

**Court of Appeals, State of Michigan**

**ORDER**

**People of MI v Benjamin David Franklin II**

Docket No. **318280**

LC No. **2013-002057-FH**

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David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.203(F)(1), orders:

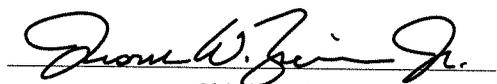
The claim of appeal is DISMISSED for lack of jurisdiction because the September 4, 2013 judgment of sentence, which was based upon a plea of guilty to a crime committed after December 27, 1994, is not appealable as a matter of right. MCR 7.203(A)(1)(b). At this time, defendant-appellant may seek to appeal by filing a delayed application for leave to appeal under MCR 7.205(F).



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

**OCT 16 2013**

Date

  
Chief Clerk