

Court of Appeals, State of Michigan

ORDER

People of MI v Scott Zielinski

Docket No. 277680

LC No. 06-000942-FC

Jane E. Markey
Presiding Judge

David H. Sawyer

Janet T. Neff
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the Court orders that defendant's conviction and sentence with respect to one bank robbery charge is VACATED, *People v Shipe*, 190 Mich App 629; 476 NW2d 490 (1991), and this matter is REMANDED to the circuit court for resentencing, during which time the circuit court shall determine whether defendant has the ability to reimburse the county for legal fees and costs. *People v Nowicki*, 213 Mich App 383; 539 NW2d 590 (1995). This order has immediate effect. MCR 7.215(F)(2). The Court does not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 31 2007

Date

Sandra Schultz Mengel
Chief Clerk