



THIRD JUDICIAL CIRCUIT
OF MICHIGAN

ROBERT J. COLOMBO, JR.
CHIEF JUDGE

701 COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3413

(313) 224-5430

DOCKET DIRECTIVE 2016 – 02

STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT

SUBJECT: SUSPENSION OF MINIMUM RECORDS RETENTION AND DISPOSAL SCHEDULE FOR CASES SUBJECT TO RESENTENCING UNDER *MILLER-MONTGOMERY* AND RELATED PROCEEDINGS

This Docket Directive is issued pursuant to MCR 8.110(C)(3), MCR 8.119(K), MCL 600.1428, and General Records Retention and Disposal Schedule #16—Michigan Trial Courts, and suspends the minimum records retention and disposal schedule period for all cases that are subject to resentencing under *Miller v Alabama*, 132 S Ct 2455 (2012), and *Montgomery v Louisiana*, 136 S Ct 718 (2016).

IT IS ORDERED THAT:

Effective: June 23, 2016

Pursuant to the legal authority set forth above, no Third Judicial Circuit Court records of juvenile or criminal court proceedings that are kept by the Third Judicial Circuit Court or the Wayne County Clerk of Court shall be destroyed as to individuals subject to resentencing under the United States Supreme Court's rulings in *Miller-Montgomery* until further order of the Court. A list of the individuals who were originally sentenced in this Court is attached to this Docket Directive as Exhibit A. Upon receiving written or electronic notice of other individuals who have records of juvenile or criminal proceedings in this Court but are subject to resentencing in other courts, the Court shall also require that those individuals' records similarly shall not be destroyed. The Court shall provide the names of any such individuals to the keeper of the juvenile and criminal court records upon receipt of such notice.

This Docket Directive is necessary for purposes of administrative efficiency and economy.

A handwritten signature in black ink, reading "Robert J. Colombo, Jr.", is written over a horizontal line.

Hon. Robert J. Colombo, Jr., Chief Judge
Third Judicial Circuit of Michigan

Dated: June 23, 2016

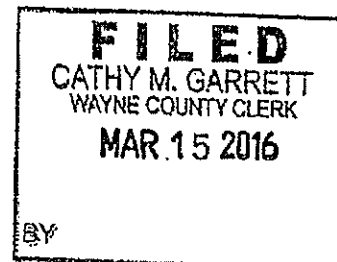
STATE OF MICHIGAN
IN THE THIRD CIRCUIT COURT

IN RE: DEFENDANTS AFFECTED BY
RETROACTIVE APPLICATION OF MILLER v. ALABAMA

LIST OF DEFENDANTS AFFECTED BY RETROACTIVE
APPLICATION OF MILLER v. ALABAMA

KYM L. WORTHY
Prosecuting Attorney
County of Wayne

over 20 yrs





COUNTY OF WAYNE
OFFICE OF THE PROSECUTING ATTORNEY
DETROIT, MICHIGAN

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KYM L. WORTHY
PROSECUTING ATTORNEY

RICHARD P. HATHAWAY
CHIEF ASSISTANT

DONN FRESARD
CHIEF OF STAFF

March 15, 2016

Judge Robert J. Colombo, Jr.
Chief Judge
Third Judicial Circuit Court
2 Woodward Ave., Room 701
Detroit, Michigan 48226

Judge Timothy M. Kenny
Presiding Judge
Criminal Division
1441 St. Antoine, Room 602
Detroit, MI 48226

**RE: List of Defendants Affected by Retroactive
Application of Miller v. Alabama**

Dear Judges Colombo and Kenny,

Attached, please find a list of 147 defendants having previously been convicted in Wayne County and sentenced to mandatory terms of life imprisonment without the possibility of parole. All of these defendants were under the age of eighteen years at the time they committed the offense for which they were convicted. The Supreme Court of the United States, in *Miller v. Alabama*, has found unconstitutional the mandatory imposition of life sentences without the possibility of parole for defendants that were minors at the time the offense was committed. It is still possible for a minor to be sentenced to a term of life imprisonment without the possibility of parole, however certain criteria needs to be first considered by the sentencing court before imposing this sentence. Otherwise, a term of years sentence should be imposed. The procedure for sentencing minors convicted of offenses carrying a mandatory sentence of life without parole is set out in MCL 769.25.

