

Order

Michigan Supreme Court
Lansing, Michigan

May 18, 2011

142895 & (13)

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

ANTHONY PIERRE OLIVER,
Defendant-Appellant.

SC: 142895
COA: 302630
Muskegon CC: 07-055693-FH

Robert P. Young, Jr.,
Chief Justice

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

On order of the Court, the motion for immediate consideration is GRANTED. The application for leave to appeal the March 24, 2011 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Muskegon Circuit Court to enter an amended judgment of sentence granting the defendant sentencing credit of eleven months for the period of time that he was incarcerated in jail as a condition of probation. His incarceration was imposed as part of the sentence in this case, and sentence credit is required in that circumstance. *People v Sturdivant*, 412 Mich 92 (1981), modified in *People v Whiteside*, 437 Mich 188 (1991). 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.

May 18, 2011

Corbin R. Davis

Clerk