

Court of Appeals, State of Michigan

ORDER

People of MI v Michael McLaughlin

Docket No. 278224

LC No. 72-004215-FC

Alton T. Davis
Presiding Judge

Helene N. White

Christopher M. Murray
Judges

The Court, acting under MCR 7.203(F)(2), orders that the motion for reconsideration is DENIED. Contrary to defendant's argument the fact that his "Motion to Correct Miscarriage of Justice in the Circuit Court" was not labeled as a motion for relief from judgment does not prevent this Court from treating it as a successive motion for relief from judgment when in substance it was a motion for relief from judgment. See *People v Mehall*, 454 Mich 1, 5; 557 NW2d 110 (1997). Further, defendant's motion presented only jurisdictional arguments that plainly did not constitute claims of newly discovered evidence as argued by defendant.

The motion for stay is DENIED.



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

SEP 12 2007

Date

Sandra Schultz Mengel
Chief Clerk