

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ERNEST JORDAN,

Defendant-Appellant.

UNPUBLISHED

October 1, 1996

No. 184584

LC No. 94-003282-FH

Before: J.H. Gillis, P.J., and G.S. Allen and J.B. Sullivan, JJ.*

MEMORANDUM.

Pursuant to a sentence bargain, defendant pleaded nolo contendere to delivery of less than fifty grams of cocaine, MCL 333.7401(2)(a)(iv); MSA 14.15(7401)(2)(a)(iv), and was sentenced to 1-1/2 to 20 years' imprisonment and ordered to pay a \$150 forensic fee as a condition of his parole. Defendant appeals as of right. We reverse that portion of the judgment of sentence requiring defendant to pay the \$150 forensic fee. This case has been decided without oral argument pursuant to MCR 7.214(A).

Section 11 of the forensic laboratory funding act, MCL 12.211; MSA 4.486(11), provides that an "assessment required by this act shall apply to criminal prosecutions for offenses committed on or after the effective date of this act." Defendant's offense was committed prior to the effective date of the act, so the act is inapplicable to his case.

Reversed as to that portion of the judgment of sentence which requires defendant to pay the \$150 forensic fee. In all other respects, defendant's conviction and sentence are affirmed.

/s/ John H. Gillis

/s/ Glenn S. Allen, Jr.

/s/ Joseph B. Sullivan

*Former Court of Appeals judges, sitting on the Court of Appeals by assignment pursuant to Administrative Order 1996-3.