

Court of Appeals, State of Michigan

ORDER

People of MI v James Gregory Dent

Docket No. 349748

LC No. 2007-216132-FH

Kathleen Jansen
Presiding Judge

Deborah A. Servitto

Colleen A. O'Brien
Judges

The Court orders that the motion to waive fees is GRANTED for this appeal only.

Pursuant to MCR 7.205(E)(2), the Court has considered defendant's delayed application as a complaint for superintending control and orders that the complaint is GRANTED. The Court further orders the circuit court to accept and decide defendant's successive motion for relief from judgment based on newly discovered evidence. Under MCR 6.502(G)(2), "[a] defendant may file a second or subsequent motion based on a retroactive change in law that occurred after the first motion for relief from judgment or a claim of new evidence that was not discovered before the first such motion." Defendant's successive motion for relief from judgment alleged newly discovered evidence.

The motion for an evidentiary hearing is DISMISSED.

This Court retains no further jurisdiction.



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

OCT 16 2019

Date


Chief Clerk