

Court of Appeals, State of Michigan

ORDER

People of MI v Robin Rick Manning

Stephen L. Borrello
Presiding Judge

Docket No. 345268

Amy Ronayne Krause

LC No. 84-000570-FC

Brock A. Swartzle
Judges

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

The Court further orders that the motion to file a brief in excess of 50 pages and the motion to extend time to file a current register of actions are GRANTED.

The Court further orders that the delayed application for leave to appeal and motions to remand and to appoint counsel are DISMISSED. Defendant has failed to demonstrate the entitlement to an application of any of the exceptions to the general rule that a movant may not appeal the denial of a successive motion for relief from judgment. MCR 6.502(G).

Borrello, J. I respectfully dissent and would GRANT defendant's motion for leave to appeal limited to the issue of whether the analysis set forth in *Cruz v United States* 2018 WL 1541898 is applicable. I would additionally GRANT defendant's motion for the appointment of appellate counsel. In all other issues raised in defendant's motion for leave to appeal, I hold that defendant has failed to present to this Court any supporting authority and argument for his remaining issues, hence, the remaining issues have been abandoned. *Mitcham v Detroit*, 355 Mich 182, 203; 94 NW2d 388 (1959).

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



FEB 21 2019

Date

Chief Clerk