

# Court of Appeals, State of Michigan

## ORDER

People of MI v Shane Russell Westbrook

Docket No. 330559

LC No. 15-005088-FC

Jane M. Beckering  
Presiding Judge

Douglas B. Shapiro

Mark T. Boonstra  
Judges

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Pursuant to MCR 7.205(E)(2), in lieu of granting the application for leave to appeal, the Court VACATES the November 17, 2015 order of the circuit court. The court abused its discretion when it denied the prosecutor's motion to amend the information without consideration of the merits. *People v Goecke*, 457 Mich 442, 455-462, 579 NW2d 868 (1998); *People v McGee*, 258 Mich App 683, 686-687; 672 NW2d 191 (2003). This matter is REMANDED to the circuit court for the reconsideration of the merits of the prosecutor's motion in light of the standards set forth in *People v Hunt*, 442 Mich 359, 364-365; 501 NW2d 151 (1993); *People v Fortson*, 202 Mich App 13, 15; 507 NW2d 763 (1993). This order has immediate effect. MCR 7.215(F)(2). The Court does not retain jurisdiction.



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

JAN 26 2016

Date

Jerome W. Zimmer Jr.  
Chief Clerk