

# Court of Appeals, State of Michigan

## ORDER

People of MI v Lonnie Ladean Kestner

Docket No. 298544

LC No. 2005-400889-FH

Richard A. Bandstra  
Presiding Judge

David H. Sawyer

Jane E. Markey  
Judges

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The Court orders that the application for leave to appeal is DENIED for failure to meet the burden of establishing entitlement to relief under MCR 6.508(D), but only with regard to defendant's claim predicated on an allegation of new discovered evidence.

With regard to defendant's remaining claims of error, the Court orders that the application for leave to appeal is DISMISSED for the reason that appellant has failed to demonstrate his entitlement to an application of any of the exceptions to the general rule that a defendant may not appeal the denial of a successive motion for relief from judgment. MCR 6.502(G).



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

SEP 08 2010  
Date

*Sandra Schultz Mengel*  
Chief Clerk