

**THIRD CIRCUIT COURT OF MICHIGAN FOR THE COUNTY OF WAYNE  
CRIMINAL DIVISION**

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff,

v

Honorable Qiana D. Lillard  
Case No: 76-005890-01-FC

CHARLES LEWIS,  
Defendant.


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**ORDER**

This matter comes before the Court on the Defendant's motion to dismiss and motion for a *Ginther* hearing. The Defendant is requesting that this Court dismiss the case order a *Ginther* hearing and a new trial.

Under 6.431(A), a motion for new trial may be filed before the filing of a timely claim of appeal. If a claim of appeal has been filed, a motion for a new trial may only be filed in accordance with the procedure set forth in MCR 7.208(B), or the remand procedure set forth in MCR 7.211(C)(1). Under MCR 6.501, unless otherwise specified by these rules, a judgment of conviction and sentence entered by the circuit court not subject to appellate review under subchapters 7.200 or 7.300 may be reviewed only in accordance with the provisions of this subchapter. The Defendant has exhausted all appeals. The Defendant may seek relief only in a motion for relief from judgment.

The Court HEREBY ORDERS that the Defendant's motion to dismiss and motion for a *Ginther* hearing be DENIED.

  
QIANA D. LILLARD  
CIRCUIT COURT JUDGE

December 7, 2018