

# Order

Michigan Supreme Court  
Lansing, Michigan

March 29, 2016

Robert P. Young, Jr.,  
Chief Justice

151002 & (13)(14)

Stephen J. Markman  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Joan L. Larsen,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 151002  
COA: 324638  
Wayne CC: 98-006537-FC

JEROME WALKER,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the January 15, 2015 order of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE the sentence of the Wayne Circuit Court on the defendant's first-degree murder conviction, and we REMAND this case to the trial court for resentencing on that conviction pursuant to MCL 769.25 and MCL 769.25a. See *Miller v Alabama*, 567 US \_\_\_; 132 S Ct 2455; 183 L Ed 2d 407 (2012); *Montgomery v Louisiana*, 577 US \_\_\_; 136 S Ct 718; 193 L Ed 2d 599 (2016). The motion to hold application in abeyance is treated as a motion to add issue and is GRANTED. The motions for preemptory reversal and for stay are DENIED. In all other respects, leave to appeal is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).

We do not retain jurisdiction.



d0321

I, Larry S. Royster, 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.

March 29, 2016

  
Clerk