

Court of Appeals, State of Michigan

ORDER

People of MI v Kyle Joseph Longacre

Docket No. 329513

LC No. 14-001352-FH

Kathleen Jansen
Presiding Judge

Henry William Saad

Deborah A. Servitto
Judges

On its own motion, the Court orders that the December 30, 2015 order denying reconsideration is VACATED.

The Court orders that the motion for reconsideration filed on December 2, 2015 is GRANTED, and defendant-appellant's amended brief is accepted.

Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal, the Court REMANDS this matter to the circuit court for the purpose of amending the judgment of sentence to reflect that defendant-appellant's sentence must be served in the county jail. MCL 769.28. The judgment of sentence may also be amended to reflect any sentence credit to which defendant-appellant may be entitled consistent with MCL 768.7a(1). In all other respects, the delayed application is DENIED for lack of merit in the grounds presented.

The motion for reconsideration filed on December 16, 2015 is DENIED.

We do not retain jurisdiction.



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

JAN 21 2016

Date

Chief Clerk