

Court of Appeals, State of Michigan

ORDER

People of MI v Paul Leroy Fredenburg

Docket No. 329401

LC No. 15-004710-FC

Deborah A. Servitto
Presiding Judge

Michael J. Talbot

Mark J. Cavanagh
Judges

Pursuant to MCR 7.205(e)(2), the Court orders that in lieu of granting leave to appeal, in accordance with *People v Lockridge*, ___ Mich ___; ___ NW2d ___ (2015), this matter is REMANDED to the trial court for a hearing under the terms of *United States v Crosby*, 397 F 3d 103 (CA 2, 2005). If the court determines that but for the constitutional error in scoring the sentencing guidelines identified in *Alleyne v United States*, ___ US ___; 133 S Ct 2348; 147 L Ed 2d 435 (2013), it would have imposed a materially different sentence, the court shall order resentencing.

In all other respects, the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.

The Court retains no further jurisdiction.



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

OCT 28 2015

Date

Chief Clerk