IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Fifth Third Bank v Rena Kendrick**
Docket No. **270330**
L.C. No. **05-001235-CK**

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

The claim of appeal filed May 9, 2006, is DISMISSED for lack of jurisdiction because the April 17, 2006 order is not a final order for the reason that the claims against defendant and counter defendant are still outstanding. See MCR 2.604(A) and 7.202(6)(a)(i). Furthermore, even if the April 17, 2006 order was a final order, the claim of appeal would be dismissed as untimely filed since it was not filed within 21 days of April 17, 2006, as required by MCR 7.204(A)(1)(a). 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

JUN - 5 2006
Date

Sandra Schultz Mengel
Chief Clerk