Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V MICHAEL RAY THOMAS

Docket No. 381341

LC No. 14-003488-FH

Kathleen A. Feeney
Presiding Judge

Kristina Robinson Garrett

Allie Greenleaf Maldonado
Judges

The motion to waive fees is GRANTED for this case only.

To the extent the application challenges the denial of defendant's March 2026 motion to correct the presentence investigation report (PSIR), the application is DISMISSED for lack of jurisdiction. The trial court did not enter a written order adjudicating this motion before the application was filed; thus, the application is premature. MCR 7.203(B) and MCR 7.205(A). That the trial court mailed defendant a copy of the January 8, 2026 order, apparently in response to the motion to correct the PSIR subsequently filed in March, is not an adjudication of the motion to correct the PSIR itself.

To the extent defendant seeks delayed leave to appeal the January 8, 2026 order itself, pursuant to MCR 7.205(E)(2), we VACATE the January 8, 2026 order and REMAND for further proceedings consistent with this order. Defendant ultimately seeks correction of his jail credit as stated in the judgment of sentence to account for the fact that he was sentenced on September 29, 2015, and not September 17, 2015. The January 8, 2026 order denies relief, stating that the amount of jail credit given to defendant was the same as stated in the PSIR and thus was accurate. However, and as demonstrated by defendant's subsequent motion to correct the PSIR, defendant's argument is that the PSIR states the incorrect amount of jail credit. On remand, the trial court shall first address the motion to correct the PSIR and determine whether it states the correct amount of jail credit. Then, the trial court should reconsider defendant's earlier motion seeking to correct his jail credit as stated in the judgment of sentence.

This order is to have immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.

Kathleen A. Feeney
Presiding Judge

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

October 16, 2026
Date

Jerome W. Zimmer Jr.
Chief Clerk