

Document: People v. Gaddis, 2019 Mich. LEXIS 1473

People v. Gaddis, 2019 Mich. LEXIS 1473

Copy Citation

Supreme Court of Michigan

July 29, 2019, Decided

SC: 159152

Reporter

2019 Mich. LEXIS 1473 * | 931 N.W.2d 347 | 2019 WL 3428765

PEOPLE OF THE STATE OF MICHIGAN, Plaintiff-Appellee, v KEVIN DION GADDIS, Defendant-Appellant.

Prior History: [*1] COA: 346796. Kent CC: 17-008499-FH, 17-008725-FH, 17-008726-FH.

Core Terms

order of the court



Judges: Bridget M. McCormack ▼, Chief Justice, David F. Viviano ▼, Chief Justice Pro Tem. Stephen J. Markman ▼, Brian K. Zahra ▼, Richard H. Bernstein ▼, Elizabeth T. Clement ▼, Megan K. Cavanagh ▼, Justices.

Opinion

Order

On order of the Court, the application for leave to appeal the January 25, 2019 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

Content Type: Cases

Terms: 2019 Mich Lexis 1473

Court of Appeals, State of Michigan

ORDER

People of MI v Kevin Dion Gaddis

Cynthia Diane Stephens
Presiding Judge

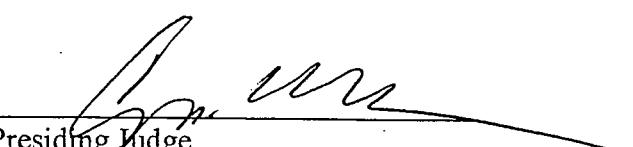
Docket No. 346796

Christopher M. Murray

LC No. 17-008499-FH ; 17-008725-FH ; 17-008726-FH

Anica Letica
Judges

The Court orders that the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.


Presiding Judge

Stephens, P.J., would grant the delayed application for leave to appeal.

2019 Jan 26 AM 11:26
Office of the Clerk
Court of Appeals
State of Michigan

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



JAN 25 2019

Date


Chief Clerk

STATE OF MICHIGAN
17TH JUDICIAL CIRCUIT
KENT COUNTY

JUDGMENT OF SENTENCE
COMMITMENT TO
DEPARTMENT OF CORRECTIONS
AMENDED - ATTY FEE REMOVED

CASE NO.
17-08499-FH

ORI
MI - 410025J
Police Report No.

Kent County Courthouse 180 Ottawa NW, Grand Rapids, MI 49503

Court address: Court telephone number
616-632-5480

THE PEOPLE OF THE STATE OF MICHIGAN	
Prosecuting attorney's name Bar no. Christopher R. Becker P53752	

Defendant name, address, and telephone no.

KEVIN DION GADDIS

CTN/TCN 41 17 010299 99	SID 2076065M	DOB 09/24/1982
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Defendant's attorney name LOUISE JOHNSON	Bar no.
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1. The defendant was found guilty on 05/07/2018 of the crime(s) stated below.

Date

Count	CONVICTED BY			DISMISSED BY*	CRIME	CHARGE CODE(S) MCL citation/PACC Code
1	Plea* Court Jury				CONT SUB-DEL/MANF (COCAINE/HEROIN/OR ANOTHER NARCOTIC) LESS THAN 50 GRAMS; HABITUAL OFFENDER - THIRD OFFENSE NOTICE	333.74012A4; 769.11
2	G				CONT SUB-2ND OR SUB OFF NOTICE-DOUBLE PENALTY-FELONY	333.74132-A

*For Plea: insert "G" for guilty plea; "NC" for nolo contendere; or "MI" for guilty but mentally ill. *For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff

2. The conviction is reportable to the Secretary of State under MCL 257.625(21)(b). G320465143739
 3. HIV testing and sex offender registration is completed.
 4. The defendant has been fingerprinted according to MCL 28.243.
 5. A DNA sample is already on file with the Michigan State Police from a previous case. No assessment is required.

IT IS ORDERED:

6. Probation is revoked
7. Participating in a special alternative incarceration unit is prohibited. permitted.

8. Defendant is sentenced to custody of the Michigan Department of Corrections. This sentence shall be executed immediately.

