Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V BAHAA ISWED

Docket No. 378436

LC No. 97-009582-01-FC

Sima G. Patel
Presiding Judge

Allie Greenleaf Maldonado

Adrienne N. Young
Judges

The delayed application for leave to appeal is DENIED because defendant has failed to establish that the trial court erred in denying the successive motion for relief from judgment. We note that the verdict-form issue defendant now seeks to raise was raised in a supplemental pleading which was, in fact, discussed in the trial court's January 5, 2015 order denying his first motion for relief from judgment. While the court did not specifically address the merits of the issue in that opinion and order, the issue was before the trial court at that time, and the motion was denied. When defendant appealed in Docket No. 328145, he argued the merits of the issue in this Court, and after this Court denied leave to appeal, he raised the issue again in the Supreme Court. Both this Court and the Supreme Court denied leave to appeal, concluding that defendant failed to demonstrate entitlement to relief under MCR 6.508(D). *People v Iswed*, unpublished order of the Court of Appeals, entered August 26, 2015 (Docket No. 328145), lv den 500 Mich 853 (2016). Defendant's attempt to argue the issue again is barred by MCR 6.502(G), as it is not based on new evidence or a retroactive change in the law since the filing of his first motion for relief from judgment, and also by MCR 6.508(D)(2), as this issue was decided against him in a prior motion for relief from judgment. To the extent defendant complains that the trial court's January 5, 2015 order did not adequately address the issue, his remedy was his appeal in Docket No. 328145.

Presiding Judge

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

March 19, 2026
Date

Chief Clerk