

MICHIGAN SUPREME COURT

People v. Laidler

491 Mich. 339 (Mich. 2012) · No. Nos. 142442 and 142443 · Decided May 30, 2012

SUMMARY

The Michigan Supreme Court held that a co-offender may be considered a victim for purposes of scoring offense variable 3 under MCL 777.33 when the co-offender is harmed by the defendant’s criminal actions. The Court further held that the defendant was a factual cause of the co-offender’s death and reinstated the defendant’s sentence, which included a 100-point score for OV 3. Justice Cavanagh dissented.

CASE DETAILS

COURT	Michigan Supreme Court
WRITING FOR THE COURT	Stephen J. Markman; Robert P. Young, Jr.; Michael F. Cavanagh; Marilyn Kelly; Diane M. Hathaway; Mary Beth Kelly; Brian K. Zahra
JURISDICTION	Michigan
DECIDED	May 30, 2012
DOCKET	Nos. 142442 and 142443
DISPOSITION	reversed
PROCEDURAL POSTURE	The prosecution sought leave to appeal the Michigan Court of Appeals' decision affirming defendant's conviction but holding that offense variable 3 was improperly scored and remanding for resentencing. The Michigan Supreme Court ordered oral argument on the application and reversed in part.
STANDARD OF REVIEW	The interpretation and application of the sentencing guidelines are questions of law reviewed de novo.
PRECEDENTIAL VALUE	Published Michigan Supreme Court opinion; precedential.
PARTIES	People of the State of Michigan v. Marteez Donovan Laidler

TOPICS

- sentencing
- statutory interpretation
- criminal procedure
- appellate procedure
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether a victim is required before points may be assessed under offense variable 3, MCL 777.33.
2. Whether Holmes's death resulted from Laidler's criminal actions for purposes of MCL 777.33(2)(b).
3. Whether a coperpetrator may constitute a victim under OV 3.

HOLDINGS

1. A victim is a necessary condition to assessing points under OV 3; MCL 777.33(2)(b) does not authorize scoring OV 3 whenever someone dies without a physical injury to a victim.
2. Holmes's death resulted from Laidler's criminal actions because Laidler's conduct was a factual cause of the death.
3. A coperpetrator is a victim for purposes of OV 3 when he or she is harmed by the charged party's criminal actions. Holmes therefore qualified as a victim.

KEY QUOTATIONS

"We conclude that a coperpetrator is properly considered a "victim" for purposes of OV 3 when he or she is harmed by the criminal actions of the charged party, in this case, defendant." (491 Mich. at 339)

"Thus, pursuant to common, and relevant, usage, a "victim" is any person who is harmed by the defendant's criminal actions." (491 Mich. at 349)

"We further believe (c) that a coperpetrator can constitute a "victim."" (491 Mich. at 349-350)

FACTUAL BACKGROUND

Marteez Donovan Laidler and Dante Holmes attempted to break into a home. The homeowner responded to the intrusion by firing two shots, one of which struck Holmes; Holmes died from the wound the same day. The trial evidence indicated that Laidler assisted Holmes by boosting him toward a window, and the trial court assessed 100 points under OV 3 for a victim's death.

PROCEDURAL HISTORY

Laidler was convicted by a jury of first-degree home invasion and sentenced to 48 months to 20 years in prison. The trial court assessed 100 points under OV 3 because Laidler's coperpetrator died during the attempted home invasion. The Court of Appeals affirmed the conviction but vacated the sentencing assessment and remanded for resentencing. The Michigan Supreme Court reversed that portion of the Court of Appeals' judgment and reinstated the sentence.

DISPOSITION

reversed

REMAND INSTRUCTIONS

The Court of Appeals' judgment was reversed in part, and defendant's sentence was reinstated. No further resentencing was required.

CASES CITED

- People v. Cannon, 481 Mich. 152, 156; 749 N.W.2d 257 (2008)
- People v. Schaefer, 473 Mich. 418, 435-439; 703 N.W.2d 774 (2005)
- Robinson v. Detroit, 462 Mich. 439, 458-459; 613 N.W.2d 307 (2000)
- People v. Riddle, 467 Mich. 116, 134; 649 N.W.2d 30 (2002)
- People v. Albers, 258 Mich. App. 578, 592-593; 672 N.W.2d 336 (2003)
- People v. Tennyson, 487 Mich. 730, 738; 790 N.W.2d 354 (2010)
- People v. Stone, 463 Mich. 558, 563; 621 N.W.2d 702 (2001)
- Robinson v. City of Lansing, 486 Mich. 1, 16; 782 N.W.2d 171 (2010)
- People v. Monaco, 474 Mich. 48, 58; 710 N.W.2d 46 (2006)
- Klooster v. City of Charlevoix, 488 Mich. 289, 296; 795 N.W.2d 578 (2011)
- People v. Laidler, 291 Mich. App. 199, 203-205; 804 N.W.2d 866 (2010)
- People v. Laidler, 489 Mich. 903 (2011)