IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **C&C Equipment Company v Kinnie Annex Truck Rental Inc**
Docket No. **259988**
L.C. No. **2002-004957-CK**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the order being appealed is not a final order for the reason that no order has been entered that disposes of the claims against third party defendants Desert Logistics LLC, News Transportation, and Gary Michaels Inc. See MCR 2.604(A) and 7.202(6)(a)(i). The Court would note that those claims would not be disposed of until a default judgment was entered against those parties. As a result, appellants may only challenge the order at this time by filing a delayed application for leave to appeal under MCR 7.205.

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

MAR 1 0 2005
Date

Sandra Schultz Mengel
Chief Clerk