Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V MICHAEL ANTHONY DARBY

Docket No. 378928

LC No. 13-003186-01-FC

Sima G. Patel
Presiding Judge

Allie Greenleaf Maldonado

Adrienne N. Young
Judges

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

The motion to remand is DENIED.

The delayed application for leave to appeal is DENIED for lack of merit in the grounds presented. Defendant filed a motion for restoration of appellate rights under MCR 6.428. However, after defendant was convicted and sentenced in 2013, defendant timely requested the appointment of counsel, counsel was appointed, and defendant then proceeded with a claim of appeal in Docket No. 317849. As defendant was not denied the right to appellate review, he is not entitled to restoration of appellate rights under MCR 6.428. At this point, the only method available to defendant to challenge his judgment of sentence is a motion for relief from judgment under subchapter 6.500 of the Court Rules. MCR 6.501; *People v McSwain*, 259 Mich App 654, 678; 676 NW2d 236 (2003).

Presiding Judge

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

September 18, 2026
Date

Chief Clerk