IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Delmar Gowing**
Docket No. **277961**
L.C. No. **85-004206-FC**

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

The motion to waive fees is GRANTED for this case only.

The delayed application for leave to appeal and motion to remand are 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). Regardless of the title on the last motion filed in the trial court, it still constituted a motion for relief from judgment. See MCR 6.501.

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

MAY 21 2007
Date

Sandra Schultz Mengel
Chief Clerk