

Court of Appeals, State of Michigan

ORDER

People of MI v Joseph Caesar Bartulio

Docket No. 320498

LC No. 10-009666 FC

Karen M. Fort Hood
Presiding Judge

Kurtis T. Wilder

Kirsten Frank Kelly
Judges

The Court orders that the delayed application for leave to appeal is DENIED because defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The defendant alleges grounds for relief that could have been raised previously and he has failed to establish both good cause for failing to previously raise the issues and actual prejudice from the irregularities alleged, and has not established that good cause should be waived. MCR 6.508(D)(3)(a) and (b).

The motion to waive fees is GRANTED and fees are WAIVED for this case only.



Wilder, J., would further deny appellant's delayed application for leave to appeal on the basis of ineffective assistance of counsel for lack of merit.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

JUN 10 2014

Date


Chief Clerk