Count	SENTENCE DATE	MINIMUM Years Mos. Days			MAXIMUM Years Mos.		DATE SENTENCE BEGINS	JAIL CREDIT Mos. Days		OTHER INFORMATION
1	06/12/2018	4			40		06/12/2018		285	

9. Sentence(s) to be served consecutively to (if this item is not checked, the sentence is concurrent.)
 each other. case numbers _____

10. Defendant shall pay:

State Minimum	Crime Victim	Restitution	DNA Assess.	Court Costs	Attorney Fees	Fine	Other Costs	Total
\$68.00	\$130.00	\$	\$	\$400.00	\$	\$	\$	\$

The due date for payment is Date of Sentence. Fine, costs, and fees not paid within 56 days of the due date are subject to a 20% late penalty on the amount owed.

11. The defendant is subject to lifetime monitoring pursuant to MCL 750.520n.
 12. Court recommendation:

07/27/2018

Date

Judge **HONORABLE DONALD JOHNSTON** Bar. no. **P15554**

I certify that this is a correct and complete abstract from the original court records. The sheriff shall, without needless delay, deliver defendant to the Michigan Department of Corrections at a place designated by the department.

(SEAL)

Deputy court clerk

STATE OF MICHIGAN
17TH JUDICIAL CIRCUIT
KENT COUNTYJUDGMENT OF SENTENCE
COMMITMENT TO
DEPARTMENT OF CORRECTIONS
*AMENDED - ATTY FEE REMOVED*CASE NO.
17-08725-FHORI
MI - 410025J
Police Report No.

Kent County Courthouse 180 Ottawa NW, Grand Rapids, MI 49503

Court address: Court telephone number
616-632-5480

THE PEOPLE OF THE STATE OF MICHIGAN	
Prosecuting attorney's name Bar no. Christopher R. Becker P53752	

v

Defendant name, address, and telephone no.

KEVIN DION GADDIS

CTN/TCN 41 17 010308 99	SID 2076065M	DOB 09/24/1982
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Defendant's attorney name LOUISE JOHNSON	Bar no.
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1. The defendant was found guilty on 05/07/2018 of the crime(s) stated below.

Date

Count	CONVICTED BY Plea* Court Jury	DISMISSED BY*	CRIME	CHARGE CODE(S) MCL citation/PACC Code
1	G		POLICE OFFICER- ASSAULTING/RESISTING/OBSTRUCTING CAUSING INJURY; HABITUAL OFFENDER - THIRD OFFENSE NOTICE	750.81D2; 769.11
2	G		POLICE OFFICER - FLEEING - FOURTH DEGREE - VEHICLE CODE; HABITUAL OFFENDER - THIRD OFFENSE NOTICE	257.602A2; 769.11

*For Plea: Insert "G" for guilty plea; "NC" for nolo contendere; or "MI" for guilty but mentally ill. *For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff

2. The conviction is reportable to the Secretary of State under MCL 257.625(21)(b). G320465143739
 3. HIV testing and sex offender registration is completed.
 4. The defendant has been fingerprinted according to MCL 28.243.
 5. A DNA sample is already on file with the Michigan State Police from a previous case. No assessment is required.

IT IS ORDERED:

6. Probation is revoked
7. Participating in a special alternative incarceration unit is prohibited. permitted.
8. Defendant is sentenced to custody of the Michigan Department of Corrections. This sentence shall be executed immediately. JUDGE JOHNSTON

Count	SENTENCE DATE	MINIMUM Years Mos. Days			MAXIMUM Years Mos.		DATE SENTENCE BEGINS	JAIL CREDIT Mos. Days		OTHER INFORMATION
1	06/12/2018	2			8		06/12/2018		285	
2	06/12/2018	1	6		4		06/12/2018		285	

9. Sentence(s) to be served consecutively to (if this item is not checked, the sentence is concurrent.)
 each other. case numbers _____

10. Defendant shall pay:

State Minimum	Crime Victim	Restitution	DNA Assess.	Court Costs	Attorney Fees	Fine	Other Costs	Total
\$136.00	\$130.00	\$	\$	\$400.00	\$	\$	\$	\$

The due date for payment is Date of Sentence. Fine, costs, and fees not paid within 56 days of the due date are subject to a 20% late penalty on the amount owed.

11. The defendant is subject to lifetime monitoring pursuant to MCL 750.520n.
 12. Court recommendation:

07/27/2018

Date

Judge HONORABLE DONALD JOHNSTON Bar. no. P15554

I certify that this is a correct and complete abstract from the original court records. The sheriff shall, without needless delay, deliver defendant to the Michigan Department of Corrections at a place designated by the department.

