

Court of Appeals, State of Michigan

ORDER

People of MI v Frederick James Wallace

Docket No. 325059

LC No. 2014-250088-FH

Henry William Saad
Presiding Judge

Deborah A. Servitto

Elizabeth L. Gleicher
Judges

The Court orders that, in lieu of granting the delayed application for leave to appeal, this case is REMANDED to the trial court for further proceedings consistent with this order. MCR 7.205(E)(2). The trial court erred by failing to address the challenges to the accuracy of information in the presentence report specified in the delayed application. MCR 6.425(E)(2). As required by MCR 6.425(E)(2), the trial court shall, with regard to each challenge, either make a finding with respect to the challenge or determine that a finding is unnecessary because the information was not taken into account at sentencing. If the trial court finds any challenged statements in the presentence report to be inaccurate or not to have been taken into account at sentencing the statements shall either be appropriately corrected or deleted and a corrected presentence report shall be prepared. In the event that a corrected presentence report is prepared defendant's appellate counsel shall be provided an opportunity to review the corrected report before it is sent to the Department of Corrections. MCR 6.425(E)(2)(b).

We do not retain jurisdiction.



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

JAN 30 2015

Date

A handwritten signature in cursive script, reading "Jerome W. Zimmer Jr.", is written over a horizontal line.

Chief Clerk