Court of Appeals, State of Michigan

ORDER

People of MI v Cody Nelson Price

Docket No. 308464

LC No. 11-010021-FH

Douglas B. Shapiro
Presiding Judge

David H. Sawyer

Jane E. Markey
Judges

The Court orders that the motion for peremptory reversal pursuant to MCR 7.211(C)(4) is GRANTED, for the reason that the sentencing court erroneously scored 25 points for Offense Variable 13. *People v Nelson*, 491 Mich 869; 809 NW2d 564 (2012); *People v Pearson*, 490 Mich 984; 807 NW2d 45 (2012). The sentence imposed on defendant's conspiracy conviction is VACATED, and this matter is REMANDED to the Cass County Circuit Court for the purpose of resentencing defendant for that conviction. *People v Francisco*, 474 Mich 82; 711 NW2d 44 (2006). This order has immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.

A true copy entered and certified by Larry S. Royster, Chief Clerk, on

SEP 04 2012
Date

Chief Clerk