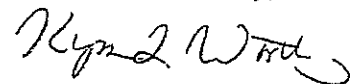
On January 25, 2016, the Supreme Court of the United States, in *Montgomery v. Louisiana*, held that the *Miller* decision retroactively applied to defendants whose convictions and appeals were final prior to the *Miller* decision. The *Montgomery* decision triggered specific procedures set out in MCL 769.25a(4):

(a) Within 30 days after the date the supreme court's decision becomes final, the prosecuting attorney shall provide a list of names to the chief circuit judge of that county of all defendants who are subject to the jurisdiction of that court and who must be resentenced under that decision.

(b) Within 180 days after the date the supreme court's decision becomes final, the prosecuting attorney shall file motions for resentencing in all cases in which the prosecuting attorney will be requesting the court to impose a sentence of imprisonment for life without the possibility of parole. A hearing on the motion shall be conducted as provided in section 25 of this chapter [MCL 769.25].

In accordance with MCL 769.25a(4)(a), the Wayne County Prosecuting Attorney provides this list of defendants who are subject to the jurisdiction of the Third Judicial Circuit Court for Wayne County and must be resentenced under the *Miller* and *Montgomery* decisions. The list is timely served on both the chief judge of the court and the presiding judge of the criminal division within thirty days of the *Montgomery* decision becoming final.

Sincerely,



KYM L. WORTHY
Wayne County Prosecuting Attorney
1441 St. Antoine, 12th Floor.
Detroit, Michigan 48226

