter's judgment of conviction and sentence, and filed the correspondence in the official court file.

1. Describe and discuss defendant's right to appellate review in the state court. Limit your answer to a discussion of appellate review in state court. Do not discuss possible claims that defendant may assert on appeal.

2. Discuss whether the trial court is obligated to honor Peter's request for the appointment of appellate counsel.

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