

Order

Michigan Supreme Court
Lansing, Michigan

September 17, 2026

Megan K. Cavanagh,
Chief Justice

SC: 170359 & (33)
COA: 375745
Charlevoix CC: 24-057514-FH

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

ERIC LAMONT KING-PRICE, JR.,
Defendant-Appellant.

On order of the Court, the motion to expedite is GRANTED. The application for leave to appeal the June 17, 2026 judgment of the Court of Appeals is considered and, pursuant to MCR 7.305(I)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals, VACATE defendant's sentences, and REMAND this case to the Charlevoix Circuit Court for resentencing. As noted by dissenting Judge BAZZI, considering the entire criminal transaction pursuant to MCL 777.44(2)(a), there is insufficient evidence in the record to support the trial court's determination that defendant was "a leader in a multiple-offender situation" for purposes of Offense Variable (OV) 14 under MCL 777.44(1)(a) under either of the trial court's alternate rationales for assigning points. For purposes of scoring OV 14, the Court of Appeals has held that "to 'lead' is defined in relevant part as, in general, guiding, preceding, showing the way, directing, or conducting." *People v Dickinson*, 321 Mich App 1, 22 (2017) (citation, quotation marks, and brackets omitted). The Court of Appeals has also directed trial courts to "consider whether the defendant acted first or gave directions or was otherwise a primary causal or coordinating agent" for purposes of analyzing OV 14. *Id.* (citation and quotation marks omitted). Here, assuming without deciding that this case involves a multiple offender situation, there is insufficient evidence that defendant directed, coordinated, or guided any other offender in the criminal transactions that occurred. The trial court therefore clearly erred when it found by a preponderance of the evidence that defendant was a leader in a multiple offender situation. Because correcting the OV score would change the applicable guidelines range, resentencing is required. *People v Francisco*, 474 Mich 82 (2006). In light of defendant's November 21, 2026 early release date, we DIRECT the trial court to expedite proceedings on remand.

ZAHRA, J. (*dissenting*).

I would deny defendant's application for leave to appeal. Further, I disagree with the majority's conclusion that *People v Francisco*¹ requires resentencing in this case. Instead, I would follow the *United States v Crosby*² remand procedures adopted by this Court in *People v Lockridge*³ as discussed in my dissent in *People v Armogeda*.⁴

¹ *People v Francisco*, 474 Mich 82 (2006).

² *United States v Crosby*, 397 F3d 103 (CA 2, 2005).

³ *People v Lockridge*, 498 Mich 358, 395-398 (2015).

⁴ See *People v Armogeda*, ___ Mich ___, ___ (July 29, 2026) (Docket No. 167760) (ZAHRA, J., dissenting); slip op at 11-12.



I, Elizabeth Kingston-Miller, 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.

September 17, 2026

Elizabeth Kingston-Miller
Clerk