

Court of Appeals, State of Michigan

ORDER

Russell Smith v West Shoreline Correctional Facility Warden

Docket No. 316790

LC No. 12-048276-AH

Michael J. Kelly
Presiding Judge

Patrick M. Meter

Stephen L. Borrello
Judges

On the Court's own motion, in lieu of dismissing the application for leave to appeal because it does not appear to have been filed within the time limit for a delayed application under MCR 7.205(F)(3), the application is treated as an original complaint for habeas corpus. See MCR 3.303(A)(2). Accordingly, upon entry of this order, the Clerk's Office is directed to change the designations of the parties from "plaintiff-appellant" and "defendant-appellee" to "plaintiff" and "defendant."

Defendant shall be allowed 21 days from the date of this order to file a timely answer to the original complaint for habeas corpus. See MCR 7.206(D)(2).



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

JUL 24 2013

Date

Chief Clerk