IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Capitol National Bank v Capital One Services Inc**
Docket No. **263735**
L.C. No. **04-000878-CH**

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 the claims against Household Mortgage are still outstanding. See MCR 2.604(A) and 7.202(6)(a)(i). As a result, appellant 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

AUG 10 2005
Date

Sandra Schultz Mengel
Chief Clerk