

Court of Appeals, State of Michigan

ORDER

Michele A Benson v Alan W Benson

Docket No. 305979

LC No. 11-105407-DO

Michael J. Kelly
Presiding Judge

Patrick M. Meter

Amy Ronayne Krause
Judges

On the Court's own motion, in lieu of dismissing the claim of appeal for lack of jurisdiction because it was not timely filed within 21 days after entry of the August 12, 2011 default judgment of divorce, MCR 7.204(A)(1)(a), the claim of appeal is treated as a delayed application for leave to appeal.

Within 56 days of the date of this order, appellant shall provide to the Clerk of this Court five copies of a brief in support of the delayed application for leave to appeal conforming to MCR 7.212(C), proof of service of the supporting brief on appellee, and a copy of any appropriate transcripts as provided by MCR 7.205(B)(4) or an appropriate substitute for the filing of transcripts as provided by MCR 7.205(B)(4). Appellee may file an answer to the supporting brief within 21 days of service by appellant as provided by MCR 7.205(C). Thereafter, decision on the delayed application will proceed under MCR 7.205(D).

Failure to timely comply with this order may result in dismissal of the appeal.



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

NOV 08 2011

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line. Below the line, the words "Chief Clerk" are printed.

Chief Clerk