

# Order

Michigan Supreme Court  
Lansing, Michigan

January 24, 2008

Clifford W. Taylor,  
Chief Justice

134939

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: 134939  
COA: 270873  
Wayne CC: 05-009463-01

EDWARD LEE KEITH,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the August 21, 2007 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we VACATE that part of the judgment of the Court of Appeals remanding the case to the Wayne Circuit Court for completion of a sentence departure evaluation report. Defendant was sentenced on May 26, 2006, almost a year after the July 13, 2005 effective date of the amendment to MCR 6.425(D)(1) eliminating the requirement that the court complete a sentence departure evaluation report on a form prescribed by the State Court Administrator. Therefore, it was sufficient that the trial court stated on the record a substantial and compelling reason for an upward departure. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



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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.

January 24, 2008

*Corbin R. Davis*

Clerk