

# Order

Michigan Supreme Court  
Lansing, Michigan

March 4, 2013

Robert P. Young, Jr.,  
Chief Justice

146125

Michael F. Cavanagh  
Stephen J. Markman  
Mary Beth Kelly  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 146125  
COA: 309183  
Muskegon CC: 10-059331-FH

JOSEPH FRANK HERSHEY,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the September 14, 2012 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 Court of Appeals, for consideration, as on leave granted, of whether OV 16 (property obtained, damaged, lost, or destroyed) and OV 19 (interference with the administration of justice) were correctly scored and whether the defendant, by failing to object to the scoring of these offense variables at sentencing, forfeited or waived any scoring errors.

VIVIANO, J., not participating.



s0225

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.

March 4, 2013

*Corbin R. Davis*

Clerk