

Order

Michigan Supreme Court
Lansing, Michigan

October 26, 2010

Marilyn Kelly,
Chief Justice

141465

Michael F. Cavanagh
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway
Alton Thomas Davis,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 141465
COA: 297976
Oakland CC: 09-226386-FH

IRINA LYSYUK,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the June 15, 2010 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 Oakland Circuit Court for correction of the sentence imposed for the defendant's conviction of driving while license suspended, which in this case was a 93-day misdemeanor, MCL 257.904(3)(a), and thus not subject to sentence enhancement pursuant to MCL 769.12(1)(b). 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.



p1018

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.

October 26, 2010

Corbin R. Davis

Clerk