

Court of Appeals, State of Michigan

ORDER

People of MI v Jarrell Montez Broadnax

Docket No. 309309

LC No. 11-005843-FH

Stephen L. Borrello
Presiding Judge

Donald S. Owens

Michael J. Kelly
Judges

The Court orders that, in lieu of granting the delayed application for leave to appeal, the August 31, 2011, order of probation is VACATED, and this case is REMANDED to the trial court for resentencing. The trial court was without authority to impose an 18-month prison term as a condition of probation. MCL 762.13(1).

The trial court shall resentence defendant in accordance with MCL 762.13(1) within 21 days of the date this order is certified by the Clerk of the Court. This order shall have immediate effect. MCR 7.215(F)(2).

We do not retain jurisdiction.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

DEC 18 2012

Date


Chief Clerk