

Order

Michigan Supreme Court
Lansing, Michigan

February 1, 2012

143668

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

ROBERT ANTHONY TAYLOR,
Defendant-Appellant.

SC: 143668
COA: 304372
Kent CC: 10-004237-FH

Robert P. Young, Jr.,
Chief Justice

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

On order of the Court, the application for leave to appeal the July 13, 2011 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the sentence of the Kent Circuit Court, and we REMAND this case to the trial court for resentencing. The prosecutor acknowledged and the circuit court agreed that the defendant's sentencing guidelines were misscored and that the applicable guidelines range was lower than the one within which the defendant was originally sentenced. However, the defendant was not present when the trial court affirmed the previous sentence by articulating reasons for departing from the properly scored sentencing guidelines range. MCL 769.34(7); MCR 6.425(F)(4).

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 1, 2012

Corbin R. Davis

Clerk