

Order

Michigan Supreme Court
Lansing, Michigan

July 16, 2010

Marilyn Kelly,
Chief Justice

140739

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 140739
COA: 295816
Bay CC: 08-010805-FC

ANTONIO MICHAEL KNAPP,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 22, 2010 order of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed whether the sentence of 39 to 45 years, despite being the product of an agreement, is invalid under *People v Tanner*, 387 Mich 683, 690 (1972); *People v Wright*, 432 Mich 84 (1989); and MCL 769.34(2)(b). See *People v Reid*, 465 Mich 969 (2002); *People v Powe*, 469 Mich 1032 (2004); and *People v Floyd*, 481 Mich 938 (2008).

We further order the Bay Circuit Court to appoint the State Appellate Defender Office to represent the defendant in this Court.

The Criminal Defense Attorneys of Michigan and the Prosecuting Attorneys Association of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



s0713

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.

July 16, 2010

Corbin R. Davis

Clerk