

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **People of MI v Richard Jeffrey Kint**  
Docket No. **287853**  
L.C. No. **03-001724 FH**

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 application for leave to appeal is DISMISSED for lack of jurisdiction because defendant cannot appeal the denial or rejection of a successive motion for relief from judgment. See MCR 6.502(G)(1). Regardless of the incorrect title placed on the last motion filed in the trial court and since defendant is seeking a resentencing, the proper title can only be a motion for relief from judgment. See MCR 6.501.



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

OCT 15 2008

Date

*Sandra Schultz Mengel*

Chief Clerk