IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Darryl Pettway**
Docket No. **289766**
L.C. No. 90-005092-01-FH

Henry William Saad, Chief Judge, acting under MCR 7.201(B)(3) and 7.216(A)(10), orders:

The delayed application for leave to appeal is DISMISSED for failure to pursue the case in conformity with the rules. MCR 7.201(B)(3) and 7.216(A)(10). The Clerk of this Court provided notice regarding the nature of the defects in this filing, and the defects were not corrected in a timely manner by providing this Court with the entry fee of $375 or five copies of a motion to waive fees, a prisoner account statement for the prior 12 months, five copies of an application conforming to MCR 7.212(C), five copies of a statement of facts explaining the delay in filing the appeal under MCR 7.205(F) and corresponding proof of service, five copies of the order appealed, proof of service of a conforming application, an affidavit of indigency, and the transcripts or transcript pages used to prepare the appeal. Dismissal is without prejudice to whatever other relief may be available consistent with the Court Rules.

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

MAR 23 2009
Date

Sandra Schultz Mengel
Chief Clerk