

MSC Order List: May 13, 2011

5-16-2011 by Jeanne Long

On May 13, 2011, the Michigan Supreme Court denied one motion for disqualification and denied two applications for leave to appeal.

Additionally, the Court remanded [Michigan v Turner](#) in lieu of granting leave to appeal. In that case, the prosecutor and defendant negotiated a plea agreement that was not predicated upon a statement by the Court that it would sentence defendant to a specified term or within a specified range, see *People v Cobbs*, 443 Mich 276 (1993). Nevertheless, the circuit court gratuitously “promised” that it would sentence defendant to “the low-end of the guidelines” range if defendant “entered into” the plea. After acknowledging and accepting the circuit court’s promise, defendant entered guilty pleas to the charges. At sentencing, the circuit court imposed a sentence at the high end of the sentencing guidelines range. Based on those “unique facts,” the Court remanded the case to the circuit court for further proceedings consistent with MCR 6.310(C).