

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Michael Foster**
Docket No. **279721**
L.C. No. **98-008061-01**

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. This Court has already determined that any appeal of the issues defendant wants to raise is untimely. See docket number 272029. The trial court has no authority to enter any order that would extend the time period to file the application for leave to appeal. See MCR 7.208(C)(1). Furthermore, any appeal would constitute an appeal of a denial of a successive motion for relief from judgment, which is prohibited by MCR 6.502(G)(1).



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

OCT 26 2007

Date

Sandra Schultz Mengel

Chief Clerk