

# Court of Appeals, State of Michigan

## ORDER

People of MI v Shawn Jacob Ort

Docket No. 350472

LC No. 18-424420-FH

Patrick M. Meter  
Presiding Judge

Michael J. Kelly

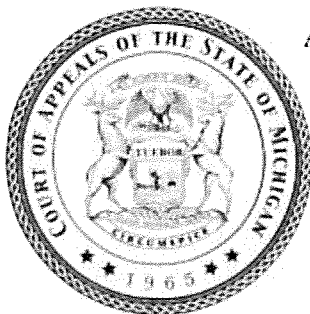
Michael F. Gadola  
Judges

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The Court orders that in lieu of granting leave to appeal, this case is REMANDED to the trial court to enter an amended judgment of sentence that does not impose a DNA assessment on defendant. Further, if the \$60 DNA assessment imposed on defendant has been paid in whole or part, the appropriate amount shall either be refunded to defendant or credited toward other assessments he may still owe in this case as the trial court determines appropriate. The \$60 DNA assessment was erroneously imposed on defendant where the Department of State Police already had his DNA on file before the present case arose. See MCL 28.176(3). In all other respects the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.

The motion to remand is DENIED.

We do not retain jurisdiction.



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

OCT 17 2019

Date

  
Chief Clerk