

Court of Appeals, State of Michigan

ORDER

People of MI v Giovanni Naccarato

Docket No. 334824

LC No. 11-000851-01-FH

Mark T. Boonstra
Presiding Judge

Jane E. Markey

Douglas B. Shapiro
Judges

The Court orders that the delayed application for leave to appeal is GRANTED. The time for taking further steps in this appeal runs from the date of the Clerk's certification of this order. MCR 7.205(E)(3). This appeal is limited to the issues raised in the application and supporting brief. MCR 7.205(E)(4).

Shapiro, J., would deny the application for leave because, since the decision in *People v Lockridge*, 498 Mich 358; 870 NW2d 502 (2016), a sentence outside the guidelines need only be reasonable and substantial and compelling reasons for the departure need not be shown. Our prior reviews of this case were pre-*Lockridge*.



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

DEC 20 2016

Date


Chief Clerk