

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Mark Allen Porter**
Docket No. **277676**
L.C. No. **96-000245-FC**

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 is DISMISSED for lack of jurisdiction because the defendant cannot appeal the denial or rejection of a successive motion for relief from judgment. See MCR 6.502(G)(1). There has been no retroactive change in the law that occurred after defendant's last motion for relief from judgment that benefits the defendant. Defendant cites *People v Williams*, 475 Mich 101(2006). However, that case simply continued present law that was first established in 1981 by the case of *People v Wilder*, 411 Mich 328 (1982).



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

MAY 31 2007

Date

Sandra Schultz Mengel
Chief Clerk