

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Billy Glen Lewis

Docket No. 297078

LC No. 09-002385-FH

David H. Sawyer  
Presiding Judge

William B. Murphy, C.J.

Douglas B. Shapiro  
Judges

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The Court orders that the motion for peremptory reversal pursuant to MCR 7.211(C)(4) is GRANTED. We vacate defendant's convictions for making child sexually abusive material, MCL 750.145c(2), and remand for entry of convictions for possession of child sexually abusive material, MCL 750.145c(4), and resentencing on those convictions. *People v Hill*, \_\_\_ Mich \_\_\_; \_\_\_ NW2d \_\_\_ (2010). We also remand for the resentencing of defendant with regard to his convictions for using a computer to commit a crime because, with the entry of convictions for possession of child sexually abusive material, defendant is no longer subject to a 20-year maximum sentence, but instead is subject to only a 7-year maximum sentence for each conviction of using a computer to commit a crime. MCL 752.796; MCL 752.797(3).

The Court further orders that the motion to remand is DENIED for failure to satisfy the requirements of MCR 7.211(C)(1).

This order has immediate effect. MCR 7.215(F)(2). This Court retains jurisdiction. Appellant's brief in this appeal is due within 28 days of the entry of the new judgment of sentence in the circuit court.



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

OCT - 1 2010

Date

*Sandra Schultz Mengel*  
Chief Clerk