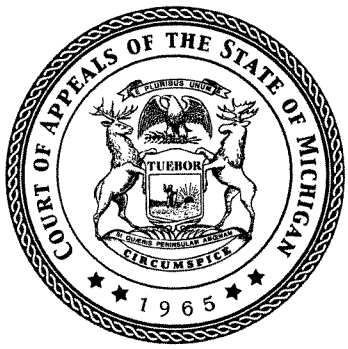
IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **City of Detroit v Jonathan Sobeloff**
City of Detroit v Craig Jones
Docket Nos. **263301 & 263327**
L.C. Nos. **00-001737-CC & 02-219740-CC**

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 May 25, 2005 order was not a final order at the time appellants filed the claim. If an appellant files a motion for a new trial, reconsideration, rehearing, judgment not withstanding the verdict, or similar postjudgment relief within 21 days of the entry of a final order, the finality of the challenged order is suspended until such time that the trial court denies the motion. In other words, this Court must give the lower court an opportunity to decide the postjudgment motion before this Court divests the lower court of jurisdiction. See MCR 7.208. In any event, the aggrieved party may still claim an appeal as of right from the final order by filing the claim within 21 days of the entry of the order denying the postjudgment motion. See MCR 7.204(A)(1)(b).



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

AUG 17 2005
Date

Sandra Schultz Mengel
Chief Clerk