IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Caprese D Gardner**
Docket No. **267317**
L.C. No. **01-003494-01**

E. Thomas Fitzgerald, Judge, acting under MCR 7.211(E)(2), orders:

The motion to waive fees is GRANTED for this case only.

The motion to file memorandum of law exceeding 50 pages is DENIED as appellant failed to demonstrate extraordinary and compelling reasons requiring the excess length. The delayed application for leave to appeal that appellant filed shall be returned with this order. Within 21 days of the certification of this order, appellant shall file a delayed application for leave to appeal that conforms to the requirements of MCR 7.212(C), that has 1-inch margins, and that does not exceed 50 pages in length. Failure to file the conforming delayed application within the time allotted shall result in the dismissal of this appeal.

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

JAN 13 2006
Date

Sandra Schultz Mengel
Chief Clerk