

Court of Appeals, State of Michigan

ORDER

People of MI v James Joseph Adkins

Docket No. 328814

LC No. 14-004083-FH

Christopher M. Murray
Presiding Judge

Michael J. Talbot

Kirsten Frank Kelly
Judges

The Court orders that, in lieu of granting defendant's application for leave to appeal, the trial court's February 17, 2015 Judgment of Sentence is VACATED to the extent defendant's sentences were based upon Offense Variables 10, 12, 14 and 19, as they appear to have been based upon facts not admitted by defendant or found by a jury, and so we must REMAND to the trial court for it to determine whether the same sentence should be imposed, or whether defendant should be resentenced in accordance with *People v Lockridge*, ___ Mich ___, ___; ___ NW2d ___ (2015), slip op at p 34. See, also, *People v Stokes*, ___ Mich App ___, ___; ___ NW2d ___ (2015). We do not retain jurisdiction.

It is further ordered that the motion to remand is DENIED as moot.



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

SEP 24 2015

Date

Chief Clerk