

Order

Michigan Supreme Court
Lansing, Michigan

May 27, 2008

135939

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

JOHN ALDON CORRION,
Defendant-Appellant.

Clifford W. Taylor,
Chief Justice

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

SC: 135939
COA: 282703
Livingston CC: 05-015154-FH

On order of the Court, the application for leave to appeal the February 5, 2008 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we VACATE the sentence of the Livingston Circuit Court and REMAND this case to that court for resentencing in light of *People v Hendrick*, 472 Mich 555 (2005), and *People v Babcock*, 469 Mich 247 (2003). On remand, the trial court shall sentence the defendant within the appropriate sentencing guidelines range or state on the record a substantial and compelling reason for the departure, in accordance with MCL 769.34(3) and *Babcock, supra*. 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.



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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.

May 27, 2008

Corbin R. Davis

Clerk