

# Order

Michigan Supreme Court  
Lansing, Michigan

December 20, 2017

Stephen J. Markman,  
Chief Justice

153745 & (12)

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: 153745  
COA: 330917  
Wayne CC: 06-010123-FC

KEVIN D. BROWN, a/k/a ANTHONY PAUL  
JORDAN,  
Defendant-Appellant.

---

By order of December 21, 2016, the application for leave to appeal the March 29, 2016 order of the Court of Appeals was held in abeyance pending the decision in *People v Comer* (Docket No. 152713). On order of the Court, the case having been decided on June 23, 2017, 500 Mich 278 (2017), the application is again considered. Pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE the October 27, 2009 amended judgment of sentence of the Wayne Circuit Court, and we REMAND this case to the trial court to reinstate the December 3, 2007 amended judgment of sentence. Because the December 3, 2007 amended judgment of sentence was valid, the Wayne Circuit Court lacked the authority to correct the sentence. See MCR 6.429(B) (“[T]he court may not modify a valid sentence after it has been imposed except as provided by law.”). In all other respects, leave to appeal is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The motion for appointment of counsel is DENIED.



t1213

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.

December 20, 2017

Clerk