WAYNE COUNTY PROSECUTOR'S OFFICE
LIST OF DEFENDANTS RETROACTIVELY AFFECTED BY MILLER v. ALABAMA

LAST NAME	FIRST NAME	CASE #	DOB	OFFENSE DATE	OFFENSE AGE	YEARS IN DOC
ALLEN	HERBERT	87-0102	4/27/1970	10/9/1986	16	28
ANDERSON	KENNETH	90-6545	7/13/1968	5/18/1986	17	25
AVERHEART	ULYSSES	92-9034	4/26/1976	7/14/1992	16	22
BANKS	MELVIN	87-4887	5/28/1969	5/8/1987	17	23
BASSETT	THOMAS	91-3563	6/9/1974	2/5/1991	16	24
BENJAMIN	WILLIE	87-5921	11/11/1969	6/20/1987	17	28
BENNETT	DAVID	72-55257	7/28/1954	5/9/1972	17	43
BIBBS	COREY	90-3461	6/7/1972	3/11/1990	17	25
BLACK	MAURICE	92-9035	5/15/1983	4/6/2000	16	15
BLACK	RODNEY	92-9036	9/17/1976	9/11/1993	16	22
BLACKSHERE	JUSTIN	92-9037	8/18/1989	1/2/2007	17	8
BROWN	ERIC	87-1499	10/25/1969	7/26/1986	16	28
BROWN	JAMAL	91-8200	8/1/1973	5/17/1991	17	23
BRYANT	DIARRA	92-9038	10/11/1978	1/31/1996	17	19
BRYANT	WILLIAM	85-3843	8/25/1968	10/14/1984	16	30
BURGOS	JOSE	91-7001	3/21/1975	6/10/1991	16	23
BURNS	RECHO	92-9039	2/15/1982	1/15/2000	17	15
CALLOWAY	ANDRE	89-9534	10/17/1972	8/10/1989	17	25
CALVIN	MICHAEL	77-5087	3/19/1960	11/8/1976	16	38
CAMMON	ERIC	89-0215	11/29/1971	12/10/1988	17	26
CAMPER	OMAIR	91-10030	9/30/1974	9/3/1991	16	24
CANNON	MICHAEL	92-9040	8/11/1988	4/25/2006	17	9
CARD	LAMONT	92-9041	9/7/1976	2/17/1994	17	20
CARTER	KENNETH	76-5900	5/7/1959	7/29/1976	17	38
CHEEKS	CLINTON	93-11580	1/12/1978	9/26/1993	15	21
CLARK	CHRISTOPHER	07-4186	3/15/1987	8/29/2004	17	8
COLEMAN	THOMAS	05-10644	1/5/1988	10/5/2005	17	9
COLLIER	LARKETA	03-1119	2/25/1987	9/17/2003	16	11
COLSON	GERALD	87-3059	6/25/1969	3/18/1987	17	28
DANIEL	KYLE	94-13823	7/7/1976	9/29/1993	17	20
DANIEL	CHARLES	80-7748	1/25/1964	9/5/1980	16	34
DAVIS	CORTEZ	94-2083	3/7/1977	12/14/1993	16	21
DONALD	CORY	06-3170	6/1/1988	11/14/2005	17	9
ELLIOT	RODERICK	93-9599-02	12/31/1975	8/1/1993	17	21
EVANS	RAMON	91-2066	9/7/1973	8/30/1990	17	24
FERRELL	MAURICE	02-2131	8/17/1985	1/16/2002	16	13
FIELDS	ANTHONY	05-0348	6/23/1987	8/3/2004	17	10
FIELDS	FREDERICK	01-0516	7/22/1983	12/15/2000	17	14
FOSTER	LEANDER	94-6481-02	5/18/1977	5/3/1994	16	21
FRENCH	ANTONIO	03-5264	4/13/1984	1/7/2002	17	12
FUSON	JAMES	94-1609	4/29/1976	1/24/1994	17	20
FUSON	JAMES	94-10332	4/29/1976	1/24/1994	17	20
GARRETT	ALBERT	80-5640	11/30/1962	8/20/1980	17	35
GARRISON	WILLIAM	76-2815	5/28/1959	2/22/1976	16	39
GILL	CLIFTON	89-1651	7/31/1972	12/27/1988	16	26
HALL	JOHN	A-134610	8/3/1949	1/13/1967	17	48

