

Court of Appeals, State of Michigan

ORDER

People of MI v Russell Roberson

Docket No. 353817

LC No. 14-005563-01-FC

Michael J. Riordan
Presiding Judge

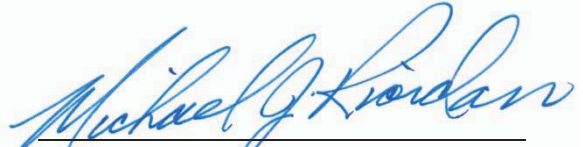
Christopher M. Murray

Karen M. Fort Hood
Judges

On the Court's own motion, to the extent defendant challenges the July 17, 2019 amended judgment of sentence, the Clerk's Office shall treat defendant's application for delayed appeal as filed within the deadline set forth in MCR 7.205(G)(3) because appellate counsel's failure to file the application for delayed appeal within the deadline constitutes ineffective assistance of counsel. See *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). We note that to the extent defendant challenges the February 20, 2020 order of the circuit court, the delayed application was filed within the six-month period provided by MCR 7.205(G)(3).

Attorney Melvin Houston (P36280) shall pay to the Clerk of this Court costs of \$250 within 21 days of the Clerk's certification of this order. This sanction is personal to the attorney and shall not be charged back to the county or the state.

The Clerk's Office shall send a copy of this order to the Administrator of the Michigan Appellate Assigned Counsel System.

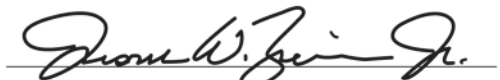

Presiding Judge



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

July 8, 2020

Date


Chief Clerk