

# Court of Appeals, State of Michigan

## ORDER

People of MI v Clinton Junior Miller

Docket No. 297731

LC No. 07-030056-FH

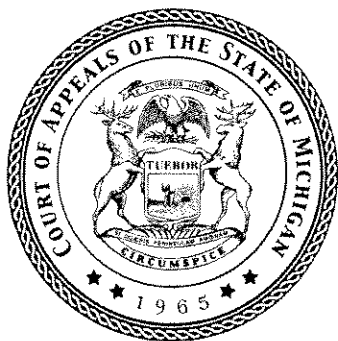
Kirsten Frank Kelly  
Presiding Judge

Kurtis T. Wilder

Christopher M. Murray  
Judges

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The Court orders that the delayed application is DENIED without prejudice to defendant raising the issues in the trial court of whether he is unable to pay the court-ordered \$500 fine and \$500 cost and whether he can be ordered to serve a 90-day jail sentence due to his inability to pay the fine and cost. Defendant apparently has six months from his prison release after serving his felony-firearm sentence to pay the fine and cost, which pursuant to a plea agreement he agreed to pay in lieu of incarceration for his felon in possession of a firearm conviction. Defendant can raise the issues at the time the trial court enforces its directive. See *People v Jackson*, 483 Mich 271; 769 NW2d 630 (2008), and *People v Collins*, 239 Mich App 125, 135-136; 607 NW2d 760 (1999).



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

AUG 26 2010  
Date

*Sandra Schultz Mengel*  
Chief Clerk