

# Court of Appeals, State of Michigan

## ORDER

People of MI v Sean Christopher Kanne

Docket No. 312644

LC No. 2011-239138-FH

Mark J. Cavanagh  
Presiding Judge

Kathleen Jansen

E. Thomas Fitzgerald  
Judges

---

The Court orders that the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.

Jansen, J. From the portions of the lower court record available to this Court, there is no evidence to establish that the victim sustained serious psychological injury requiring professional treatment. See MCL 777.34(1)(a). Accordingly, I conclude that the trial court improperly assessed 10 points for OV 4. I would remand for a correction of defendant's sentence. I would further instruct the trial court to correct the Judgment of Sentence and Sentencing Information Report, and to forward corrected copies of these documents to the Department of Corrections. See *People v Brown*, 220 Mich App 680, 685; 560 NW2d 80 (1996). In all other respects, I would deny the delayed application for leave to appeal.



A true copy entered and certified by Angela P. DiSessa, Acting Chief Clerk, on

JUN 18 2013

Date

A handwritten signature in cursive script, reading "Angela P. DiSessa".  
Acting Chief Clerk