

Order

Michigan Supreme Court
Lansing, Michigan

November 29, 2005

Clifford W. Taylor,
Chief Justice

129494

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 129494
COA: 263122
St. Clair CC: 04-000874-FC

BRIAN WAYNE STOCKS, SR.,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the August 12, 2005 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration, as on leave granted, of defendant's challenge to the scoring of offense variable 1, MCL 777.31.



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I, Corbin R. Davis, 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 29, 2005

Corbin R. Davis

Clerk