IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Pointe Rosa Homeowners Assn Inc v Julio Cicchini**
Docket No. **267101**
L.C. No. **2005-000952-CK**

Pat M. Donofrio, Judge, acting under MCR 7.211(E)(2), orders:

Having failed to timely file appellant's brief as directed by Administrative Order 2004-5 ¶ 9(B)(1), Bernard Penzien (P23325), retained counsel for appellant, shall pay costs in the amount of $250 to the Clerk of this Court within 21 days of the certification of this order. Administrative Order 2004-5 ¶ 9(B)(4). Such costs are personal to the attorney and shall not be charged back to the client.

If appellant's brief is not filed by February 20, 2006, which is 14 days from the original due date or any extension granted, the Clerk's Office is directed to submit this appeal for dismissal and possible assessment of additional costs. Administrative Order 2004-5 ¶ 9(B)(4).

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

FEB 15 2006
Date

Sandra Schultz Mengel
Chief Clerk