

Court of Appeals, State of Michigan

ORDER

People of MI v Benjamin Thomas Goddard

Docket No. 325791

LC No. 13-004491 FH

Kurtis T. Wilder
Presiding Judge

Kirsten Frank Kelly

Christopher M. Murray
Judges

Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal the Court orders that this matter is REMANDED to the trial court to VACATE the portion of the judgment assessing court costs against defendant. *People v Cunningham*, 496 Mich 145; 852 NW2d 118 (2014). By its terms, the amendment to MCL 769.1k authorizing the imposition of costs does not apply to costs that were imposed between June 18, 2014, and the effective date of the amendment, October 17, 2014.

The Court further orders that pursuant to *People v Krieger*, 202 Mich App 245, 248; 507 NW2d 749 (1993), the assessment of \$20.00 to the Shiawassee County Victim's Fund is VACATED.

The Court does not retain jurisdiction.

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



APR 07 2015

Date

Chief Clerk