

Order

Michigan Supreme Court
Lansing, Michigan

September 10, 2019

Bridget M. McCormack,
Chief Justice

158401

David F. Viviano,
Chief Justice Pro Tem

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 158401
COA: 344260
Midland CC: 16-006327-FH;
16-006352-FH; 16-006353-FH

RANDY LOREN VEEDER,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the July 20, 2018 order of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE that part of the September 22, 2017 judgment of sentence in Midland Circuit Court case 16-006352-FH imposing a \$150 fine. MCL 769.1k(1)(b)(i). MCL 750.413 does not authorize a fine. We REMAND case 16-006327-FH to the Midland Circuit Court for a determination of whether a DNA sample had already been submitted. If the trial court finds that a DNA sample meeting the requirements of MCL 28.176(3) had previously been submitted, the trial court shall vacate that part of the September 22, 2017 judgment of sentence imposing a \$60 DNA assessment. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.



a0904

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.

September 10, 2019

Clerk