

**IN THE MICHIGAN COURT OF APPEALS**

**ORDER**

Re: **People of MI v Mack Tiggart**  
Docket No. **283651**  
L.C. No. **89-014735-01-FY**

Christopher M. Murray, Chief Judge Pro Tem, 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 because the defendant cannot appeal the denial of a successive motion for relief from judgment. See MCR 6.502(G)(1). The first motion for relief from judgment was filed in October 1995. Regardless of the title placed on the second motion, it sought a change in the judgment of sentence and that can only be accomplished by a motion for relief from judgment. See MCR 6.501. The title of the second motion is not controlling. See *People v Mehall*, 454 Mich 1 (1997).



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

APR - 9 2008

Date

*Sandra Schultz Mengel*  
Chief Clerk