

Court of Appeals, State of Michigan

ORDER

People of MI v Robert Riley

Docket No. 311705

LC No. 97-005401

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

The delayed application for leave to appeal is DISMISSED for lack of jurisdiction because appellant failed to file the application within 12 months of the date of entry for the June 14, 2011 order as required by MCR 7.205(F)(3). To the extent that defendant seeks to appeal the letter dated April 11, 2012 from the Wayne Circuit Court, this Court does not have jurisdiction over letters, it has jurisdiction only over judgments or orders of the circuit court, see e.g., MCR 7.203(B). Finally, even if the letter could be considered an order, defendant's application must be dismissed, as he is attempting to appeal from the denial of a successive motion for relief from judgment and he 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 17 2012

Date

Larry S. Royster
Chief Clerk