

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **People of MI v Marlin Devon Holland**  
Docket No. **275108**  
L. Ct. No. **02-010683-01**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The delayed application for leave to appeal from the August 2, 2006 order is DISMISSED for lack of jurisdiction since the order in question denied a successive motion for relief from judgment, which was filed after August 1995, where no newly discovered evidence or retroactive change in the law can be found. MCR 6.502(G). The delayed application for leave to appeal from the June 27, 2006 order, however, may go forward as this Court has the jurisdiction to determine whether to grant appellant leave to appeal this order. MCR 6.509(A) and 7.203(B)(4).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 22 2007

Date

*Sandra Schultz Mengel*  
Chief Clerk