

# Court of Appeals, State of Michigan

## ORDER

People of MI v Kenito Maurice Drake

Docket No. 323067

LC No. 02-007486-FC

Karen M. Fort Hood  
Presiding Judge

Cynthia Diane Stephens

Michael J. Riordan  
Judges

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

The delayed application for leave to appeal is DISMISSED for lack of jurisdiction. Because defendant previously appealed and filed post-judgment motions 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 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, where defendant has failed to establish that the birth record amounts to newly discovered evidence sufficient to warrant a new trial, *People v Grissom*, 492 Mich 296, 312-313; 821 NW2d 50 (2012), or that the birth record renders inapplicable the statutes under which he was prosecuted and convicted.



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

SEP 24 2014

Date

  
Chief Clerk