

# Court of Appeals, State of Michigan

## ORDER

People of MI v Kevin Alfred Luten

Docket No. 328698

LC No. 2013-008340-FH

Henry William Saad  
Presiding Judge

Kathleen Jansen

Deborah A. Servitto  
Judges

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Pursuant to MCR 7.205(E)(2), the Court orders that in lieu of granting the delayed application for leave to appeal, the matter is REMANDED to circuit court for a determination whether defendant's participation in the Kalamazoo Probation Enhancement Program was the equivalent of incarceration, and if so, to adjust the amount of credit in defendant's sentence. *People v Hite (After Remand)*, 200 Mich App 1, 4; 503 NW2d 692 (1993). In all other respects, the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.

This Court retains no further jurisdiction.



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

SEP 23 2015

Date

Chief Clerk