

Court of Appeals, State of Michigan

ORDER

LYNDA CARTO V UNDERWOOD PROPERTY MANAGEMENT

Docket No. **310361**

LC No. **2004-056175-CB**

William B. Murphy, Chief Judge, acting under MCR 7.211(E)(2), orders:

The delayed application for leave to appeal is **DISMISSED** for lack of jurisdiction because appellant failed to file his application within 12 months of the date of entry for the November 24, 2010 order or May 18, 2011 order as required by MCR 7.205(F)(3). The circuit court's December 5, 2011 order denied what was effectively defendant's third subsequent motion for reconsideration of the November 24, 2010 order and so did not toll or extend the deadline for seeking leave to appeal.. See *Allied Electric Supply Co v Tenaglia*, 461 Mich 285; 602N 572 (1999).



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

JUL 24 2012

Date


Chief Clerk