

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Estate of Ellen S Mullen v Rene Marco Duenas**

Docket No. **302662**

L.C. No. **2009-007804-DZ**

William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because appellants are not aggrieved parties with regard to the January 28, 2011 order appealed from given that it *denies* appellee's request to award attorney fees and costs against them. MCR 7.203(A). Further, the claim of appeal cannot be saved by treating it as being taken from the January 18, 2011 order of dismissal because the claim of appeal was not filed within 21 days after entry of that order. MCR 7.204(A)(1)(a). At this time, appellants may seek to appeal the January 18, 2011 order only by filing a delayed application for leave to appeal under MCR 7.205(F).



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

MAR 08 2011

Date


Chief Clerk