

Court of Appeals, State of Michigan

ORDER

People of MI v Kirk Erik Coleman

Docket No. 292101

LC No. 07-004486-FC

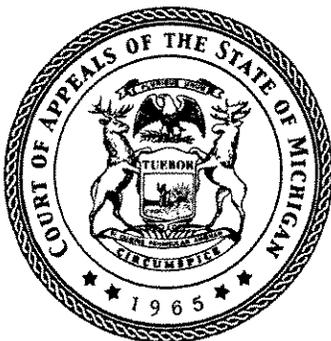
Mark J. Cavanagh
Presiding Judge

Kathleen Jansen

Elizabeth L. Gleicher
Judges

The Court orders that the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.

Gleicher, J., would vacate defendant's sentence and remand for resentencing, because the trial court failed to articulate on the record why the selected degree of departure is warranted, as required by *People v Smith*, 482 Mich 292, 318 (2008).



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

JUL 01 2009

Date

Sandra Schultz Mengel
Chief Clerk