

# Order

Michigan Supreme Court  
Lansing, Michigan

December 15, 2005

Clifford W. Taylor,  
Chief Justice

128855

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: 128855  
COA: 258230  
Allegan CC: 04-013757-FH

DARIEL IRE HOUGH,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the May 19, 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 Allegan Circuit Court for a determination of whether defendant was on parole when incarcerated on the instant charge, or whether he was entitled to sentence credit under MCL 769.11b between June 17, 2004 and August 20, 2004, and for correction of the presentence report to accurately reflect the number of defendant's convictions and defendant's parole status, if necessary. In all other respects leave to appeal is DENIED because we are not persuaded that the questions presented should be reviewed by this Court.

We do not retain jurisdiction.



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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.

December 15, 2005

*Corbin R. Davis*

Clerk