

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **People of MI v Everett Burnett**  
Docket No. **296436**  
L.C. No. **93-010170-01-FC**

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.203(F)(1), orders:

The motion to waive fees is GRANTED for this case only

The delayed application for leave to appeal from the January 16, 1996 judgment of sentence is DISMISSED because appellant failed to file the application within the time period required by MCR 7.205(F)(3). Furthermore, the exceptions found in MCR 7.205(F)(4) are inapplicable.

The delayed application for leave to appeal is also 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 a copy of the judgment of sentence and a proof of service stating the time and place of service for the delayed application. See MCR 2.104(A) and MCR 2.107(C); IOP 7.205(B)(6). 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

JUN 15 2010

Date

*Sandra Schultz Mengel*

Chief Clerk