

Court of Appeals, State of Michigan

ORDER

People of MI v Emmanuel Moore

Docket No. 326222

LC No. 14-064918-FH

Jane E. Markey
Presiding Judge

Joel P. Hoekstra

Douglas B. Shapiro
Judges

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is DENIED. Defendant-appellant has not demonstrated that further factual development of the record or an initial ruling by the trial court is necessary at this time in order for this Court to review the issues on appeal. Under *People v Lockridge*, ___ Mich ___; ___ NW2d ___ (2015), remand is mandatory if the guidelines minimum sentence range changes when recalculated without consideration of facts not found by the jury or admitted by the defendant and this recalculation of the sentencing guidelines may be performed based on the existing record.

In lieu of granting the motion to remand, defendant-appellant may file a supplemental brief, limited to the arguments raised in his motion to remand regarding *Lockridge*, within 21 days of the date of this order. Plaintiff-appellee may file a responsive brief. Defendant-appellant shall also file a copy of the Presentence Investigation Report when the supplemental brief is filed, MCR 7.212(C)(7).



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

SEP 29 2015

Date

Jerome W. Zimmer Jr.
Chief Clerk