

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Ervin Eugene Bell**
Docket No. **285686**
L.C. No. **95-000558-FH**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.201(B)(3) and 7.216(A)(10), orders:

The delayed application for leave to appeal and the motion to waive fees are **DISMISSED** for failure to pursue the case in conformity with the rules. MCR 7.201(B)(3) and 7.216(A)(10). This Court provided notice regarding the nature of the defects with this filing, and appellant did not correct them in a timely manner by providing this Court with a copy of a current prisoner account statement for the last 12 months, five copies of a statement of facts explaining the reasons for delay, five copies of a current set of the circuit court's register of actions, a properly addressed proof of service, and a copy of the sentencing transcript. This dismissal is without prejudice to whatever other relief may be available consistent with the court rules.

The motion to extend time to conform brief/withdraw brief [sic] until receiving [sic] documents from [the] trial court in accordance to Michigan Court Rule 7.216(A)(2) and resubmit brief is **DENIED** as moot.



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

AUG 20 2008

Date

Sandra Schultz Mengel
Chief Clerk