

Court of Appeals, State of Michigan

ORDER

People of MI v Dion Lavell Neal-El

Docket No. **311144**

LC No. **11-003090-AH; 87-010803-FY**

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

The claim of appeal is DISMISSED for lack of jurisdiction because it was not timely filed and the order appealed from is not appealable by right whether the order is considered an order denying relief from judgment in the criminal case or an order denying a petition for writ of habeas corpus. See MCR 7.204(A), MCR 6.509(A)(appeals from the denial of relief from judgment are by application for leave to appeal), and *Triplett v Deputy Warden*, 142 Mich App 774, 779-780; 371 NW2d 862 (1985)(“Orders of denial in habeas corpus proceedings are not appealable as of right”). The appeal from the denial of relief from judgment must come by delayed application for leave to appeal under MCR 7.205(F).



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

AUG 13 2012

Date

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

Chief Clerk