

# Order

Michigan Supreme Court  
Lansing, Michigan

November 29, 2017

Stephen J. Markman,  
Chief Justice

153685-6

Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Kurtis T. Wilder  
Elizabeth T. Clement,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 153685  
COA: 323279  
Wayne CC: 13-008592-FC

DAVID TROY ZARN,  
Defendant-Appellant.

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PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 153686  
COA: 323280  
Wayne CC: 13-008758-FC

DAVID TROY ZARN,  
Defendant-Appellant.

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By order of March 7, 2017, the application for leave to appeal the March 22, 2016 judgment of the Court of Appeals was held in abeyance pending the decisions in *People v Steanhouse* (Docket No. 152849) and *People v Masroor* (Docket Nos. 152946-8). On order of the Court, the cases having been decided on July 24, 2017, 500 Mich 453 (2017), the application is again considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REVERSE that part of the judgment of the Court of Appeals remanding this case to the trial court for a hearing pursuant to *People v Lockridge*, 498 Mich 358 (2015), and we REMAND this case to the Court of Appeals for plenary review of the defendant's claim that his sentence was disproportionate under the standard set forth in *People v Milbourn*, 435 Mich 630, 636 (1990). See *People v Steanhouse*, 500 Mich at 460-461. 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.

CLEMENT, J., did not participate.



s1120

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.

November 29, 2017

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Clerk