

Court of Appeals, State of Michigan

ORDER

People of MI v Kenneth A Foster

Docket No. 311469

LC No. 74-000994

Karen M. Fort Hood
Presiding Judge

Michael J. Talbot

Kurtis T. Wilder
Judges

The delayed application for leave to appeal the January 23, 2012, order from the Wayne Circuit Court is **DISMISSED** for lack of jurisdiction. Defendant's current habeas corpus petition in actuality amounts to another motion for judgment relief. Further, because defendant previously appealed and has filed motions for relief from judgment, he could seek relief in the circuit court only under the procedures provided by Subchapter 6.500 of the Michigan Court Rules. See MCR 6.429(B)(4). Defendant already filed motions for relief from judgment and cannot appeal the denial or rejection of a successive motion for relief from judgment. See MCR 6.502(G)(1). None of the exceptions found in MCR 6.502(G)(2) are applicable.



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

OCT 24 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