

# Court of Appeals, State of Michigan

## ORDER

People of MI v Robert Lee Tanner

Docket No. 311778

LC No. 2011-003724-FH

David H. Sawyer  
Presiding Judge

William B. Murphy, C.J.

Joel P. Hoekstra  
Judges

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Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the Court VACATES the February 10, 2012, judgment of sentence and REMANDS this case for resentencing in light of *People v Ball*, 297 Mich App 121; \_\_\_ NW2d \_\_\_ (2012), as required by *People v Crabtree*, \_\_\_ Mich \_\_\_; 821 NW2d 678 (2012), with respect to Offense Variable (OV) 1, MCL 777.31, and OV 2, MCL 777.32.

In all other respects, the delayed application is DENIED for lack of merit in the grounds presented.

We do not retain jurisdiction.



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

JAN 15 2013

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster".  
Chief Clerk