

# Order

Michigan Supreme Court  
Lansing, Michigan

January 28, 2022

Bridget M. McCormack,  
Chief Justice

162970 & (55)(56)

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh  
Elizabeth M. Welch,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 162970  
COA: 352092  
Wayne CC: 18-005065-FC

RAMI ALI JABER,  
Defendant-Appellant.

On order of the Court, the motion to add issue is GRANTED, and the motion to remand is DENIED. The application for leave to appeal the March 11, 2021 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellant shall file a supplemental brief addressing whether: (1) the Wayne Circuit Court erred by scoring Offense Variable (OV) 5 at 15 points; and (2) the appellant is entitled to resentencing because: (a) his sentence is unreasonable or disproportionate; (b) the trial court erred by taking into account his refusal to admit his guilt; or (c) the trial court erred by sentencing the appellant on the basis of acquitted conduct or facts not found in the record. The appellant's brief shall be filed by March 28, 2022, with no extensions except upon a showing of good cause. In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant's brief. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.


The Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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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.

January 28, 2022

  
Clerk