

Order

Michigan Supreme Court
Lansing, Michigan

November 27, 2013

Robert P. Young, Jr.,
Chief Justice

147202

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: 147202
COA: 312122
Oakland CC: 2011-239490-FH;
2012-240595-FH

DARRELL D. FULTON,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the March 22, 2013 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 a determination whether the presentence report contains information that is inaccurate, relating to the defendant's prior criminal history. If it is determined by the circuit court that inaccurate information is included in the presentence report, the report shall be corrected or the information deleted in accordance with MCR 6.425(E)(2), and the corrected report shall be forwarded to the Michigan Department of Corrections. 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.



s1120

I, Larry S. Royster, 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.

November 27, 2013


Clerk