

Order

Michigan Supreme Court
Lansing, Michigan

March 29, 2016

Robert P. Young, Jr.,
Chief Justice

151791

Stephen J. Markman
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 151791
COA: 326023
Muskegon CC: 00-045111-FC

KEVIN ROBINSON,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the May 12, 2015 order of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE the sentence of the Muskegon Circuit Court for the defendant's first-degree murder conviction, and we REMAND this case to the trial court for resentencing on that conviction pursuant to MCL 769.25 and MCL 769.25a. See *Montgomery v Louisiana*, 577 US ___; 136 S Ct 718; 193 L Ed 2d 599 (2016); *Miller v Alabama*, 567 US ___; 132 S Ct 2455; 183 L Ed 2d 407 (2012). In all other respects, leave to appeal is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).

We do not retain jurisdiction.



a0321

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.

March 29, 2016


Clerk