

Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V BOOKER CATLIN

Docket No. 327485

LC No. 13-010862-FC

Kathleen Jansen
Presiding Judge

Mark J. Cavanagh

Pat M. Donofrio
Judges

The Court orders that the motion for reconsideration is GRANTED, and this Court's order issued July 1, 2015 is hereby VACATED.

On reconsideration, pursuant to MCR 7.205(E)(2) and in lieu of granting leave to appeal, the Court VACATES that portion of the judgment of sentence which assesses court costs of \$200 against defendant. Those court costs were not expressly authorized by statute and so were improperly assessed under *People v Cunningham*, 496 Mich 145; 852 NW2d 118 (2014). Defendant's sentencing fell between the effective dates of 2014 PA 352, so the current provisions of MCL 769.1k(1)(b)(ii) do not apply.

In addition the Court REMANDS the matter to the trial court to correct the minimum sentence as stated on the Sentencing Information Report.

This Court retains no further jurisdiction.



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

AUG 11 2015

Date


Chief Clerk