

Court of Appeals, State of Michigan

ORDER

People of MI v Jose Alfredo Cortes-Azcatl

Docket No. 331311

LC No. 13-004761-FH

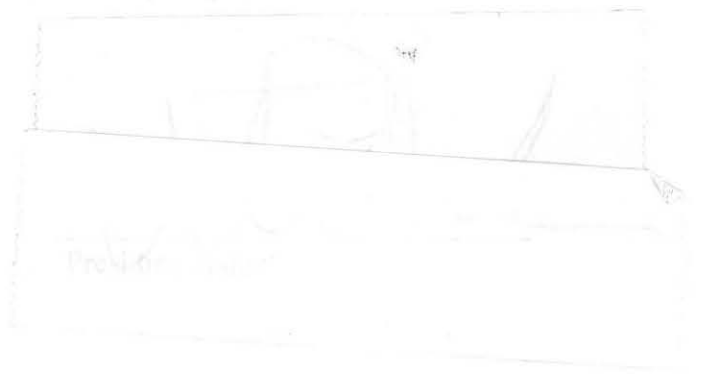
Kurtis T. Wilder
Presiding Judge

Kirsten Frank Kelly

Karen M. Fort Hood
Judges

The Court orders that the motion to withdraw is DENIED for reasons that the appeal is not wholly frivolous. Counsel for defendant-appellant shall have 56 days from the Clerk's certification of this order within which to file appellant's brief on appeal addressing the following issue:

Is defendant entitled to relief pursuant to *People v Lockridge*, 498 MICH 358; 870 NW2d 502 (2015) and its progeny, including *People v Terrell*, 312 MICH APP 450; 879 NW2d 294 (2015), where defendant preserved a challenge to the scoring of several offense variables on the basis of *Alleyne v United States*, 570 US __; 133 S CT 2151; 147 L ED 2D 314 (2013) and at least one of the variables was scored on the bases of judicial fact finding?



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

JUL - 5 2016

Date

Chief Clerk