

# Court of Appeals, State of Michigan

## ORDER

People of MI v Bobby Love Poole

Docket No. 326416

LC No. 12-009748-FH

Kirsten Frank Kelly  
Presiding Judge

Kurtis T. Wilder

Michael J. Riordan  
Judges

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Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal, the Court VACATES the September 18, 2014 judgment of sentence and REMANDS this case for resentencing within the statutory sentencing guidelines range. In the event the sentencing court departs from such range, the court must state on the record substantial and compelling reasons to justify its departure, see *People v Babcock*, 469 Mich 247; 666 NW2d 231 (2003), and explain why the sentence imposed is more proportionate than a sentence within the guidelines recommendation would have been, *People v Smith*, 482 Mich 292, 304; 754 NW2d 284 (2008).

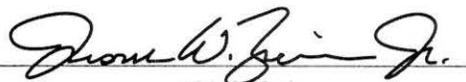
We do not retain jurisdiction.



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

MAY 29 2015

Date

  
Chief Clerk