

# Order

Michigan Supreme Court  
Lansing, Michigan

February 4, 2019

Bridget M. McCormack,  
Chief Justice

155973 & (21)

David F. Viviano,  
Chief Justice Pro Tem

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

Stephen J. Markman  
Brian K. Zahra  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh,  
Justices

v

SC: 155973  
COA: 336328  
Wayne CC: 07-012443-FC

ADRIAN MAHDEE AKRAM,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the April 18, 2017 order of the Court of Appeals is considered. We observe that this appeal arises from a filing mix-up. As the defendant correctly notes, his motion reporting a fraud upon the court was originally filed in this Court and resolved by a denial order entered February 3, 2016. Docket No. 151817. The trial court record reveals that the defendant mailed a copy of that motion, designated as a Supreme Court motion, to the Wayne Circuit Court. Unfortunately, the circuit court did not recognize the designation, mistakenly treated it as a new motion for relief from judgment under MCR subchapter 6.500, and ultimately denied relief. Because it appears to this Court that the defendant did not intend to file the motion in the circuit court, we VACATE all rulings arising from that misfiling, including the Wayne Circuit Court order entered June 20, 2016, and the Court of Appeals denial order entered April 18, 2017. The Court further notes that the defendant remains entitled to file one motion for relief from judgment under MCR subchapter 6.500, but he is barred from relitigating those claims already resolved by this Court's February 3, 2016 order. See MCR 6.502(D)(2). The motion for miscellaneous relief is DENIED.



s0128

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 4, 2019

Clerk