

Court of Appeals, State of Michigan

ORDER

People of MI v John Paul Sattler

Docket No. 314407

LC No. 11-099600-FC

Amy Ronayne Krause
Presiding Judge

Peter D. O'Connell

William C. Whitbeck
Judges

On the Court's own motion, the Clerk's Office shall treat defendant's delayed application for leave to appeal as filed within the deadline set forth in MCR 7.205(F)(3) because appellate counsel's failure to file the delayed application within the deadline constituted ineffective assistance of counsel. *People v Means*, 480 Mich 989 (2007); *People v McCoy*, 480 Mich 989 (2007); *People v Rodgers*, 480 Mich 989 (2007); and *People v Kipfer*, 480 Mich 990 (2007). We note that the exception provided by MCR 7.205(F)(4) is inapplicable because appellate counsel did not file the delayed application within 42 days after the latter of the filing of the transcript or entry of the order appointing him as appellate counsel. MCR 7.205(F)(4)(c).

Attorney Robert J. Dunn (P33726) shall pay to the Clerk of this Court costs of \$250 within 21 days of the Clerk's certification of this order. This sanction is personal to the attorney and shall not be charged back to the county or the state.

The Clerk's Office shall send a copy of this order to Thomas M. Harp, Administrator of the Michigan Appellate Assigned Counsel System.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

FEB 05 2013

Date


Chief Clerk