

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Allen N Zimmerman Jr**
Docket No. **279176**
L.C. No. **99-007479-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 filed on July 11, 2007, is DISMISSED for lack of jurisdiction because it was not filed within 12 months of either the August 13, 2004, or October 13, 2004 order as required by MCR 7.205(F)(3). As appellant's application clearly shows it is the August 13, 2004 order that actually is being appealed and thus it is that order that starts the time period. Lastly, the Court would note that defendant still had ample time to file an application for leave to appeal within 12 months of the August 13, 2004 order after *People v Dunbar*, 264 Mich App 240 (2004) was decided.



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

SEP 13 2007

Date

Sandra Schultz Mengel

Chief Clerk