IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Herbert W G Clanton v Department of Civil Rights**
Docket No. **259618**
L.C. No. **04-000195-MM**

William C. Whitbeck, Chief Judge, acting under MCR 7.201(B)(3) and 7.216(A)(10), orders:

The claim of appeal is DISMISSED for failure to pursue the case in conformity with the rules. MCR 7.201(B)(3) and 7.216(A)(10). The Clerk of this Court provided notice by letters of December 20, 2004, January 13, 2005, and February 7, 2005, regarding the nature of the defect in this filing, and the defect was not corrected in a timely manner by providing this Court with a proof of service showing that counsel for the defendant was served with a copy of the claim of appeal. In light of the fact that no appearance has been filed on behalf of the defendant this Court cannot conclude that the claim of appeal was properly served on counsel for the defendant. Dismissal is without prejudice to whatever other relief may be available consistent with the Court Rules.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 10 2005
Date

Sandra Schultz Mengel
Chief Clerk