

Court of Appeals, State of Michigan

ORDER

People of MI v Joshua Eugene Young

Docket No. 280057

LC No. 07-001414-FH

Pat M. Donofrio
Presiding Judge

Henry William Saad

Deborah A. Servitto
Judges

In lieu of granting the delayed application for leave to appeal, pursuant to MCR 7.205(D)(2), the Court VACATES that portion of defendant's judgment of sentence assessing attorney fees and court costs and REMANDS the matter to Calhoun Circuit Court. The circuit court erred by ordering defendant to pay \$1000 in court costs and \$425 in attorney fees without first assessing his ability to pay those costs. *People v Dunbar*, 264 Mich App 240; 690 NW2d 476 (2004). On remand, the circuit court shall address defendant's current and future financial circumstances and foreseeable ability to reimburse the county for court costs and attorney fees before determining whether he should pay those costs and fees.

This Court does not retain jurisdiction.



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

SEP 13 2007

Date

Sandra Schultz Mengel
Chief Clerk