

# Order

Michigan Supreme Court  
Lansing, Michigan

September 11, 2009

138076

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

LARRY JAMES LONSBY, SR.,  
Defendant-Appellant.

Marilyn Kelly,  
Chief Justice

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

SC: 138076  
COA: 277000  
St. Clair CC: 02-002798-FC

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On order of the Court, the application for leave to appeal the November 25, 2008 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE, in part, the judgment of the Court of Appeals. It is not necessary to remand this case to the St. Clair Circuit Court for consideration of the defendant's ability to pay attorney fees, pursuant to *People v Dunbar*, 264 Mich App 240 (2004). In *People v Jackson*, 483 Mich 271 (2009), we held that the assessment of a defendant's ability to pay attorney fees is only necessary when that imposition is enforced and the defendant contests his or her ability to pay. In all other respects, leave to appeal is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.



s0831

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.

September 11, 2009

*Corbin R. Davis*

Clerk