

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellant,

v

VENIE D. WARDLAW,

Defendant-Appellee.

UNPUBLISHED

March 3, 1998

No. 204191

Recorder's Court

LC No. 96-008878

Before: Michael J. Kelly, P.J., and Fitzgerald and M.G. Harrison*, JJ.

MEMORANDUM.

Following a bench trial, defendant was convicted of one count of receiving and concealing stolen property in excess of \$100, MCL 750.535; MSA 28.803. However, when the case was called for sentencing, the trial judge announced that, on further consideration, he now entertained a reasonable doubt as to defendant's guilt, and he purported to enter a verdict of not guilty. The prosecutor appeals as of right. We reverse.

Trial judges are without authority to reconsider their own reasoned verdicts in criminal cases, as this Court has repeatedly held. *People v Hutchinson*, 224 Mich App 603, 605-606; ___ NW2d ___ (1997); *People v McEwan*, 214 Mich App 690, 697-698; 543 NW2d 367 (1995); *People v Jones*, 203 Mich App 74, 82; 512 NW2d 26 (1993). Accordingly, the original verdict of guilty is reinstated and pursuant to MCR 7.216(A)(7), the cause is remanded to the Wayne Circuit Court, Criminal Division, for further proceedings consistent with this opinion.

Reversed and remanded for further proceedings consistent with this opinion. We do not retain jurisdiction.

/s/ Michael J. Kelly

/s/ E. Thomas Fitzgerald

/s/ Michael G. Harrison

* Circuit judge, sitting on the Court of Appeals by assignment.