

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: UV Hosting Inc v Digital Ventures LLC

Docket No. 303535

L.C. No. 10-007163-CZ

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.211(E)(2), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the January 31, 2011 order is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). That order is not a final order under MCR 7.202(6)(a)(i) because it does not dispose of appellant's garnishment claim against appellee, but rather merely sets aside a default judgment as to that claim so that it may be considered on its merits. At this time, appellant may seek to appeal the January 31, 2011 order only by filing a delayed application for leave to appeal under MCR 7.205(F).

The claim of cross appeal is also DISMISSED for lack of jurisdiction because there is no actual appeal of right in this matter. MCR 7.207(A)(1). The Clerk's Office is directed to return the \$375 check provided with the claim of cross appeal to cross appellant.



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

MAY -9 2011

Date


Chief Clerk