

Order

Michigan Supreme Court
Lansing, Michigan

March 8, 2019

Bridget M. McCormack,
Chief Justice

155717

David F. Viviano,
Chief Justice Pro Tem

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 155717
COA: 329961
Kent CC: 15-000819-FH;
15-000820-FH

JEROME ROMÉY SUEING,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the March 16, 2017 judgment of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE that part of the judgment of the Court of Appeals that vacated the defendant's sentences for indecent exposure by a sexually delinquent person and we REMAND this case to that court, which shall hold this case in abeyance pending its decision in *People v Arnold (On Remand)* (Docket No. 325407). After *Arnold* is decided, the Court of Appeals shall reconsider this case in light of that decision. We further direct the Court of Appeals to consider the challenge to the assessment of points under Offense Variable 13, MCL 777.43, which was raised by the defendant but not addressed by that court during its initial review of this case. 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.



s0305

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 8, 2019

Clerk