

Court of Appeals, State of Michigan

ORDER

People of MI v Gary Alan Butterfield

Docket No. 301302

LC No. 07-028841-FH

Henry William Saad
Presiding Judge

Deborah A. Servitto

Elizabeth L. Gleicher
Judges

In lieu of granting the delayed application for leave to appeal, the Court REMANDS this matter to the Saginaw Circuit Court for RESENTENCING to permit the sentencing court to articulate the substantial and compelling reasons for the departure from the sentencing guidelines, and the proportionality of the sentence imposed.

This Court does not retain jurisdiction.

Saad, P.J. would deny the delayed application for leave to appeal.



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

JAN 13 2011

Date

Sandra Schultz Mengel
Chief Clerk