

Court of Appeals, State of Michigan

ORDER

People of MI v Thomas Davis

Docket No. **328595**

LC No. **98-010911-FC**

Michael J. Talbot, Chief Judge, acting under MCR 7.211(E)(2), orders:

The delayed application for leave to appeal the Wayne Circuit Court's March 18, 2015 order is **DISMISSED** for lack of jurisdiction. Defendant has not asserted a retroactive change in law or presented newly discovered evidence supporting his successive motion for relief from judgment as required by MCR 6.502(G)(2), and he may not appeal the denial of a successive motion for relief from judgment, MCR 6.502(G)(1).

The motion to remand for an evidentiary hearing/hearing pursuant to *People v Ginther*, 390 Mich 436; 212 NW2d 922 (1973), is **DENIED** as moot since this Court lacks jurisdiction to consider the underlying delayed application for leave to appeal.

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



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

AUG 19 2015

Date

Chief Clerk