

Order

Michigan Supreme Court
Lansing, Michigan

November 26, 2014

Robert P. Young, Jr.,
Chief Justice

148358

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: 148358
COA: 306784
Berrien CC: 2009-003571-FH
2009-004979-FH
2010-005474-FH

BETSY LOUISE KWASNY,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the October 31, 2013 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE that part of the Court of Appeals judgment regarding the restitution order in lower court No. 2009-004979-FH and we REMAND this case to the Court of Appeals for reconsideration in light of *People v McKinley*, 496 Mich 410 (2014). The Court of Appeals evaluated the restitution order in accordance with *People v Gahan*, 456 Mich 264 (1997), which was overruled in *People v McKinley*. 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.

We do not retain jurisdiction.



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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 26, 2014


Clerk