Court of Appeals, State of Michigan

ORDER

Lavere Bryant v Bellamy Creek Correctional Facility Deputy Warden

Docket No. **335091**

LC No. **16-031699-AH**

Michael J. Talbot, Chief Judge, acting under MCR 7.203(F)(1), orders:

The delayed application for leave to appeal is DISMISSED for lack of jurisdiction because it was not filed within six months after entry of the March 31, 2016 order denying the motion for reconsideration of the January 20, 2016 order appealed from. MCR 7.205(G)(3)(b). In this regard, the date of filing of the delayed application is October 5, 2016 because that is the date the delayed application was received by the Clerk's Office of this Court. MCR 7.202(2). The Court notes that the prison mailbox rule provided by MCR 7.205(A)(3) only applies to criminal cases and, thus, does not apply to this civil case.

The motions to waive fees and for show cause order are also DISMISSED as moot.

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

OCT 19 2016

Date

Chief Clerk