

Court of Appeals, State of Michigan

ORDER

People of MI v Matthew Tillman

Docket No. 320103

LC No. 2012-001112-FH

Joel P. Hoekstra
Presiding Judge

David H. Sawyer

Douglas B. Shapiro
Judges

Before seeking leave to appeal, defendant filed a motion in the trial court requesting that the post-probation violation judgment of sentence be amended to award defendant 45 days of credit for time served as indicated in the trial court's original judgment of sentence. The trial court concluded that defendant was not entitled to any jail credit because he was being held on a parole detainer. In effect, this decision means that the original judgment was erroneous, yet the order issued at the conclusion of the hearing did not direct that the original judgment of sentence be corrected to reflect the trial court's ruling.

Because we discern no error in the trial court's denial of defendant's motion for 45 days' credit, we DENY the delayed application for leave to appeal for lack of merit in the grounds presented, but REMAND to the trial court for the ministerial task of amending defendant's original judgment of sentence to reflect that he has zero days' credit. 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

APR 09 2014

Date

Chief Clerk