

Court of Appeals, State of Michigan

ORDER

People of MI v Gregory Wines

Docket No. 309239

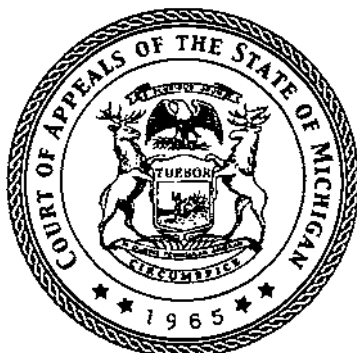
LC No. 93-064278-FC

Michael J. Talbot
Presiding Judge

Kurtis T. Wilder

Christopher M. Murray
Judges

The Court orders that the motion for reconsideration is DENIED. While MCL 600.308(1)(a) does generally provide for “final judgments” of a circuit court to be appealable of right to this Court, it includes an exception for final judgments described in MCL 600.308(2). MCL 600.308(2)(e) provides for this Court to have jurisdiction only as to an application for leave to appeal with regard to “[a]ny other judgment or interlocutory order as determined by court rule.” Thus, regardless of whether the February 27, 2012 order appealed from is a final judgment within the meaning of MCL 600.308, whether it is appealable of right is determined by the court rules. The February 27, 2012 order is plainly not a final order under any of the definitions provided by MCR 7.202(6)(b). In particular, that order is neither the original sentence imposed following conviction nor a new sentence imposed following the grant of a motion for resentencing. Thus, the February 27, 2012 order is not appealable of right, MCR 7.203(A), but only by filing an application for leave to appeal, MCR 7.203(B)(1).



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

AUG 29 2012

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line. Below the line, the words "Chief Clerk" are printed.

Chief Clerk