

Court of Appeals, State of Michigan

ORDER

People of MI v Michael Bruce Curb

Docket No. 315725

LC No. 06-010995-FC

Michael J. Riordan
Presiding Judge

Kirsten Frank Kelly

Karen M. Fort Hood
Judges

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

The delayed application for leave to appeal the January 28, 2013, order from the Wayne Circuit Court is DISMISSED for lack of jurisdiction. Because defendant previously appealed and filed a post-judgment motion for relief, he could seek relief in the circuit court only under the procedures provided by Subchapter 6.500 of the Michigan Court Rules. 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 to remand is DISMISSED.



A true copy entered and certified by Angela P. DiSessa, Acting Chief Clerk, on

MAY 31 2013

Date

Angela P. DiSessa
Acting Chief Clerk