IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Michael Owens James**
Docket No. **282777**
L. Ct. No. **81-007011-03-FC**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

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

The delayed application for leave to appeal from the November 14, 2007 order is DISMISSED for lack of jurisdiction because the order in question denied a successive motion for relief from judgment where no newly discovered evidence or retroactive change in the law can be found. MCR 6.502(G) and MCR 7.203(A)(2). Appellant's reliance upon MCR 6.428 as a retroactive change in the law is misplaced because the Detroit Recorder's Court, which merged with the Wayne Circuit Court in 1997 to form the Wayne Circuit Court, Criminal Division, protected his state and federal constitutional rights by appointing an attorney to pursue appeal on his behalf, which the appointed attorney (and a substitute retained attorney) did in Docket No. 64803.

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

MAY - 1 2008
Date

Sandra Schultz Mengel
Chief Clerk