

Court of Appeals, State of Michigan

ORDER

People of MI v Raymond Vanover

Docket No. 309553

LC No. 09-033592-FH

Amy Ronayne Krause
Presiding Judge

William C. Whitbeck

Patrick M. Meter
Judges

The Court orders that the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented. Defendant's incarceration between November 2009 and April 2011, from arraignment to sentencing in the instant case, was based on his prior Genesee County conviction in May 2009, not the instant case. Accordingly, defendant was not entitled to any jail credit for the instant case under MCL 769.11b, regardless of his bond status. *People v Givens*, 227 Mich App 113, 125-126; 575 NW2d 84 (1997), citing *People v Prieskorn*, 424 Mich 327, 341; 381 NW2d 646 (1985). Thus, defendant was not entitled to 336 additional days of jail credit, such that there was no ineffective assistance of counsel. Neither was he entitled to the 163 days of jail credit which he did receive. However, "[b]ecause the prosecutor has not cross-appealed that portion of the [trial court]'s decision, we take no action with respect to that matter." *Prieskorn*, 424 Mich at 344.



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

JUN 27 2012

Date


Chief Clerk