

Court of Appeals, State of Michigan

ORDER

People of MI v Marc Allen Rowe Sr

Docket No. 329469

LC No. 14-040461-FC

Stephen L. Borrello
Presiding Judge

Donald S. Owens

Michael F. Gadola
Judges

The Court, acting under MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal, orders that this case is REMANDED to the trial court for reconsideration of its sentencing decision in accordance with the procedures set forth in Part VI of our Supreme Court's decision in *People v Lockridge*, 498 Mich 358 (2015). If the trial court determines that it would have imposed the same sentence in the absence of the unconstitutional constraint on its discretion, it may reaffirm the original sentence. But if the court determines that it would not have imposed the same sentence in the absence of the unconstitutional constraint on its discretion, it shall resentence the defendant. In all other respects, the delayed application for leave to appeal is DENIED.

We do not retain jurisdiction.



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

NOV 13 2015

Date


Chief Clerk