

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **People of MI v Justin Tyree Kates**

Docket No. **306743**

L.C. No. **10-008353-01-FC; 11-000216-03-FH**

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.211(E)(2), orders:

The motion for relief from dismissal is recognized as a motion for reconsideration of this Court's December 12, 2011 order. The motion for reconsideration is DENIED. Notably, because the December 12, 2011 order dismissed the delayed application for leave to appeal without prejudice, defendant-appellant is free to file another delayed application for leave to appeal from the April 19, 2011 judgments of sentence within the 12-month time limit provided by the former MCR 7.205(F)(3), which was in force when those judgments of sentence were entered.



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

**JAN 18 2012**

Date

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

Chief Clerk