

# Court of Appeals, State of Michigan

## ORDER

People of MI v Theodore O Price

Docket No. 323270

LC No. 2013-004730-FC

Stephen L. Borrello  
Presiding Judge

Peter D. O'Connell

Amy Ronayne Krause  
Judges

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The Court orders that, in lieu of granting the delayed application for leave to appeal, this case is REMANDED to the trial court for consideration of whether its imposition of \$1,000 in court costs in the judgment of sentence should be vacated in light of *People v Cunningham*, 496 Mich 145; 852 NW2d 118 (2014). In this regard, the trial court shall consider whether imposition of the \$1,000 in court costs constitutes plain error affecting defendant's substantial rights. See *People v Holbrook*, \_\_\_ Mich \_\_\_, \_\_\_ NW2d \_\_\_ (Docket No. 149005, decided September 19, 2014). In all other respects, the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.

We do not retain jurisdiction.



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

OCT 02 2014

Date

Chief Clerk