

# Court of Appeals, State of Michigan

## ORDER

People of MI v Justin Warren Withers

Docket No. 343454

LC No. 11-012098-FH

Amy Ronayne Krause  
Presiding Judge

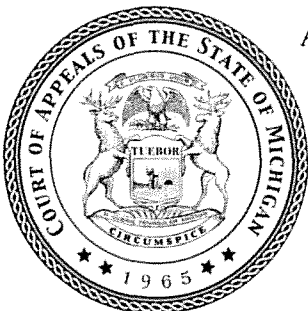
Peter D. O'Connell

Brock A. Swartzle  
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 to redact all required portions of the presentence report in accordance with this order. MCR 7.205(E)(2). Because defendant made requests for the presentence report to be redacted on the record in the trial court and the same requests to this Court in his appellate brief in *People v Withers*, Docket Number 331060, the trial court is directed on remand to make all the redactions referenced in that brief. (See pages 15 to 17 of defendant's appellate brief in Docket Number 331060 which are attached hereto and incorporated herein.) This Court's opinion in Docket Number 331060, pp 5-6, can only reasonably be understood as directing the trial court to delete from the presentence report all information challenged in defendant's appellate brief in that appeal. However, the trial court failed to do so on remand, contrary to its obligation under the rule of mandate to "strictly comply with" this Court's direction as to the remand. *Int'l Business Machines Corp v Dep't of Treasury*, 316 Mich App 346, 352; 891 NW2d 880 (2016).

We retain jurisdiction. The trial court shall file with the Clerk's Office of this Court a copy of the corrected presentence report prepared on remand within 21 days after the date of this order.



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

JUL 06 2018

Date

  
Chief Clerk