

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

UNPUBLISHED  
July 2, 2013

v

BILLY MATTHEW LONG,  
Defendant-Appellant.

No. 304963  
Oakland Circuit Court  
LC No. 2007-217611-FC

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Before: K. F. KELLY, P.J., and SHAPIRO and RONAYNE KRAUSE, JJ.

MEMORANDUM.

Defendant appeals by leave granted trial court's order denying defendant's motion for relief from attorney fees. This case returns to this Court after an interlocutory remand by this Court to the trial court. *People v Long*, unpublished order of the Court of Appeals, entered December 14, 2012 (Docket No. 304963). The issue appealed is now moot. Therefore, we affirm the trial court's order vacating its previous order remitting defendant's prisoner funds, and its order denying the prosecution's motion to apply the funds to defendant's outstanding debts.

Generally, this Court does not decide moot issues. *People v Richmond*, 486 Mich 29, 34; 782 NW2d 187 (2010), reh gtd in part 486 Mich 1041 (2010). "[A] moot case is one which seeks to get a judgment on a pretended controversy, when in reality there is none, or a judgment upon some matter which, when rendered, for any reason, cannot have any practical legal effect upon a then existing controversy." *Id.* at 34-35 (internal quotation marks omitted). On remand, the trial court ruled in defendant's favor. The trial court vacated its previous order remitting the funds. It also denied the prosecution's motion to apply the funds to defendant's outstanding debts, on the premise that the prosecutor reimburse defendant for the improperly withdrawn fees and defendant pay his outstanding debts with the reimbursement. In defendant's brief on appeal, he requested that this Court order the trial court to vacate its order remitting prisoner funds, reimburse defendant any funds already taken out of his account, and remand for an evidentiary hearing or corrections. The trial court and this Court have granted defendant's relief. Finally, the prosecution does not dispute the issue. Therefore, this issue is moot.

Affirmed.

/s/ Kirsten Frank Kelly  
/s/ Douglas B. Shapiro  
/s/ Amy Ronayne Krause