(SEAL)

Deputy court clerk

STATE OF MICHIGAN
17TH JUDICIAL CIRCUIT
KENT COUNTY

JUDGMENT OF SENTENCE
COMMITMENT TO
DEPARTMENT OF CORRECTIONS
*AMENDED - ATTY FEE REMOVED &
SENTENCE AMENDED*

CASE NO.
17-08726-FH

ORI
MI - 410025J
Police Report No.

Kent County Courthouse 180 Ottawa NW, Grand Rapids, MI 49503

Court address: Court telephone number
616-632-5480

THE PEOPLE OF THE STATE OF MICHIGAN

v

Defendant name, address, and telephone no.

KEVIN DION GADDIS

CTN/TCN 41 17 010298 99	SID 2076065M	DOB. 09/24/1982
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Prosecuting attorney's name
Christopher R. Becker

Bar no.
P53752

Defendant's attorney name
LOUISE JOHNSON

Bar no.

1. The defendant was found guilty on 05/07/2018 of the crime(s) stated below.

Date

Count	CONVICTED BY		DISMISSED BY*	CRIME	CHARGE CODE(S) MCL citation/PACC Code
1	Plea* Court Jury		NP	CONT SUB - DEL/MANF (COCAINE/HEROIN/OR ANOTHER NARCOTIC) 450 TO 999 GRAMS	333.74012A2
2			NP	CONT SUB-POSS (COCAINE/HEROIN/OR ANOTHER NARCOTIC) 450-999 GRAMS	333.74032A2
3	G			WEAPONS - FIREARMS - POSSESSION BY FELON; HABITUAL OFFENDER - THIRD OFFENSE NOTICE	750.224F; 769.11
4	G			WEAPONS FELONY FIREARM	750.227B-A
5	G			CONT SUB-2ND OR SUB OFF NOTICE-DOUBLE PENALTY-FELONY	333.74132-A
6	G			CONT SUB-DEL/MANF (COC, HEROIN, OR ANOTHER NARCOTIC) 50-449 GRAMS; HABITUAL OFFENDER - THIRD OFFENSE NOTICE	333.74012A3; 769.11

*For Plea: insert "G" for guilty plea; "NC" for nolo contendere; or "MI" for guilty but mentally ill. *For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff

2. The conviction is reportable to the Secretary of State under MCL 257.625(21)(b). G320465143739
 3. HIV testing and sex offender registration is completed.
 4. The defendant has been fingerprinted according to MCL 28.243.
 5. A DNA sample is already on file with the Michigan State Police from a previous case. No assessment is required.

Defendant's driver's license number
REC'D & FILED

IT IS ORDERED:

6. Probation is revoked

7. Participating in a special alternative incarceration unit is prohibited. permitted.

8. Defendant is sentenced to custody of the Michigan Department of Corrections. This sentence shall be executed immediately.

Count	SENTENCE DATE	MINIMUM Years Mos. Days			MAXIMUM Years Mos.		DATE SENTENCE BEGINS	JAIL CREDIT Mos. Days		OTHER INFORMATION
3	06/12/2018	2			10		06/12/2018			
4	06/12/2018	2			2		06/12/2018		285	
6	06/12/2018	11			40		06/12/2018			

9. Sentence(s) to be served consecutively to (if this item is not checked, the sentence is concurrent.)

each other. case numbers CT 3 & 6 CONCURRENT TO EACH OTHER AND CONSECUTIVE TO CT 4

10. Defendant shall pay:

State Minimum	Crime Victim	Restitution	DNA Assess.	Court Costs	Attorney Fees	Fine	Other Costs	Total
\$204.00	\$130.00	\$	\$	\$400.00	\$	\$	\$	\$

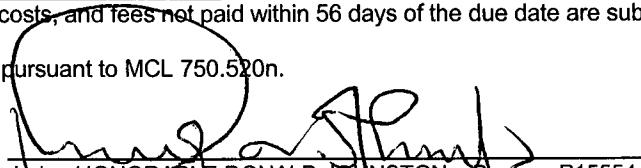
The due date for payment is Date of Sentence. Fine, costs, and fees not paid within 56 days of the due date are subject to a 20% late penalty on the amount owed.

11. The defendant is subject to lifetime monitoring pursuant to MCL 750.520n.

12. Court recommendation:

07/27/2018

Date


Judge HONORABLE DONALD JOHNSTON Bar. no. P15554

I certify that this is a correct and complete abstract from the original court records. The sheriff shall, without needless delay, deliver defendant to the Michigan Department of Corrections at a place designated by the department.

(SEAL)

Deputy court clerk

JRL2768 PGW145