

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **People of MI v Barry Anthony Willis**  
Docket No. **279598**  
L.C. No. **94-037576-FH**

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 not been a retroactive change in the law and no constitutional violation because the defendant was sentenced prior to the statutory guidelines. See *United States v Booker*, 543 US 220; 125 S Ct 738; 160 L Ed2d (2005).



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

SEP 20 2007

Date

*Sandra Schultz Mengel*

Chief Clerk