

Court of Appeals, State of Michigan

ORDER

People of MI v John Leroy Schoening

Docket No. 331093

LC No. 2010-234724-FH

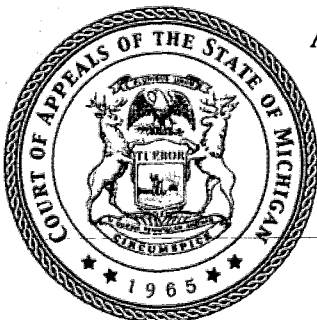
Donald S. Owens
Presiding Judge

Peter D. O'Connell

Amy Ronayne Krause
Judges

Pursuant to MCR 7.205(E)(2), the Court orders that in lieu of granting leave to appeal, in accordance with *People v Lockridge*, 498 Mich 358; 870 NW2d 502 (2015), this matter is REMANDED to the Oakland Circuit Court for a hearing under the terms of *United States v Crosby*, 397 F 3d 103 (CA 2, 2005). If the trial court determines that it would have imposed the same sentence absent the unconstitutional constraint on its discretion, it may reaffirm the original sentence. If the court determines that it would not have imposed the same sentence, it shall resentence the defendant.

This Court retains no further jurisdiction.



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

FEB 24 2016

Date

Chief Clerk