

Court of Appeals, State of Michigan

ORDER

People of MI v Andre Deshawn Tate

Docket No. 324399

LC No. 2011-002020-FH

Peter D. O'Connell
Presiding Judge

Donald S. Owens

Stephen L. Borrello
Judges

Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal, the Court orders that this matter is REMANDED to the trial court to vacate the portion of the order assessing court costs against defendant. *People v Cunningham*, 496 Mich 145; 852 NW2d 188 (2014). The amendment to MCL 769.1k authorizing the imposition of costs was not effective at the time of defendant's sentence. 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

MAR 27 2015

Date

Chief Clerk