

Order

Michigan Supreme Court
Lansing, Michigan

October 26, 2016

Robert P. Young, Jr.,
Chief Justice

150703

Stephen J. Markman
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 150703
COA: 315247
Wayne CC: 12-009230-FC

RONALD JOHNSON,
Defendant-Appellant.

By order of December 22, 2015, the Wayne County Prosecuting Attorney was directed to file a supplemental brief. On order of the Court, the brief having been received, the application for leave to appeal the November 4, 2014 judgment of the Court of Appeals is again considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REVERSE in part the judgment of the Court of Appeals, we VACATE the sentence of the Wayne Circuit Court, and we REMAND this case to the trial court for resentencing pursuant to *People v Francisco*, 474 Mich 82 (2006). The trial court erred in assigning 50 points for Prior Record Variable 1 (PRV 1), MCL 777.51. As the prosecutor concedes, the record supports a score of only 25 points because the defendant only has one prior high severity felony conviction. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



d1017

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 26, 2016


Clerk