

Court of Appeals, State of Michigan

ORDER

People of MI v Jerome Allen Shorkey

Docket No. 349948

LC No. 16-008647-01-FH

Karen M. Fort Hood
Presiding Judge

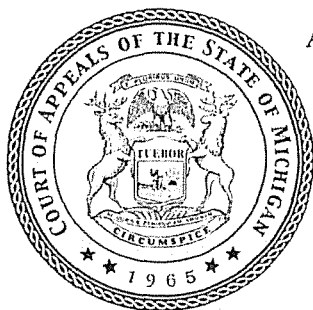
Kirsten Frank Kelly

Thomas C. Cameron
Judges

Pursuant to MCR 7.205(E)(2), the Court PEREMPTORILY REVERSES the decision of the Wayne Circuit Court denying the defendant's motion for relief from judgment and VACATES the July 9, 2019 order effectuating that decision. A defendant is entitled to credit for time served in jail as a condition of probation. *People v Sturdivant*, 412 Mich 92, 97; 312 NW2d 622 (1981), modified in *People v Whiteside*, 437 Mich 188; 468 NW2d 504 (1991); *People v Grazhidani*, 277 Mich App 592, 599; 746 NW2d 622 (2008). A defendant is also entitled to good-time credit earned while serving a jail sentence as a condition of probation. *People v Resler*, 210 Mich App 24, 28; 532 NW2d 907 (1995). This matter is REMANDED to the trial court for reconsideration of the credit to which the defendant is entitled for time served and a determination whether the defendant was awarded any good-time credit from the county sheriff under MCL 51.282(2) when he was incarcerated in 2017. Within 28 days, the court shall amend the judgment of sentence to reflect the proper credit for time served and good-time credits earned, and forward a copy of the amended judgment of sentence to the Department of Corrections.

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

We do not retain jurisdiction.



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

NOV 12 2019

Date

Chief Clerk