

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: People of MI v Vergino Smith

Docket No. 305363

L.C. No. 97-501994-01

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

The motion to remand is DENIED.

The delayed application for leave to appeal is DISMISSED. Defendant's appeal from the order returning a successive motion for relief from judgment is prohibited by MCR 6.502(G).



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

OCT - 7 2011

Date

A handwritten signature in black ink, appearing to read 'Larry S. Royster', is written over a horizontal line.

Chief Clerk