

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

UNPUBLISHED
January 14, 2016

v

JOHN CHRISTOPHER-CHARLE GASTON,
a/k/a JOHN CHRISTOPHER GASTON,

No. 319018
Wayne Circuit Court
LC No. 13-003484-FH

Defendant-Appellant.

ON REMAND

Before: CAVANAGH, P.J., and METER and SHAPIRO, JJ.

METER, J. (*dissenting*).

I concluded in my earlier separate opinion in this case that adequate evidence supported the scoring of Offense Variable 8. See *People v Gaston*, unpublished opinion per curiam of the Court of Appeals, issued February 26, 2015 (Docket No. 319018) (METER, J., concurring in part and dissenting in part). I continue to adhere to this conclusion. Accordingly, I would remand this case for a *Crosby*¹ hearing in accordance with *People v Lockridge*, 498 Mich 358, 395; 870 NW2d 502 (2015).

/s/ Patrick M. Meter

¹ *United States v Crosby*, 397 F3d 103 (CA 2, 2005).