

# Court of Appeals, State of Michigan

## ORDER

Todd Michael Porter v Kimberly Sue Niswonger

Docket No. 308010

LC No. 2011-028722-AV

William C. Whitbeck  
Presiding Judge

Peter D. O'Connell

Michael J. Kelly  
Judges

---

On the Court's own motion, in lieu of dismissing the claim of appeal for lack of jurisdiction because the December 14, 2011 circuit court order is an order entered on appeal from a district court and, thus, is not appealable of right, MCR 7.203(A)(1)(a), the claim of appeal is treated as an 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 application for leave to appeal conforming to MCR 7.212(C), proof of service of the supporting brief on all other parties to this case, 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). Any other party in the case 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 application will proceed under MCR 7.205(D).

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

The motion for extension of time to file briefs on appeal is DENIED as moot in light of this order treating the claim of appeal as an application for leave to appeal and the specific requirement for appellant to file a brief in support of that application.



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

MAR 09 2012

Date

  
Chief Clerk