

# Court of Appeals, State of Michigan

## ORDER

People of MI v Kyle Steven Boldrey

Docket No. 342305

LC No. 16-004007-FC

Michael J. Kelly  
Presiding Judge

Stephen L. Borrello

Amy Ronayne Krause  
Judges

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Pursuant to MCR 7.205(E)(2), in lieu of granting leave to appeal, the Court concludes that there was an error in the plea proceeding that entitles defendant to have the plea set aside. Specifically, the trial court did not advise defendant of the maximum possible prison sentence for the offenses at issue. MCR 6.302(B)(2).

The Court orders that this case be REMANDED to the Montmorency Circuit Court for proceedings consistent with MCR 6.310(C)(4). On remand, the trial court must give the advice necessary to rectify the error and then give defendant the opportunity to elect to allow the plea and sentence to stand or to withdraw the plea.

The Court orders that the motion for immediate consideration is GRANTED. The Court orders that the motion for peremptory reversal pursuant to MCR 7.211(C)(4) is DENIED.

We do not retain jurisdiction.



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

OCT 29 2018

Date

Chief Clerk