

Court of Appeals, State of Michigan

ORDER

People of MI v Joseph Raymond Forbes

Docket No. 332939

LC No. 15-001829-FH

Patrick M. Meter
Presiding Judge

Stephen L. Borrello

Michael J. Kelly
Judges

The Court orders that in lieu of granting the delayed application for leave to appeal, the motion to remand is GRANTED, and this case is REMANDED to the St. Clair Circuit Court for clarification of matters related to defendant-appellant's sentence. On remand, the circuit court shall determine whether the days that defendant-appellant served in jail between his arrest and sentencing were required in service toward a prior sentence for which he was paroled in California, and whether any part of that time served should be credited toward his sentences for the instant offenses. MCL 769.11b; *People v Idziak*, 484 Mich 549, 552 (2009). The court shall also correct the judgment of sentence to reflect that only the predicate felony sentence is consecutive to the sentence for possession of a firearm during the commission of a felony, MCL 750.227b. *People v Clark*, 463 Mich 459, 463-464 (2000).

In all other respects, the delayed application for leave to appeal is DENIED.

This Court does not retain jurisdiction.



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

JUL 01 2016

Date


Chief Clerk