# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Richard K McMillan v Mary C Lee**
Docket No. **285121**
L.C. No. **08-107873-PH**

Brian K. Zahra, Judge, acting under MCR 7.211(E)(2) and MCR 7.217, orders:

The motion to waive fees is GRANTED for this case.

The motion to extend the time for filing appellant's brief until January 9, 2009, is DISMISSED as moot, no appellant's brief having been filed.

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

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

FEB - 5 2009
Date

Sandra Schultz Mengel
Chief Clerk