

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Walter James Hart Jr**

Docket No. **285928**

L.C. No. **2006-207617-FH**

Henry William Saad, 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 claim of appeal is DISMISSED for lack of jurisdiction. Originally, appellant pleaded guilty to a crime that occurred after December 27, 1994. Based on these facts, appellant did not have the right to claim an appeal from the June 20, 2006 order of probation. MCR 7.203(A)(1)(b). This prohibition extended to appellant's appeal from the May 6, 2008 judgment of sentence for violating probation because his ability to appeal a subsequent probation order is based upon his original appellate rights. MCR 6.445(H)(1)(b) and MCR 7.203(A)(1)(b).



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

OCT - 1 2008

Date

Sandra Schultz Mengel
Chief Clerk