

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Stephen Demarsha White

Docket No. 297705

LC No. 07-029500 FJ

Kirsten Frank Kelly  
Presiding Judge

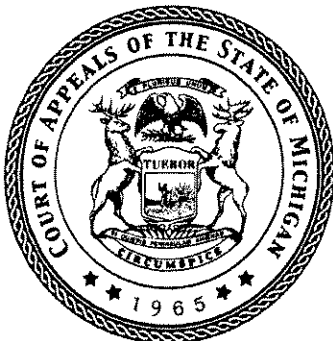
Michael J. Talbot

Kurtis T. Wilder  
Judges

---

Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the Court VACATES the January 14, 2008 judgment of sentence and REMANDS this case for resentencing within the statutory sentencing guidelines range. In the event the sentencing court departs from such range, the court must state on the record substantial and compelling reasons to justify its departure, see *People v Babcock*, 469 Mich 247; 666 NW2d 231 (2003), and explain why the sentence imposed is more proportionate than a sentence within the guidelines recommendation would have been, *People v Smith*, 482 Mich 292, 304; 754 NW2d 284 (2008).

We do not retain jurisdiction.



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

JUN 14 2010

Date

*Sandra Schultz Mengel*  
Chief Clerk