

# Order

Michigan Supreme Court  
Lansing, Michigan

January 31, 2017

Stephen J. Markman,  
Chief Justice

153776 & (24)

Robert P. Young, Jr.  
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: 153776  
COA: 331373  
Macomb CC: 2015-001777-FH;  
2015-001779-FH

JOSEPH WILLIAM INWOOD,  
Defendant-Appellant.

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By order of December 7, 2016, the prosecuting attorney was directed to answer the application for leave to appeal the April 5, 2016 order of the Court of Appeals. On order of the Court, the answer having been received, the application for leave to appeal is again considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE the sentence of the Macomb Circuit Court in Case No. 2015-001779-FH, and we REMAND this case to the trial court for resentencing. The prosecuting attorney has conceded that the trial court erred by assigning 50 points under Offense Variable (OV) 11, MCL 777.41. Because correcting the OV score would change the applicable guidelines range, resentencing is required. *People v Kimble*, 470 Mich 305 (2004). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions should be reviewed by this Court. The motion to hold the application in abeyance is DENIED.

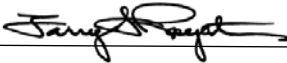
We do not retain jurisdiction.



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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.

January 31, 2017

  
Clerk