

# Court of Appeals, State of Michigan

## ORDER

People of MI v Tommy Brown

Docket No. 350280

LC No. 11-001735-01-FC

Karen M. Fort Hood  
Presiding Judge

Kirsten Frank Kelly

Thomas C. Cameron  
Judges

The Court orders that the motion to waive fees is GRANTED for this appeal only.

Pursuant to MCR 7.205(E)(2), and in lieu of granting leave to appeal, the Court orders that this matter is REMANDED to the Wayne Circuit Court for reconsideration of its determination whether the court would have imposed a materially different sentence under the sentencing procedure described in *People v Lockridge*, 498 Mich 358; 870 NW2d 502 (2015), as directed by the Supreme Court in *People v Brown*, 500 Mich 871; 885 NW2d 302 (2016). On reconsideration, the court shall comply with *Lockridge* by obtaining the views of counsel and either provide an appropriate explanation for its decision not to resentence defendant or “vacate the sentence and, with the Defendant present, resentence in conformity with” *Lockridge*. *Lockridge*, 498 Mich at 398, quoting *United States v Crosby*, 397 F 3d 103, 118 (CA 2, 2005).

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

DEC 05 2019

Date

  
Chief Clerk