

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Curtis Lee Ferguson**
Docket No. **277821**
L.C. No. **86-036310-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). Defendant does not demonstrate that he can satisfy the four-prong test for newly discovered evidence. The Court would further note that defendant cites no legal authority that the police and prosecutor must maintain evidence until a defendant dies.



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

JUN - 6 2007
Date

Sandra Schultz Mengel
Chief Clerk