

Court of Appeals, State of Michigan

ORDER

People of MI v Darrell Lamar Jones

Docket No. 343621

LC No. 17-004787-FC

Amy Ronayne Krause
Presiding Judge

Peter D. O'Connell

Brock A. Swartzle
Judges

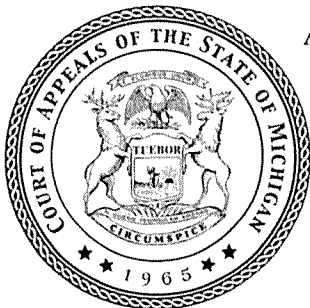
The Court orders that the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.

Ronayne Krause, P.J., would, in lieu of granting the application, remand to the lower court for resentencing.

The prosecutor indicated at the plea on page 11 of that transcript "The worse he'd be looking at would be what the Guidelines are, which we believe are 15 to 25 on the minimum. We'd take no position with regard to where the Court would . . . what minimum the Court would give him within that range and we would also recommend a sentence within those Guidelines of the minimum, which is – I know I talked to the defense about."

The same prosecutor at the sentencing, on page 11 of that transcript, stated, "Based on the nature of this crime, he should be sentenced at the top end of his Guidelines because that would be justice and that would keep the community safe, and it would tell him that you cannot kill people – and he's killed two people that we know of by stabbing them. You . . . need to be punished for it. And 25 years doesn't seem like a long time to me, when this other man has no life."

This certainly qualifies for resentencing when the prosecutor states 2 entirely different recommendations at plea and sentencing.



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

JUN 19 2018

Date


Chief Clerk