WAYNE COUNTY PROSECUTOR'S OFFICE
LIST OF DEFENDANTS RETROACTIVELY AFFECTED BY MILLER v. ALABAMA

HARRELL	LORENZO	93-7172	11/13/1975	4/18/1993	17	22
HARRINGTON	BRANDON	95-8238	4/21/1977	2/18/1995	17	19
HARRIS	LARONE	88-3630	3/5/1972	8/10/1987	15	27
HARRIS	SHAWN	90-1823	1/2/1972	11/19/1989	17	25
HAWKINS	DEANTE	06-13493	8/28/1991	8/25/2006	14	8
HAYWOOD	LAMAR	98-13718	2/11/1982	6/8/1997	15	16
HAYWOOD	LONNELL	97-500792	6/23/1980	2/12/1997	16	17
HENDERSON	MARIO	90-3539	11/23/1972	1/25/1990	17	25
HERNANDEZ	LOUIS	06-4359	5/9/1989	11/27/2005	16	9
HINDS	ROBERT	01-9370	1/24/1984	5/16/2001	17	13
HINES	BOBBY	89-5584	1/3/1974	5/1/1989	15	26
HOGUE	WILLIAM	80-4667	10/11/1962	7/7/1980	17	34
HOLLAND	BEKEIBA	91-6315	4/26/1973	4/12/1991	17	24
HOWARD	JAMES	81-1724	9/7/1964	10/17/1981	17	34
HOWELL	RAY	84-3503	10/10/1964	5/19/1982	17	31
HUGGINS	JAMIE	94-0719-02	6/8/1976	12/17/1993	17	21
IRVIN	LARRY	95-11370	12/14/1976	11/11/1993	16	19
IVORY	BRIAN	87-7448	1/2/1972	6/9/1987	15	27
JACKSON	DREMARIS	08-10353	10/19/1990	5/18/2008	17	7
JACKSON	ROY	01-1749	7/29/1983	12/11/2000	17	14
JACKSON	FONZA	81-3916	10/26/1964	4/22/1981	16	33
JARRETT	MICHAEL	93-8770	10/17/1975	1/23/1992	16	22
JENNINGS	ERVIN	92-1949	10/4/1974	1/8/1992	17	23
JOHNSON	SHAVANTE	93-6838	5/31/1975	5/19/1993	17	21
JOHNSON	TERRILL	02-8079	10/21/1984	4/30/2002	17	13
JOHNSON	DARNELL	76-8926	5/7/1960	8/2/1976	16	38
JOHNSON	RENARD	83-0491	3/12/1965	11/15/1982	17	32
JONES	DANIEL	96-4081	12/6/1979	1/14/1996	17	19
JONES	WALTER	75-0647	12/5/1957	1/21/1975	17	40
JORDAN	DAVID	95-2107	9/15/1978	1/28/1995	16	20
JORDAN	TIMOTHY	84-4678	11/30/1967	5/2/1984	16	29
KINCAID	TIMOTHY	81-6517	12/7/1961	6/4/1978	16	33
KNUCKLES	DEMETRIUS	91-1862	1/2/1973	6/24/1990	17	24
LEWIS	CHARLES	76-5890	5/13/1959	7/31/1976	17	38
LEWIS	MARVIN	90-8948	9/23/1972	7/17/1990	17	25
LEWIS	TIMOTHY	92-4650	6/4/1975	3/23/1992	16	23
MARTINEZ	ANTHONY	97-10243	10/8/1979	8/16/1997	17	17
MAXEY	KEITH	08-2347	1/4/1991	12/24/2007	17	7
MCCRACKEN	MICHAEL	83-379414	1/28/1966	7/26/1983	17	31
MCNEAL	LYNN	87-12668	11/8/1970	12/7/1987	17	27
MEADOWS	ZERIOUS	71-1558	4/29/1954	5/18/1970	16	44
MERRELL	GERALD	90-7914	5/12/1973	7/8/1990	17	25
MILLER	KISHAN	90-12305	6/1/1973	10/4/1990	16	25
MILLER	WALTER	86-8310	3/18/1969	8/26/1986	17	28
MOORE	MARK	08-7561	12/19/1989	9/16/2007	17	7
MORTON	WILLIAM	08-1856	1/8/1993	10/16/2008	15	6
MORTON	ROBERT	73-5409	9/21/1957	5/17/1973	15	42

