Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V TIMOTHY LLOYD CHRISTENSON

Docket No. 378806

LC No. 74-000002-FC

Michelle M. Rick
Presiding Judge

Philip P. Mariani

Matthew S. Ackerman
Judges

The motion for immediate consideration is GRANTED.

The emergency motion for modification of release decision is DENIED. The trial court shall resentence defendant no later than January 12, 2026, as scheduled, and sooner if at all possible for the parties and the trial court. The trial court shall expedite the transmission of the judgment of sentence on resentencing to the Michigan Department of Corrections.

This order has immediate effect. MCR 7.215(F)(2).

Michelle Rick

Presiding Judge

Rick, M., would GRANT the emergency motion for modification of release decision. This is an injustice. Defendant was convicted of first-degree murder on June 7, 1974, at age 20, following a jury trial in Montcalm County. Both the prosecutor and defense agreed by way of stipulated order presented to the trial court on or about December 22, 2025, that this defendant should be released on a personal recognizance bond (with conditions) pending resentencing. Resentencing is currently scheduled for January 12, 2026. This extraordinary stipulation was made in recognition that the prosecution cannot and will not seek a sentence of life without parole for this juvenile offender. See exhibit E to Defendant's emergency motion, STIPULATION FOR A TERM OF YEARS SENTENCE AND TO SCHEDULE A RESENTENCING HEARING UNDER PEOPLE V CZARNECKI AND PEOPLE V TAYLOR. The parties admit that under People v Czarnecki, ___ Mich ___ (2025), and People v Taylor, ___ Mich ___ (2025), defendant did not originally receive a constitutional sentence of 40 to 60 years. According to the Michigan Department of Corrections, had defendant received a constitutional sentence, his earliest date of release would have been June 27, 1998. According to MDOC, defendant would have served the maximum of this lawful sentence, inclusive of good time credits, on or about September 17, 2008. In my opinion and given these unique and undisputed facts, the trial court's refusal to grant defendant a personal recognizance bond pending resentencing constitutes an abuse of discretion. Defendant served and completed the lawful sentence for this crime seventeen (17) years ago.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

January 2, 2026
Date

Chief Clerk