IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Roderick D Walker v Department of Corrections**
Docket No. **268590**
L.C. No. **05-044216-AH**

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

The application for leave to appeal from the January 17, 2006 order denying appellant's complaint for a writ of habeas corpus and the complaint for a writ of habeas corpus, which actually is not properly before this Court since appellant placed the complaint in the middle of his application instead of filing a separate original action as required by MCR 7.206, are DISMISSED as no radical jurisdictional defect may be found since Michigan has long held a circuit court has jurisdiction over a 17 year-old criminal defendant without a waiver from the juvenile court. *People v Tillard*, 318 Mich 619, 626; 29 NW2d 111 (1947). See also MCL 712A.3(1) (transfer case to family division of the circuit court only if the defendant is under 17 years of age).

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

APR 27 2006
Date

Sandra Schultz Mengel
Chief Clerk