IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Jason Adam Hughes**
Docket No. **260944**
L.C. No. **03-001127-FC**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The delayed application for leave to appeal filed February 16, 2005, is DISMISSED because it was not filed within 12 months of the December 2003 judgment of sentence as required by MCR 7.205(F)(3) and neither exception found in MCR 7.205(F)(4) was satisfied. In particular, the application for leave to appeal was not filed within 21 days of the January 14, 2005, filing of the substitute opinion and order as required by the first exception. As demonstrated by the visual file stamp on the first page of the document and the register of actions, the substitute decision was filed on January 14, 2005, not January 26, 2005. The true copy stamp of January 26, 2005, simply demonstrates when a copy of the decision was prepared for a requesting party; it does not demonstrate when the decision was filed.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 29 2005
Date

Sandra Schultz Mengel
Chief Clerk