

**Court of Appeals, State of Michigan**

**ORDER**

**Asphalt Specialists Inc v Wells Venture Corporation**

Docket No. 313579

LC No. 2007-001854-CK

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David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and MCR 7.204(A)(3), orders:

Upon review of the affidavits filed under MCR 7.204(A)(3), the Court finds that service of the order appealed from was not delayed beyond the time provided in MCR 2.602. MCR 7.204(A)(3). Although defendant-appellant claims the order was not *received* until November of 2012, there is no dispute that the order was properly *served* on defendant-appellant within seven (7) days as required by MCR 2.602. Therefore, the claim of appeal, which was filed on November 29, 2012, is deemed untimely. MCR 7.204(A)(1)(a); MCR 7.204(A)(3).



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

**DEC 27 2012**

Date

  
Chief Clerk