

**Court of Appeals, State of Michigan**

**ORDER**

PEOPLE OF MI V SHANNON RENARD HOWARD

Docket No. 286883

LC No. 06-005810

Henry William Saad  
Presiding Judge

Mark J. Cavanagh

Elizabeth L. Gleicher  
Judges

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Pursuant to MCR 7.205(D)(2), in lieu of granting defendant's delayed application for leave to appeal, the Court vacates that portion of the sentence of the Wayne Circuit Court that ordered the defendant to pay attorney fees and REMANDS this case to the trial court for a decision on attorney fees that considers the defendant's current and future ability to pay those fees. *People v Dunbar*, 264 Mich App 240, 255-256; 690 NW2d 476 (2004). At the trial court's discretion, the decision may be made based on the record without the need for a formal evidentiary hearing. *Id.*

The Court further orders the trial court to correct the judgment of sentence to reflect the correct amount of credit for time served, which should be 108 days rather than 107.

The Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 12 2008

Date

*Sandra Schultz Mengel*  
Chief Clerk