

Court of Appeals, State of Michigan

ORDER

People of MI v Demiestro Terrance Watson

Docket No. 352378

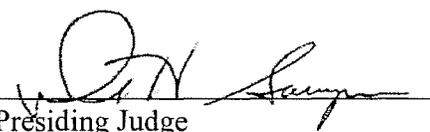
LC No. 15-041396-FC

David H. Sawyer
Presiding Judge

Jane E. Markey

Douglas B. Shapiro
Judges

The delayed application for leave to appeal is DENIED for lack of merit in the grounds presented. We note that this issue should be taken up directly with the Department of Corrections.


Presiding Judge

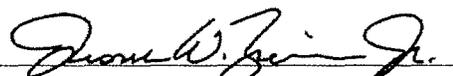
Shapiro, J., would remand the case for further proceedings in lieu of granting leave to appeal and further states as follows: On defendant's motion, the trial court held a hearing on 7/22/19, regarding, in part, defendant's claim that he was entitled to a refund of court costs. The trial court granted the motion, finding that defendant had already paid all the properly assessed costs and was in fact entitled to a refund of \$222. According to the application to this Court, a refund check was issued on 8/19/19 in the amount of \$222 and sent to the Jackson Regional prison. Unfortunately, the revised judgment of sentence did not accurately reflect the fact that the costs were all paid and that a refund was due. The Department of Corrections has therefore not released that refund to defendant and reportedly continues to collect funds from defendant for the sums the trial court determined to have been fully paid. I would remand this case to the trial court to review the status of the case and to issue a new judgment of sentence to reflect the actual costs still owed by defendant if any. If a refund is due defendant and the refund is being held by the Department of Corrections, the trial court should direct the Department to release the funds to defendant.



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

MAR 17 2020

Date


Chief Clerk