Court of Appeals, State of Michigan

ORDER

People of MI v Sheri Ann Gress

Docket No. 300528

LC Nos. 09-005427-01-FH; 09-005498-01-FC

William C. Whitbeck
Presiding Judge

Peter D. O'Connell

Patrick M. Meter
Judges

On the Court's own motion, the Clerk's Office shall treat defendant's delayed application for leave to appeal as filed within the deadline set forth in MCR 7.205(F)(3) because appellate counsel's failure to file the delayed application within the deadline constituted ineffective assistance of counsel. *People v Means*, 480 Mich 989 (2007); *People v McCoy*, 480 Mich 989 (2007); *People v Rodgers*, 480 Mich 989 (2007); and *People v Kipfer*, 480 Mich 990 (2007).

Attorney Rolf E. Berg (P26758) shall pay to the Clerk of this Court costs of $250 within 21 days of the Clerk's certification of this order.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT 25 2010
Date

Sandra Schultz Mengel
Chief Clerk