

Order

Michigan Supreme Court
Lansing, Michigan

November 16, 2017

Stephen J. Markman,
Chief Justice

156022

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

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 156022
COA: 337436
Oakland CC: 2015-255954-FH;
2015-255955-FH

WALTER ANDREW WALAS,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the May 9, 2017 order of the Court of Appeals is considered. We DIRECT the Oakland County Prosecuting Attorney to answer the application for leave to appeal within 28 days after the date of this order. In addressing when embezzlement is “committed” for purposes of scoring Prior Record Variable (PRV) 2, MCL 777.52, and PRV 6, MCL 777.56, the prosecutor shall consider the analysis in *People v Eastom*, unpublished per curiam opinion issued March 24, 2015 (Docket No. 319494), and shall address whether the *Eastom* analysis is correct and whether, under such an approach, PRV 2 and PRV 6 were correctly scored in this case.

The application for leave to appeal remains pending.



d1115

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 16, 2017

Clerk