IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Lawrence G Maday v Harold I Miller Real Estate**
Docket No. **268072**
L.C. No. **03-003205-CH**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal filed January 30, 2006, and the claim of cross appeal are DISMISSED for lack of jurisdiction. The claim of appeal is DISMISSED because it was not filed within 21 days of the August 2005 MCR 7.202(6)(a)(i) final order as required by MCR 7.204(A)(1)(a). It is clear from the docketing statement that appellants are appealing just the August 2005 MCR 7.202(6)(a)(i) final order and not the subsequent January 2006 MCR 7.202(6)(a)(iv) final order. The claim of cross appeal also clearly demonstrates that cross appellant is just appealing the MCR 7.202(6)(a)(i) final order, an order this Court never obtained jurisdiction over. Litigation regarding mediation sanctions does not extend the time to appeal the MCR 7.202(6)(a)(1) final order. See *Baitinger v Brisson,* 230 Mich App 112 (1998). Lastly, the August 2005 order resolved the jurisdictional problem that led to the dismissals in docket numbers 258803 and 259409. As a result, any appeal must be 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

MAR 24 2006
Date

Sandra Schultz Mengel
Chief Clerk