Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V AUSTIN JONES

Docket No. 382760

LC No. 2025-294838-FH

Anica Letica
Presiding Judge

Kathleen A. Feeney

Randy J. Wallace
Judges

On the Court's own motion, the Clerk's Office shall treat defendant's application for leave to appeal as filed within the deadline set forth in MCR 7.205(A)(2)(a) because appellate counsel's failure to file the 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). The relevant 42-day deadline under MCR 7.205(A)(2)(b)(ii) runs from the date the of the trial court's order deciding a postjudgment motion. Here, the trial court register of actions shows the trial court entered a postjudgment order deciding the motion to correct an invalid sentence on June 17, 2026. Accordingly, the application was due by July 29, 2026. It was filed on October 6, 2026.

We refrain from imposing costs based on this apparent good faith mistake by filing the application late.

Anica Letica
Presiding Judge

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

October 22, 2026
Date

Chief Clerk