

Order

Michigan Supreme Court
Lansing, Michigan

September 26, 2012

Robert P. Young, Jr.,
Chief Justice

143993

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

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 143993
COA: 296725
Saginaw CC: 09-032753-FC

DEMARCUS TREVELL YOUNG,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the October 6, 2011 judgment of the Court of Appeals is considered. We DIRECT the Saginaw County Prosecuting Attorney to answer the application for leave to appeal within 28 days after the date of this order, and to specifically address whether, if the defendant's prior conspiracy conviction cannot be scored as a crime against a person pursuant to *People v Bonilla-Machado*, 489 Mich 412 (2011), any error was harmless because the defendant has a conviction for assault with intent to commit great bodily harm that would form a basis to score OV-13 at 25 points.

The application for leave to appeal remains pending.



h0919

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 26, 2012

Corbin R. Davis

Clerk