

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

BRENTLY O'BRIEN BOHANEN,

Defendant-Appellant.

UNPUBLISHED
February 26, 2013

No. 304847
Wayne Circuit Court
LC No. 10-010742-FH

Before: RONAYNE KRAUSE, P.J., and SERVITTO and SHAPIRO, JJ.

SHAPIRO, J. (*concurring in part and dissenting in part*).

I concur with the majority as to the ineffective assistance of counsel issue and its conclusion that OV 19 was improperly scored. I differ from the majority, however, in that in keeping with *People v Francisco*, 474 Mich 82; 711 NW2d 44 (2006), I would remand this case for resentencing.

/s/ Douglas B. Shapiro