

# Order

Michigan Supreme Court  
Lansing, Michigan

April 26, 2018

Stephen J. Markman,  
Chief Justice

156757

Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Kurtis T. Wilder  
Elizabeth T. Clement,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 156757  
COA: 339609  
Monroe CC: 16-243120-FH

ROLANDO LANDRY FARRIS,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the September 15, 2017 order of the Court of Appeals is considered. We DIRECT the Monroe County Prosecuting Attorney to answer the application for leave to appeal within 28 days after the date of this order. In particular, the prosecuting attorney shall address: (1) whether the trial court's preliminary sentence evaluation for probation with no more than one year in jail was for a sentence that the court lacked authority to impose for the defendant's no contest plea to delivery/manufacture of less than 50 grams of a controlled substance, per MCL 333.7401(2)(a)(iv); see *People v Davis*, 392 Mich 221 (1974); and (2) if so, what the appropriate remedy would be, if any, under the circumstances of this case. See MCL 761.2; MCL 771.1; *People v Wiley*, 472 Mich 153 (2005); *People v Cobbs*, 443 Mich 276, 283-285 (1993).

The application for leave to appeal remains pending.



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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.

April 26, 2018

Clerk