Court of Appeals, State of Michigan

ORDER

People of MI v Mark Henry Karlyle

Docket No. 293010

LC No. 08-004132-01-FH

Alton T. Davis
Presiding Judge

Donald S. Owens

Michael J. Kelly
Judges

The Court orders that appellate defense counsel's motion for reconsideration of the September 1, 2009 order is DENIED. Notably, the records of the Wiznet electronic filing system indicate that appellate defense counsel did not initiate the filing of the delayed application for leave to appeal in this case until 12:16 a.m. of the date following the filing deadline. The policy of treating electronic filings as received on the date that they are actually received, i.e., of treating filings until 11:59 p.m. of a given date as received on that date, is clearly stated. It is inherent in that policy that electronic filings made after midnight will not be treated as being made the prior day. Further, the Court is not persuaded that the $250 in costs imposed against appellate defense counsel should be reduced

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

OCT 28 2009
Date

Sandra Schultz Mengel
Chief Clerk