

# Court of Appeals, State of Michigan

## ORDER

People of MI v Carlos Guerra Delgado

Docket No. 336679

LC No. 15-041994-FH

Deborah A. Servitto  
Presiding Judge

Henry William Saad

Elizabeth L. Gleicher  
Judges

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The Court orders that in lieu of granting the delayed application for leave to appeal, this case is REMANDED to the trial court for entry of a corrected judgment of sentence. MCR 7.205(E)(2). As the parties agree defendant's sentence for possession of a firearm during commission of a felony (felony-firearm) should be consecutive only to his sentence for the predicate felony of delivery or manufacture of heroin, not to his sentence for delivery or manufacture of marijuana. MCL 750.227b(3); *People v Clark*, 463 Mich 459, 463-464; 619 NW2d 538 (2000). Thus, on remand, the trial court shall enter a corrected judgment of sentence making the felony-firearm sentence consecutive only to the sentence for delivery or manufacture of heroin.

We do not retain jurisdiction. This order has immediate effect. MCR 7.215(F)(2).



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

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Date

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Jerome W. Zimmer Jr.  
Chief Clerk