

Order

Michigan Supreme Court
Lansing, Michigan

September 30, 2019

Bridget M. McCormack,
Chief Justice

156900

David F. Viviano,
Chief Justice Pro Tem

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

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

v

SC: 156900
COA: 318329
Wayne CC: 11-011939-FC

ALEXANDER JEREMY STEANHOUSE,
Defendant-Appellee.

By order of May 4, 2018, the application for leave to appeal the December 5, 2017 judgment of the Court of Appeals was held in abeyance pending the decision in *People v Dixon-Bey* (Docket No. 156746). On order of the Court, leave to appeal having been denied in *Dixon-Bey* on July 29, 2019, 504 Mich ___ (2019), the application is again considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE that part of the Court of Appeals judgment remanding this case to the trial court solely for resentencing. The Court of Appeals determined that only one of three reasons articulated by the trial court for departing from the sentencing guidelines was valid, that it was unclear whether it would have departed solely on that basis, and that its reasoning for the extent of departure was difficult to ascertain. Rather than remanding only for resentencing, the Court of Appeals should have remanded for the trial court to either resentence or to further articulate its reasons for departure. See *People v Babcock*, 469 Mich 247, 258-259 (2003). We REMAND this case to the Wayne Circuit Court to either issue an order further articulating its reasons for guidelines departure, or to resentence the defendant.

We do not retain jurisdiction.



s0923

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.

September 30, 2019

Clerk