

Court of Appeals, State of Michigan

ORDER

People of MI v Mark Steven-Randall Harris

Docket No. 321904

LC No. 14-038019-FC

Jane E. Markey
Presiding Judge

William B. Murphy

Cynthia Diane Stephens
Judges

In light of our Supreme Court's decision in *People v Lockridge*, __ Mich __; __ NW2d __ (2015), and the fact that defendant's score of 50 points with respect to offense variable 11, MCL 777.41, required judicial fact-finding beyond the facts found by the jury or admitted by defendant, which increased the floor of the minimum sentence range, defendant is entitled to a *Crosby* remand under *Lockridge*. See *Lockridge*, __ Mich at __; slip op at 32-37, citing *United States v Crosby*, 397 F3d 103 (CA 2, 2005). On defendant's motion for reconsideration, we therefore modify our earlier opinion in this case in regard to sentencing and order a remand consistent with *Lockridge*. This order has immediate effect. MCR 7.215(F)(2). In all other respects, the prior opinion stands. We do not retain jurisdiction.



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

OCT 20 2015

Date

Chief Clerk