

Court of Appeals, State of Michigan

ORDER

People of MI v Robert Phil Hoeft Jr

Docket No. 325217

LC Nos. 12-031216-FH; 14-035595-FH

David H. Sawyer
Presiding Judge

Joel P. Hoekstra

Jane E. Markey
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 judgment assessing court costs against defendant. *People v Cunningham*, 496 Mich 145; 852 NW2d 118 (2014). By its terms, the amendment to MCL 769.1k authorizing the imposition of costs does not apply to costs that were imposed between June 18, 2014, and the effective date of the amendment, October 17, 2014.

In all other respects the delayed application is DENIED for lack of merit in the grounds presented.

This order has immediate effect. MCR 7.215(F)(2) The Court does not retain jurisdiction.



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

APR 10 2015

Date

Chief Clerk