

Court of Appeals, State of Michigan

ORDER

People of MI v Brandon Allen Smith

Docket No. 330075

LC No. 14-008297-FC

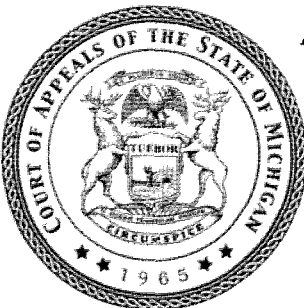
Donald S. Owens
Presiding Judge

Michael J. Kelly

Amy Ronayne Krause
Judges

On order of the Court, the delayed application for leave to appeal is considered and in lieu of granting leave to appeal, we REMAND this case to the Wayne Circuit Court. On remand, the circuit court shall determine whether it would have imposed a materially different sentence under the procedure described in *People v Lockridge*, 498 Mich 358 (2015). If the trial court determines that it would have imposed the same sentence absent the scoring error, it may reaffirm the original sentence. If, however, the trial court determines that it would not have imposed the same sentence, it shall resentence the defendant

Owens, J., would grant delayed application for leave to appeal.



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

DEC - 8 2015

Date


Chief Clerk