

# Court of Appeals, State of Michigan

## ORDER

People of MI v Brittany Marie Larosa

Docket No. 323379

LC No. 2014-000091-FH

Elizabeth L. Gleicher  
Presiding Judge

Kathleen Jansen

E. Thomas Fitzgerald  
Judges

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Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal, the Court remands this case to the circuit court for the court to determine, in its discretion, whether an evidentiary hearing is necessary. See *People v Waclawski*, 286 Mich App 634, 690; 780 NW2d 321 (2009). When a defendant challenges the accuracy of information in a PSIR, “[t]he court may hold an evidentiary hearing to determine the report’s accuracy, may accept the defendant’s unsworn statement, or may ignore the alleged misinformation while sentencing.” *People v Brooks*, 169 Mich App 360, 365; 425 NW2d 555 (1988). If the court determines that an evidentiary hearing is necessary, the court shall hold such hearing. “If the court finds that challenged information is inaccurate or irrelevant, that finding must be made part of the record and the information must be corrected or stricken from the report.” *Waclawski*, 286 Mich App at 690.

This Court retains no further jurisdiction.



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

SEP 22 2014

Date

  
Chief Clerk