

**IN THE MICHIGAN COURT OF APPEALS**

**ORDER**

Re: **Brooke Elaine Griffin v Matthew James Griffin**

Docket No. **307875**

L.C. No. **05-022912-DM**

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


The claim of appeal is **DISMISSED** for lack of jurisdiction because the order dated December 14, 2011 and entered in the circuit court register of actions on December 15, 2011 is not a final order as defined in MCR 7.202(6). MCR 7.203(A)(1). That postjudgment order denying appellant's petition to terminate appellee's parental rights cannot be considered an order affecting the custody of a minor under MCR 7.202(6)(a)(iii). Specifically, the parties' minor child was already in appellant's sole legal and physical custody under the judgment of divorce in this case, so appellant's motion to terminate appellee's parental rights did not concern the *custody* of the minor. At this time, appellant may seek to appeal the order in question 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

**JAN 25 2012**

Date

  
Chief Clerk