Court of Appeals, State of Michigan

ORDER

People of MI v Lawrence Oliver Johnson

Docket No. 315009

LC No. 12-005097-01-FC

Mark T. Boonstra
Presiding Judge

David H. Sawyer

Jane E. Markey
Judges

The Court orders that, in lieu of granting the application for leave to appeal, this case is REMANDED to the circuit court with the direction that defendant be allowed to withdraw his guilty pleas in this case because the sentences imposed exceeded the circuit court's preliminary evaluation. *People v Cobbs*, 443 Mich 276, 283; 505 NW2d 208 (1993). In light of this disposition there is no need to reach defendant's issue regarding the scoring of offense variables 1 and 2 of the sentencing guidelines.

Sawyer, J., would deny the delayed application for leave to appeal.

A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

OCT 1 4 2013
Date

Chief Clerk