

Court of Appeals, State of Michigan

ORDER

People of MI v Michael Chapple

Docket No. 313628

LC No. 92-011667

Cynthia Diane Stephens
Presiding Judge

Kurtis T. Wilder

Karen M. Fort Hood
Judges

The Court orders that the motion to waive fees is GRANTED for this case only.

The application for leave to appeal the October 15, 2012, order from the Wayne Circuit Court is DISMISSED for lack of jurisdiction. Because defendant previously appealed and filed a motion 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. Accordingly, this Court examined defendant's application seeking leave from the circuit court's dismissal of his writ for error coram nobis under the standards set forth in MCR 6.508(D). See MCR 6.429(B)(4). Defendant already filed a motion 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.

The motion for peremptory reversal is DISMISSED.



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

DEC 13 2012

Date

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

Chief Clerk