

Order

Michigan Supreme Court
Lansing, Michigan

March 29, 2019

Bridget M. McCormack,
Chief Justice

155989

David F. Viviano,
Chief Justice Pro Tem

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 155989
COA: 330503
Lenawee CC: 15-017428-FH

RODNEY CORTEZ HALL,
Defendant-Appellant.

By order of April 4, 2018, the prosecuting attorney was directed to answer the application for leave to appeal the April 25, 2017 judgment of the Court of Appeals. On order of the Court, the answer having been received, the application for leave to appeal is again considered. Pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE that part of the Court of Appeals judgment addressing the scoring of Offense Variable 19 (OV 19), MCL 777.49 (interference with the administration of justice), and we REMAND this case to the Lenawee Circuit Court for the resentencing ordered by the Court of Appeals. On remand, the circuit court shall not assign 10 points for OV 19 without specifically articulating the basis for the assignment of any points. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.

We do not retain jurisdiction.



s0326

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 29, 2019

Clerk