Court of Appeals, State of Michigan

ORDER

People of MI v James Michael O'Bryan

Docket No. 292570

LC No. 08-031573-FC

Stephen L. Borrello
Presiding Judge

Donald S. Owens

Michael J. Kelly
Judges

The Court orders that the motion to remand is DENIED for failure to persuade the Court of the necessity of a remand at this time. However, we note that, by filing the motion to remand, defendant-appellant has preserved the issue regarding the scoring of offense variable three (OV 3) of the sentencing guidelines that he raises in the motion for purposes of MCR 6.429(C) and MCL 769.34(10).

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 15 2010
Date

Sandra Schultz Mengel
Chief Clerk