

Court of Appeals, State of Michigan

ORDER

People of MI v Raynauld Keith Otto

Docket No. 327747

LC No. 2003-190574-FC

Elizabeth L. Gleicher
Presiding Judge

Mark J. Cavanagh

Pat M. Donofrio
Judges

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

Pursuant to MCR 7.205(E)(2), in lieu of granting leave to appeal, the Court orders that the March 20, 2015, order denying defendant's motion to vacate the DNA testing fee and to return the DNA fee paid is REVERSED and this case is remanded to the circuit court. On remand the circuit court shall enter an amended order to remit prisoner funds and order that the DNA fee paid be returned to defendant's prisoner account. Pursuant to MCL 791.233d, a prisoner who has already provided a DNA sample in accordance with the statute is not required to provide another sample or pay the DNA testing fee.

This Court retains no further jurisdiction.



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

AUG - 6 2015

Date

Chief Clerk