

Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V STEVEN RANDALL RAY

Docket No. 325269

LC No. 13-247325-FH

Henry William Saad
Presiding Judge

Deborah A. Servitto

Elizabeth L. Gleicher
Judges

The Court orders that the delayed application for leave to appeal is DISMISSED for lack of jurisdiction because it was filed over 6 months after the circuit court issued its original February 28, 2014 order denying defendant's motion to suppress. MCR 6.428 only allows a trial court to restart the time in which to file an appeal of right under MCR 7.204(A)(2). MCR 6.428 does not allow a trial court to re-issue an order for the purpose of restarting the time in which to file an application seeking leave to bring an interlocutory appeal. The circuit court does not have the inherent authority to issue an order which effectively extends the time limit for bringing an appeal. *Bishop v Judge of Recorder's Court of Detroit*, 207 Mich 537; 174 NW 602 (1919).



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

JAN 29 2015

Date


Chief Clerk