

# Order

Michigan Supreme Court  
Lansing, Michigan

February 27, 2007

132641

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellant,

v

ROBERT WILLIAM DUKE,  
Defendant-Appellee.

Clifford W. Taylor,  
Chief Justice

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

SC: 132641  
COA: 262325  
Livingston CC: 04-014741-FH

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On order of the Court, the application for leave to appeal the September 28, 2006 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the November 1, 2006 order of the Court of Appeals and we REMAND this case to the Court of Appeals for consideration as on reconsideration granted of whether the Livingston Circuit Court erred in departing from the sentencing guidelines under MCL 769.34(3) in light of the Sentencing Information Report Departure Evaluation.

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.

February 27, 2007

*Corbin R. Davis*

Clerk