

Order

Michigan Supreme Court
Lansing, Michigan

April 14, 2006

Clifford W. Taylor,
Chief Justice

129439

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 129439
COA: 263356
Gr Traverse CC: 04-009485-FH

CARIEL NICHOLAS DURR,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the August 25, 2005 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration, as on leave granted, of whether Offense Variables 1, 9, and 12 were properly scored.

We do not retain jurisdiction.

WEAVER, J., would deny leave to appeal as I see no need to remand this case.

CORRIGAN and YOUNG, JJ., would deny leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 14, 2006

Corbin R. Davis

Clerk