

Court of Appeals, State of Michigan

ORDER

People of MI v Milo Leroy Johnson

Docket No. 324567

LC No. 13-004736-FC

Elizabeth L. Gleicher
Presiding Judge

Mark J. Cavanagh

Pat M. Donofrio
Judges

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is DENIED. Defendant-appellant has not demonstrated that further factual development of the record or an initial ruling by the trial court is necessary at this time in order for this Court to review the issues on appeal. Under *People v Lockridge*, ___ Mich ___; ___ NW2d ___ (2015), remand is mandatory if the guidelines minimum sentence range changes when recalculated without consideration of facts not found by the jury or admitted by the defendant and this recalculation of the sentencing guidelines may be performed based on the existing record.

Gleicher, J., would grant the motion to remand.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

AUG 12 2015

Date

Chief Clerk