

Order

Michigan Supreme Court
Lansing, Michigan

April 27, 2010

Marilyn Kelly,
Chief Justice

140524

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: 140524
COA: 288578
Dickinson CC: 08-004032-FH

DREW JAMES PELTOLA,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the October 20, 2009 judgment of the Court of Appeals is considered. We DIRECT the Dickinson County Prosecuting Attorney to answer the application for leave to appeal filed by the State Appellate Defender's Office within 28 days after the date of this order. The prosecutor shall specifically address the defendant's argument that the decision in *People v Lowe*, 484 Mich 718 (2009), precludes the scoring of the prior record variables in this case.



d0419

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.

April 27, 2010

Corbin R. Davis

Clerk