WAYNE COUNTY PROSECUTOR'S OFFICE

LIST OF DEFENDANTS RETROACTIVELY AFFECTED BY MILLER v. ALABAMA

ORLEWICZ	JEAN	07-23972	3/14/1990	11/7/2007	17	7
PATTERSON	SHARON	03-11321	5/25/1986	9/17/2003	17	11
PETTY	GREGORY	96-341045	11/18/1982	7/19/1998	15	16
PORTER	DAREN	82-1421	11/2/1964	12/27/1981	17	33
POTTS	CLYDE	93-3755	7/29/1975	3/2/1993	17	22
POWELL	CORDELL	02-2144	1/7/1984	11/15/2001	17	13
POWELL	SHANNON	96-6226	11/7/1978	6/29/1995	16	18
PRINCE	SERGIO	91-12854	7/1/1974	10/23/1991	17	23
QUALLS	YUSEF	95-12865	4/29/1979	10/12/1995	16	19
REED	FERANDAL	91-2558	9/6/1974	2/17/1991	16	24
RIDDLE	TIMOTHY	88-13922	5/20/1973	7/9/1988	15	26
RODGERS	EARL	04-9785	4/27/1985	9/12/2004	17	10
RUCKER	WILLIAM	92-14245	8/16/1975	11/27/1992	17	22
RUSHELL	MARCUS	02-2708	6/10/1983	1/13/2001	17	13
SANDERS	EDWARD	75-4544	3/15/1957	2/21/1975	17	40
SCOTT	MICHAEL	94-3538	3/31/1977	12/14/1993	16	21
SERVANT	WILLIE	91-2558	7/30/1973	2/17/1991	17	24
SHARP	JENARD	93-7172	7/2/1975	4/18/1993	17	22
SIMMONS	KIMBERLEY	88-3055	6/21/1970	2/10/1988	17	27
SIMPSON	YOLANDA	84-2060	5/15/1966	3/19/1984	17	31
SMITH	MARIO	01-9791	11/30/1983	8/16/2001	17	13
STEWART	DIANGELO	86-6104	7/2/1968	6/28/1986	17	29
STOREY	MARK	85-7676	12/4/1968	11/7/1984	15	29
SWANIGAN	JARRETT	04-2842	9/18/1986	2/1/2004	17	11
TAYLOR	TONY	85-7649	3/5/1969	9/26/1984	15	29
THOMAS	DESHON	96-2991	4/15/1978	6/29/1995	17	18
THOMAS	JAMES	87-6689	9/16/1971	1/26/1987	15	27
THOMAS	TERRANCE	88-5463	9/29/1970	4/14/1987	16	27
TILLMAN	TRAVIS	00-2283	5/9/1982	11/26/1999	17	15
TODD	DAMION	86-5782	2/7/1969	8/17/1986	17	29
TOLBERT	RONALD	81-3043	9/19/1963	4/22/1981	17	33
TROMBLEY	ROBERT	40000	10/2/1946	3/8/1963	16	52
TURNER	TYKEITH	95-10246	7/28/1979	8/19/1995	16	19
WALKER	JEROME	98-6537	2/3/1981	5/24/1998	17	17
WALKER	MARCUS	91-11706	7/16/1976	10/9/1991	15	23
WALKER	WILLIAM	92-13416	3/31/1976	11/8/1992	16	22
WALKER	RODERICK	68-148885	4/5/1951	10/6/1968	17	46
WALTON	DAVID	75-4544	3/15/1957	2/21/1975	17	40
WARE	GAMELIEL	94-2399	1/18/1997	2/17/1994	17	20
WASHINGTON	WILLIAM	75-3189	11/19/1957	6/4/1975	17	39
WATERFORD	VICTOR	90-13736	9/4/1974	12/6/1990	16	24
WATSON	DENNIS	85-4346	6/9/1968	6/24/1985	17	30
WESLEY	TAVARES	94-1150	5/12/1976	1/13/1994	17	21
WHILBY	CRAIG	88-0750	12/26/1969	12/12/1987	17	27
WHITE	WALTER	98-9840	5/26/1978	2/29/1996	17	16
WILEY	CHRISTOPHER	95-2388	9/27/1977	6/22/1994	16	20
WILLIAMS	JOHNNY	02-1592	11/8/1985	12/17/2001	16	10

WAYNE COUNTY PROSECUTOR'S OFFICE
LIST OF DEFENDANTS RETROACTIVELY AFFECTED BY MILLER v. ALABAMA

WILLIAMS	ANTONIO	91-6340	12/21/1973	5/19/1991	17	23
WILLIAMS	FREDERICK	01-3610	9/29/1983	1/18/2001	17	13
WILLIAMS	LEON	01-0249	6/18/1984	11/11/2000	16	14
WILLIAMS	RONALD	87-4693	8/25/1969	1/20/1987	17	28
WILLIAMS	RONNIE	81-3916	9/18/1964	4/22/1981	16	33
YOUNG	PAUL	87-4541	2/15/1970	5/2/1987	17	28
YOUNGBLOOD	KENDRICK	89-4930	10/30/1971	11/21/1988	17	26