

Court of Appeals, State of Michigan

ORDER

People of MI v Paul Doniver

Docket No. 327746

LC No. 09-002245-FC

Kirsten Frank Kelly
Presiding Judge

Michael J. Talbot

Cynthia Diane Stephens
Judges

The Court orders that the motion for reconsideration is GRANTED, and this Court's order issued August 27, 2015 is hereby VACATED.

The motion to waive fees is GRANTED, and fees are WAIVED for this case only.

In lieu of granting leave to appeal, pursuant to MCR 7.205(E)(2), the Court orders that the trial court's April 23, 2015 order denying defendant's motion for relief from court costs is VACATED in regard to the imposition of court costs only. MCL 769.1k as amended by 2014 PA 352 applies to this matter. Defendant specifically challenges the lack of reasoning for the amount in costs that were imposed. This matter is REMANDED to the trial court for further proceedings to establish a factual basis for those costs or to alter that amount, if appropriate. *People v Konopka (On Remand)*, 309 Mich App 345, 359-360; ___ NW2d ___ (2015).

This order is to have immediate effect. MCR 7.215(F)(2).

This Court retains no further jurisdiction.

Talbot, C.J., would deny the motion for reconsideration.



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

OCT 21 2015

Date

Chief Clerk