

Court of Appeals, State of Michigan

ORDER

People of MI v Timothy Jordan

Docket No. 323993

LC No. 84-004678-FC

Kirsten Frank Kelly
Presiding Judge

Michael J. Talbot

Cynthia Diane Stephens
Judges

The Court orders that the delayed application for leave to appeal the August 8, 2014 order denying defendant's successive motion for relief from judgment is DISMISSED for lack of jurisdiction because defendant cannot appeal the denial or rejection of a successive motion for relief from judgment. MCR 6.502(G)(1). Defendant has not satisfied MCR 6.502(G)(2) because he has failed to set forth a retroactive change in law that occurred after the first motion for relief from judgment. In *People v Carp*, 496 Mich 440; 852 NW2d 801 (2014), our Supreme Court held that *Miller v Alabama*, ___ US ___; 132 S Ct 2455; 183 L Ed 2d 407 (2012), does not apply retroactively to cases on collateral review.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

DEC 19 2014

Date

Jerome W. Zimmer Jr.
Chief Clerk