

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Walter Givans v Parole Board**
Docket No. **276852**
L.C. No. **06-011701-AH**

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

The application for leave to appeal is DISMISSED for lack of jurisdiction since plaintiff does not have the right to challenge a decision of the Parole Board. MCL 791.234(9). See also *Morales v Parole Board*, 260 Mich App 29, 33; 676 NW2d 221 (2003). Moreover, plaintiff cannot use an action for a writ of habeas corpus to attack the decision of the Parole Board since he cannot show there is a radical jurisdictional defect caused by “an act or omission by state authorities that clearly contravenes an express legal requirement in existence at the time of the act or omission.” *Hinton v Parole Board*, 148 Mich App 235, 244; 383 NW2d 626 (1986), citing *People v Price*, 23 Mich App 663, 671; 179 NW2d 177 (1970).



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

APR 25 2007

Date

Sandra Schultz Mengel

Chief Clerk