

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

PEOPLE

Plaintiff,

v

SPENCER, WILLIAM, SIM,

Defendant,

NO: 2001-180525-FH

HON. Nanci J. Grant

A

ORDER

At a session of Court
held in Oakland County, Michigan
on 04/25/2019

THE COURT FINDS:

The matter is before the Court on Defendant's successive motion for relief from judgment pursuant to MCR 6.500, et seq. For the following reasons, the Court declines to consider Defendant's motion:

A defendant cannot file a successive motion for relief from judgment that is not based on one of the two exceptions in MCR 6.502(G)(2). *People v Swain*, 288 Mich App 609, 631 (2010). Here, after reviewing the pleading, the Court finds that Defendant has failed to show that his claim for relief is based on either (1) a retroactive change in the law, or (2) evidence that was not discovered before his first motion for relief from judgment was denied. Because Defendant has previously filed a motion for relief from judgment, and he did not establish that the claim in the instant motion fell within one of the exceptions in MCR 6.502(G)(2), this Court will not consider the claim. MCR 6.502(G)(1). *Swain*, 288 Mich App at 631.

IT IS SO ORDERED.



HON. Nanci J. Grant

Circuit Court Judge

A TRUE COPY

LISA BROWN

Oakland County Clerk - Register of Deeds

By


Deputy

B

Court of Appeals, State of Michigan

ORDER

People of MI v William Sim Spencer

Docket No. **348890**

LC No. **2001-180525-FH**

Christopher M. Murray, Chief Judge, acting under MCR 7.203(F)(1), orders:

The motion to waive fees is GRANTED for this case only. MCR 2.002(C).

The claim of appeal is DISMISSED for lack of jurisdiction. MCR 7.203(A)(1). The April 25, 2019, order is not a final order as defined in MCR 7.202(6)(b).



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

MAY 22 2019

Date

Chief Clerk

Order

July 2, 2019

159572

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

WILLIAM SIM SPENCER,
Defendant-Appellant.

Michigan Supreme Court
Lansing, Michigan

Bridget M. McCormack,
Chief Justice

David F. Viviano,
Chief Justice Pro Tem

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

SC: 159572
COA: 348890
Oakland CC: 2001-180525-FH

On order of the Court, the application for leave to appeal prior to decision by the Court of Appeals is considered, and it is DENIED as moot, in light of the May 22, 2019 order of the Court of Appeals.



t0624

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 2, 2019

Clerk

Order

December 23, 2019

159572(12)(13)

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

WILLIAM SIM SPENCER,
Defendant-Appellant.

Michigan Supreme Court
Lansing, Michigan

Bridget M. McCormack,
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SC: 159572
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Oakland CC: 2001-180525-FH

On order of the Court, the motion to amend is GRANTED. The motion for reconsideration of this Court's July 2, 2019 order is considered, and it is DENIED, because we are not persuaded that reconsideration of our previous order is warranted. MCR 7.311(G).



b1216

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 23, 2019

Clerk