

Order

Michigan Supreme Court
Lansing, Michigan

June 28, 2016

151255

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

LOIS BUTLER-JACKSON,
Defendant-Appellant.

SC: 151255
COA: 315591
Macomb CC: 2011-003482-FH

Robert P. Young, Jr.,
Chief Justice

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

By order of May 27, 2015, the application for leave to appeal the November 6, 2014 judgment of the Court of Appeals was held in abeyance pending the decision in *People v Hartwick* (Docket No. 148444). On order of the Court, the case having been decided on July 27, 2015, 498 Mich 192 (2015), the application is again considered. Pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE that part of the Court of Appeals judgment addressing the propriety of court costs under MCL 771.3(5). Though probation supervision costs and reimbursement of expenses incurred in prosecuting the defendant or providing her with legal assistance are authorized under that statute, court costs are not. See *People v Cunningham*, 496 Mich 145 (2014), and *People v Juntikka*, 310 Mich App 306 (2015). We REMAND this case to the Macomb Circuit Court for further proceedings. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.

We do not retain jurisdiction.



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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.

June 28, 2016


Clerk