IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **City of Benton Harbor v Charles Kelly**
Docket No. **266231**
L.C. No. **2004-3037-CH**

Michael R. Smolenski, Judge, acting under MCR 7.217 and MCR 7.219(I), orders:

The above appeal is DISMISSED for want of prosecution, appellant having failed to timely file the brief on appeal.

Charlette Pugh Tall, retained counsel for appellant, shall pay to the Clerk of this Court, within 21 days of the certification of this order, court costs in the sum of $250 for allowing this appeal to appear on the involuntary dismissal docket. Such costs are personal to the attorney and shall not be charged back to the client or to the State.

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

JUN 29 2006
Date

Sandra Schultz Mengel
Chief Clerk