Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V TOMIKA DAMON SHAW

Docket No. 376286

LC No. 97-009637-FC

Anica Letica
Presiding Judge

James Robert Redford

Randy J. Wallace
Judges

The Supreme Court instructed the Court to determine whether defendant's delayed application for leave to appeal the June 18, 2024 order denying a successive motion for relief from judgment was timely filed in light of MCR 1.112. *People v Shaw*, ___ Mich ___ (2026).

Defendant's application was received by this Court on July 1, 2025. Defendant asserts the application was initially placed in the institution's outgoing mail on December 13, 2024. In his submissions to this Court, defendant states his application for leave to appeal was placed in the institution's outgoing mail on or before the filing deadline, see MCR 7.205(A)(4)(a). A review of the record indicates the zip code he listed in his mailing was the zip code for mail to be delivered to the post office box for this Court; and not the zip code for the street address of this Court, which is where the mail was addressed to.

After reviewing the record and MCR 1.112, we deem the delayed application to be timely filed.

The motion to waive fees is GRANTED for this case only.

Plaintiff may file an answer to the delayed application and the motion to hold in abeyance within 42 days of the date of this order.

Anica Letica
Presiding Judge

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

May 12, 2026
Date

Chief Clerk