

Court of Appeals, State of Michigan

ORDER

People of MI v Daniel Dersel Myers

Docket No. 323943

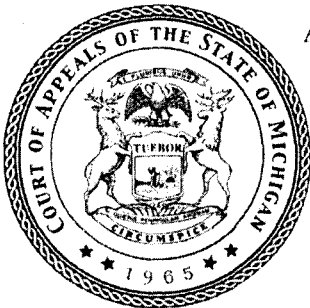
LC No. 14-001001-FC

Kathleen Jansen
Presiding Judge

Henry William Saad

Deborah A. Servitto
Judges

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is DENIED. Defendant-appellant has not demonstrated that further factual development of the record or an initial ruling by the trial court is necessary at this time in order for this Court to review the issues on appeal. Under *People v Lockridge*, 498 Mich 358; 870 NW2d 502 (2015), remand is mandatory if the guidelines minimum sentence range changes when recalculated without consideration of facts not found by the jury or admitted by the defendant and this recalculation of the sentencing guidelines may be performed based on the existing record. Defendant-appellant has now preserved the objection to the scoring of the sentencing guidelines raised in the motion to remand, MCR 6.429(C).



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

JAN 11 2016

Date


Chief Clerk