

# Court of Appeals, State of Michigan

## ORDER

People of MI v Maurice Allen-Julius Stewart

Docket No. 368766

LC No. 20-000171-01-FC

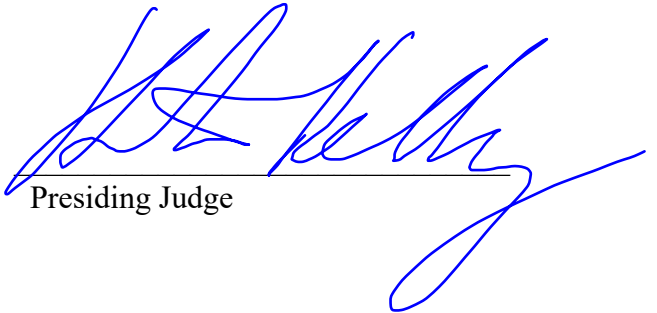
Kirsten Frank Kelly  
Presiding Judge

Christopher M. Murray

Thomas C. Cameron  
Judges

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The delayed application for leave to appeal is DENIED for lack of merit in the grounds presented. Regardless of the trial court’s stated reasoning for ruling as it did, it reached the correct result by denying defendant’s motion to dismiss the charges against him under Article III(a) of the Interstate Agreement on Detainers (IAD), MCL 780.601. Defendant does not argue—let alone present any evidence—that he ever made a “request for a final disposition” that satisfied all of the associated requirements under Article III (e.g., service of a proper request on both the trial court and the prosecution; accomplished via registered or certified mail—with return receipt requested—sent by the warden having custody; “accompanied by a certificate of the appropriate official having custody of the prisoner, stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decisions of the state parole agency relating to the prisoner”; etc.). Thus, defendant has not demonstrated that the 180-day period under Article III(a) was ever duly triggered. See *People v Duenaz*, 306 Mich App 85, 110-111; 854 NW2d 531 (2014); accord *Fex v Michigan*, 507 US 43, 52; 113 S Ct 1085; 122 L Ed 2d 406 (1993) (“the 180-day time period in Article III(a) of the IAD does not commence until the prisoner’s request for final disposition of the charges against him has actually been delivered to the court and prosecuting officer of the jurisdiction that lodged the detainer against him”).

  
Presiding Judge



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

December 20, 2023  
Date

  
Chief Clerk