

# Court of Appeals, State of Michigan

## ORDER

People of MI v Anthony Jordan

Docket No. 338724

LC No. 04-001663-01-FH

Thomas C. Cameron  
Presiding Judge

Christopher M. Murray

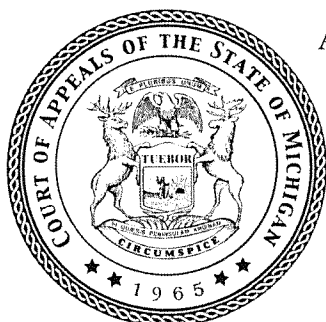
Karen M. Fort Hood  
Judges

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Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal, the Court orders that the January 18, 2017 orders that set aside defendant's conviction and ordered his fingerprints to be placed in a nonpublic place are VACATED. Attempted felonious assault is a felony for purposes of MCL 780.621(1) because it is "punishable by imprisonment for more than 1 year." MCL 780.621(16)(c). Accordingly, defendant is not eligible for expungement of that conviction if he has more than 2 misdemeanor offenses. MCL 780.621(2) addresses the determination of the number of defendant's misdemeanors where proceedings were deferred. On remand, the circuit court shall re-evaluate defendant's eligibility for expungement and make factual findings on eligibility. If the court finds that defendant is eligible, the court shall additionally comply with the other requirements of MCL 780.621, including the balancing of factors required by MCL 780.621(14).

The order is to have immediate effect. MCR 7.215(F)(2).

This Court retains no further jurisdiction.



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

NOV 09 2017

Date

Chief Clerk