

## IN THE MICHIGAN COURT OF APPEALS

### ORDER

Re: **People of MI v Toronto Moore**  
Docket No. **282167**  
L.C. No. **92-005634**

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 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). The only two exceptions are a retroactive change in the law or newly discovered evidence. The only issue that would potentially fall into an exception is issue III. However, the trial court never addressed that issue in the March 14, 2007 opinion and order and therefore it is not properly before this Court.



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

DEC 12 2007

Date

*Sandra Schultz Mengel*

Chief Clerk