

Court of Appeals, State of Michigan

ORDER

People of MI v Robert Fitzgerald Smith

Docket No. 339585

LC No. 08-013149-01-FC

Karen M. Fort Hood
Presiding Judge

Kirsten Frank Kelly

Cynthia Diane Stephens
Judges

The Court orders that the delayed application for leave to appeal is DENIED because defendant has failed to establish that the trial court erred in denying the motion for relief from judgment.

It is further ordered that the motion to remand is DENIED because appellant has failed to demonstrate that the issue should be decided initially by the trial court. MCR 7.211(C)(1)(a)(i).

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

OCT 17 2017

Date


Chief Clerk