

Court of Appeals, State of Michigan

ORDER

Dwight Cook v Landmark Delta LLC

Docket No. 305262

LC No. 09-001140-CH

Patrick M. Meter
Presiding Judge

William C. Whitbeck

Stephen L. Borrello
Judges

The Court orders that the motion to dismiss pursuant to MCR 7.211(C)(2) is GRANTED for the reason that the claim of appeal is not within the Court of Appeals jurisdiction because the July 5, 2011 order appealed from is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). The July 5, 2011 order is not a final order under MCR 7.202(6)(a)(i) because Count I of appellee's second amended complaint was not disposed of when that order was entered. Notably, because the trial court's November 8, 2010 opinion was merely an opinion granting summary disposition to appellees as to their right to foreclosure on the relevant condominium unit, that opinion was not a judgment or order that disposed of the merits of Count I by actually ordering such a foreclosure.



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

SEP 20 2011

Date


Chief Clerk