

Court of Appeals, State of Michigan

ORDER

In re Petition of Berrien County Treasurer

Docket No. **311727**

LC No. **2009-000200-CZ**

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. Initially, while the claim of appeal refers to two circuit court case numbers, the July 13, 2012 order appealed from was entered only in Lower Court No. 2009-000200-CZ. That postjudgment order is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). Rather, it is manifest that the final order under MCR 7.202(6)(a)(i) in Lower Court No. 2009-000200-CZ is the August 18, 2010 judgment of foreclosure in favor of appellee and that the July 13, 2012 order does not fall under any of the definitions of a final order in a civil case in MCR 7.202(6)(a). At this time, appellant may seek to appeal the July 13, 2012 order by filing a delayed application for leave to appeal under MCR 7.205(F).

The motion to waive fees is GRANTED for this case only.



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

OCT 23 2012

Date

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

Chief Clerk