

Court of Appeals, State of Michigan

ORDER

People of MI v Daniel Anthony Bates

Docket No. 348125

LC No. 13-000718-FC

Kathleen Jansen
Presiding Judge

Elizabeth L. Gleicher

Jonathan Tukel
Judges

The Court orders that the delayed application for leave to appeal is GRANTED. The time for taking further steps in this appeal runs from the date of the Clerk's certification of this order. MCR 7.205(E)(3). This appeal is limited to the issues raised in the application and supporting brief. MCR 7.205(E)(4).

Tukel, J., would deny the delayed application because defendant's own affirmative conduct in seeking resentencing invited any error and waived any ex post facto claim. See *People v Jones*, 468 Mich 345, 352 n 6, 662 NW2d 376, 380 (2003) (citation omitted) ('Appellate review is precluded because when a party invites the error, he waives his right to seek appellate review, and any error is extinguished.').



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

APR 29 2019

Date


Chief Clerk