

Court of Appeals, State of Michigan

ORDER

People of MI v Marcus Andre Harvey

Docket No. 317484

LC No. 90-004921-FC

Michael J. Talbot
Presiding Judge

Kirsten Frank Kelly

Michael J. Riordan
Judges

The Court orders that the motion to waive fees is GRANTED for this case only.

The delayed application for leave to appeal the March 22, 2013, order from the Wayne Circuit Court is DISMISSED for lack of jurisdiction. Because defendant previously appealed and filed post-judgment motions for relief, he could seek relief in the circuit court only under the procedures provided by Subchapter 6.500 of the Michigan Court Rules. Defendant already filed several motions for relief from judgment, see Docket Nos. 226504, 235736, 278524, 284502 and 310671. Defendant cannot appeal the denial or rejection of a successive motion for relief from judgment. See MCR 6.502(G)(1). None of the exceptions found in MCR 6.502(G)(2) are applicable.

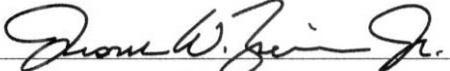
The motion to remand is DISMISSED.



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

AUG 08 2013

Date


Chief Clerk