

Order

Michigan Supreme Court
Lansing, Michigan

March 9, 2018

Stephen J. Markman,
Chief Justice

155170-1

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: 155170
COA: 328368
Oakland CC: 2015-253442-FC

BRADLEY JAMES INMAN,
Defendant-Appellant.

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 155171
COA: 328370
Oakland CC: 2015-253495-FC

BRADLEY JAMES INMAN,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the December 27, 2016 judgment of the Court of Appeals is considered. Pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, and in light of the prosecutor's concession that the defendant in this case should receive relief under *People v Lockridge*, 498 Mich 358 (2015), we REVERSE in part the judgment of the Court of Appeals, and we REMAND this case to the Oakland Circuit Court to determine whether the court would have imposed a materially different sentence under the sentencing procedure described in *Lockridge*, 498 Mich at 394-397. On remand, the trial court shall follow the procedure described in Part VI of our opinion. If the trial court determines that it would have imposed the same sentence absent the unconstitutional constraint on its discretion, it may reaffirm the original sentence. If, however, the trial court determines that it would not have imposed the same sentence absent the unconstitutional constraint on its discretion, it shall resentence the defendant. 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.

We do not retain jurisdiction.



s0306

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.

March 9, 2018

Clerk