

**IN THE MICHIGAN COURT OF APPEALS**

**ORDER**

Re: **People of MI v Jamirr Terry-Bey**  
Docket No. **280095**  
L.C. No. **03-033078-FH**

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 waive the copies requirement filed August 20, 2007, are DISMISSED for lack of jurisdiction because the application was not filed within 12 months of the January 17, 2006 order denying the defendant's request for appellate counsel. The fact that defendant made a belated second request for appellate counsel some 17 months after the January 17, 2006 order did not restart the time period to challenge the denial of appellate counsel. Since the trial court had already correctly decided on January 17, 2006, that defendant was not entitled to appellate counsel under *Halbert*, defendant's belated second request was basically a late motion for reconsideration.



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

SEP - 7 2007

Date

*Sandra Schultz Mengel*  
Chief Clerk