Court of Appeals, State of Michigan

ORDER

People of MI v Michael Anthony Seay

Docket No. 278368

LC No. 04-018649-01

Brian K. Zahra
Presiding Judge

Helene N. White

Kurtis T. Wilder
Judges

The Court orders pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the judgment of sentence is VACATED and the matter is REMANDED for resentencing. Where defendant pleaded guilty to attempt to commit a crime that had a maximum sentence of four years, he is guilty of a misdemeanor and the maximum sentence is two years' imprisonment. MCL 750.932(3).

We do not retain jurisdiction.

COURT OF APPEALS OF THE STATE OF MICHIGAN 1965

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 2 0 2007

Date

Sandra Schultz Mengel

Chief Clerk