

Court of Appeals, State of Michigan

ORDER

People of MI v Michelle Dominique Robinson

Docket No. 317039

LC No. 12-009074-FH

Joel P. Hoekstra
Presiding Judge

William B. Murphy, C. J.

Jane M. Beckering
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the Court VACATES the January 22, 2013 judgment of sentence and REMANDS this case for resentencing. The trial court shall resentence defendant to an intermediate sanction, unless the court identifies substantial and compelling reasons for imposing a prison sentence, *People v Muttscheler*, 481 Mich 372, 375; 750 NW2d 159 (2008), and explains why the sentence imposed is more proportionate than an intermediate sanction would have been, *People v Smith*, 482 Mich 292, 304; 754 NW2d 284 (2008). In all other regards, the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented. This order has immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

AUG - 5 2013

Date


Chief Clerk