

Court of Appeals, State of Michigan

ORDER

People of MI v Samer A Hamad

Docket No. 326038

LC No. 13-007529-FH

Amy Ronayne Krause
Presiding Judge

Stephen L. Borrello

Michael J. Kelly
Judges

The Court orders that the motion to treat application as being timely filed is GRANTED in light of counsel's unopposed admission of responsibility for the untimely filing of the delayed application for leave to appeal. The Clerk's Office shall treat defendant's delayed application for leave to appeal as filed within the deadline set forth in MCR 7.205(G)(3) because appellate counsel's failure to file the delayed application within the deadline constituted ineffective assistance of counsel. *People v Means*, 480 Mich 989 (2007); *People v McCoy*, 480 Mich 989 (2007); *People v Rodgers*, 480 Mich 989 (2007); and *People v Kipfer*, 480 Mich 990 (2007).

In light of counsel's forthright admission of responsibility and apparent otherwise diligent representation of defendant, we decline to impose costs on counsel for the untimely filing of the delayed application.



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

APR 23 2015

Date

Chief Clerk