

Court of Appeals, State of Michigan

ORDER

People of MI v David Chuck Croff

Docket No. 298733

LC No. 09-001367 FH

Brian K. Zahra
Presiding Judge

Christopher M. Murray

Karen M. Fort Hood
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the application for leave to appeal, the Court VACATES the June 2, 2010 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

DEC 10 2010

Date

Sandra Schultz Mengel
Chief Clerk