IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Anthony K Schultz v Sandra K Myers**
Docket No. **263810**
L.C. No. **01-007769-CZ**

E. Thomas Fitzgerald, 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 June 22, 2005 order is not a MCR 7.202(6)(a)(i) final order. The MCR 7.202(6)(a)(i) final order was entered in the summer of 2002. See docket numbers 243302 and 243372, as well as the dismissal order of the claim of appeal that was filed in 2005 in docket number 262154. The fact that a person intervened several months after entry of the MCR 7.202(6)(a)(i) final order does not undo the summer of 2002 order being the first order disposing of the claims of the parties, nor does it make this subsequent June 22, 2005 order the first order disposing of the claims of the parties. There can be only one first order. 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.

COURT OF APPEALS OF THE STATE OF MICHIGAN
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A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUL 22 2005
Date

Sandra Schultz Mengel
Chief Clerk