

Court of Appeals, State of Michigan

ORDER

People of MI v Jeffery Andrew Atwood, Jr.

Docket No. 327566

LC No. 11-035280-FH

Mark T. Boonstra
Presiding Judge

William B. Murphy

Jane M. Beckering
Judges

The Court orders that the motion to waive fees is GRANTED and fees are WAIVED for this case only.

The Court further orders that the delayed application for leave to appeal is DENIED because defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).

Beckering, J., would remand to the Ottawa Circuit Court for the appointment of counsel, MCR 6.505, and the holding of a hearing for the purpose of determining whether the sentencing court correctly assessed 20 points for PRV 5 and, hence, whether resentencing is necessary, *People v Carpentier*, 446 Mich 19; 521 NW2d 195 (1994), concurring in the waiver of fees and the denial of the delayed application in all other respects.



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

AUG 27 2015

Date

Jerome W. Zimmer Jr.
Chief Clerk