

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Lynda Carto v Underwood Property Management Company**

Docket No. **306501**

L.C. No. **2004-056175-CB**

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because it was not timely filed. MCR 7.204(A). The claim of appeal was not filed within 21 days after entry of the November 24, 2010, final order appealed from and the September 19, 2011, order denying the motion for reconsideration cannot be used to time an appeal from the final order because the motion was not filed within the initial 21-day appeal period or within further time allowed by the trial court. MCR 7.204(A)(1). At this time, appellant may seek to appeal only by filing a delayed application for leave to appeal under MCR 7.205(F).



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

**OCT 24 2011**

Date

*Sandra Schultz Mengel*  
Chief Clerk