

Court of Appeals, State of Michigan

ORDER

James Goldie v Kevin Reber

Docket No. **310782**

LC No. **12-006838-CH**

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

The claim of appeal is DISMISSED for lack of jurisdiction because it has effectively been filed from a circuit court's apparent oral decision at a hearing. However, an appeal of right can only be taken from a judgment or order. MCR 7.203(A). Further, the claim of appeal cannot be saved by treating it as being taken from any final order that has been or may yet be entered after the filing of the claim of appeal because a claim of appeal must be filed after entry of the order appealed from. See MCR 7.204(A)(1)(a)-(b). Appellant's alternative request for a refund of the entry fee that he paid for filing the claim of appeal is rejected. He has cited no legal authority in support of that request, and there appears to be no statutory or court rule provision entitling an appellant who mistakenly filed a claim of appeal outside this Court's jurisdiction to a refund of the filing fee. Notably, this Court has expended resources in processing the claim of appeal notwithstanding its dismissal for lack of jurisdiction.



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

JUL 24 2012

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Chief Clerk