

Court of Appeals, State of Michigan

ORDER

Robert C Redmond v Department of Corrections

Docket No. 328600

LC No. 15-000295-AA

Patrick M. Meter
Presiding Judge

Michael J. Kelly

Amy Ronayne Krause
Judges

In lieu of granting the application for leave to appeal, the Court orders pursuant to MCR 7.205(E)(2) that the circuit court's April 14, 2015 order dismissing petitioner's application for judicial review is REVERSED, and this matter is REMANDED to the circuit court for further proceedings. Because petitioner timely filed a request for rehearing with respondent, he had 60 days from respondent's final decision denying his request on January 27, 2015 to file his application in circuit court. MCL 24.304(1); MCL 791.255(2). The court received petitioner's application on March 24, 2015, within the statutory 60-day period. Because petitioner submitted a claim of indigency with his application, and the application was ultimately accepted for filing, the application was timely filed for purposes of MCL 791.255(2). *Keenan v Dep't of Corrections*, 250 Mich App 628, 632-634 (2002).

This Court retains no further jurisdiction.



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

OCT 23 2015

Date

Chief Clerk