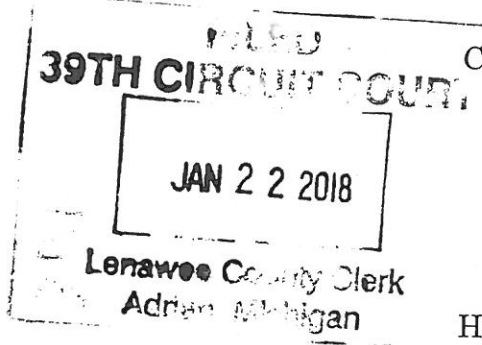


**STATE OF MICHIGAN
IN THE 39th CIRCUIT COURT FOR LENAWEЕ COUNTY**

State of Michigan,

Plaintiff,



Case No. 17-18381-FH
17-18382-FH
17-18383-FH
17-18384-FH
17-18430-FH
17-18431-FH

Vs.

HON.: Anna Anzalone

Kirakorn Nishikawa,

Defendant.

R Burke Castleberry, Jr. (P72093)
Lenawee County Prosecuting Attorney
Attorney for Plaintiff
425 N. Main St.
Adrian, MI 49221
(517) 264-4640

Laurence H. Margolis (P69635)
Margolis Law P.C.
Attorney for Defendant
214 S. Main St. Ste. 202
Ann Arbor, MI. 48104
(734) 994-9590

CONSENT ORDER OF COURT

The issues having come before this court on Defendant's Motion to Vacate Plea, and Defendant's Motion for Resentencing, and the parties having reached a Stipulation and Consent Agreement as to the disposition of the issues raised by Defendant's Motions, and this Court having been fully advised in the premises and considered same, it is hereby ORDERED that the Plea, Convictions, and Sentences in the above styled cases be VACATED; and in light of the Stipulation and Consent Agreement of Counsel, that they thereafter be revised and corrected, Nunc Pro Tunc, to indicate the following:

Defendant's Plea, Conviction and Sentence in Case Nos. 17-18381-FH, 17-18382-FH, 17-18383-FH, 17-18384-FH, 17-18430-FH, and 17-18431-FH shall be and hereby are vacated as a

matter of law, as defendant did not receive effective assistance of counsel, as guaranteed under the Sixth Amendment. In lieu of proceeding forward with a new prosecution on all cases, Defendant and the People have entered into a plea agreement to an amended information and hereby enter a plea in Case Nos. 17-18381-FH, 17-18382-FH, and 17-18384-FH.

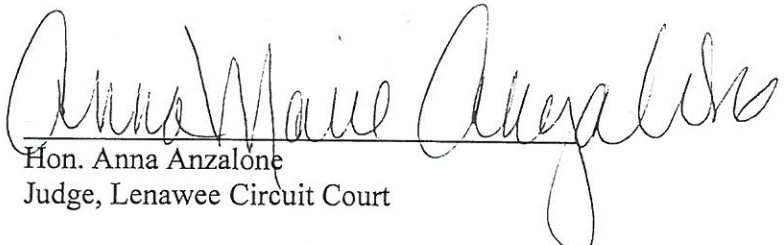
The Defendant hereby enters a Plea of Guilty on case numbers 17-18381-FH, 17-18382-FH, and 17-18384-FH, to one added count of Carrying a Concealed Knife, in each case, in violation of MCL § 750.227(1). The parties stipulate that on three, separate occasions, in Lenawee County, Michigan in December of 2016, Mr. Nishikawa carried a knife concealed on his person when he was otherwise not in his dwelling house, place of business, or other land possessed by Mr. Nishikawa. As part of this Plea and Sentence, the People agree to present the court with a Motion and proposed Order of Nolle Prosequi on all other concurrently pending charges against the Defendant.

Defendant is sentenced to 364 days in the Lenawee County Jail, with credit for 382 days served, five years' probation and full restitution on all cases: Case Nos. 17-18381-FH, 17-18382-FH, 17-18383-FH, 17-18384-FH, 17-18430-FH, and 17-18431-FH. The Parties stipulate to a guideline range of 5-23 months and that this agreement is within applicable guideline range. Further, at the time of this revised Plea, the Defendant shall make a one-time restitution payment of \$5,000.00 toward total restitution.

Defendant waives any reading of the amended Complaint/Information, and waives any defect in the drafting, filing or presentation of same and all rights to appeal by rights or by leave and he knowingly, voluntary and willfully waives such appeal rights. Defendant further waives the right to repayment for any sums previously paid to the court or probation in this matter.

This Plea and Sentence shall be, and is, the Order of this Court.

So **ORDERED** and **ADJUDGED** this 22nd day of January, 2018, Nunc Pro Tunc to June 30, 2017 in case numbers 17-18381-FH, 17-18382-FH, 17-18383-FH, 17-18384-FH, 17-18430-FH, and 17-18431-FH.

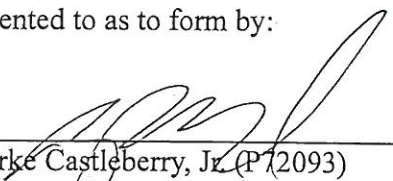

Hon. Anna Anzalone
Judge, Lenawee Circuit Court

Drafted by:


Laurence H. Margolis, Esq. (P69631)

Margolis Law, P.C.
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214 S. Main St., Ste. 202
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Fax: (734) 761-5861

Consented to as to form by:


R Burke Castleberry, Jr. (P72093)
Robert Scott Baker, Esq. (P62511)
Lenawee County Prosecuting Attorney
Attorney for Plaintiff
425 N. Main St.
Adrian, MI 49221
(517) 264-4640

STATE OF MICHIGAN

COUNTY OF LENAWEE SS.

I, Roxann Holloway, Clerk of Lenawee County and of the Circuit Court thereof, the same being a Court of Record, and having a Seal, do hereby certify that I have compared the attached copy of

orders
with the original and have found it to be a correct transcript therefrom, and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said Circuit Court this 22nd day of

January, 2018

Roxann Holloway, Clerk
by 