

**Court of Appeals, State of Michigan**

**ORDER**

**Dennis Gusmano v Kathleen Gusmano**

Docket No. **315909**

LC No. **08-123682-DM**

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William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1) and MCR 7.211(E)(2), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the April 5, 2013, order appealed from is not a final order as defined in MCR 7.202(6). MCR 7.203(A)(1). The postjudgment order regarding spousal support cannot be considered an order affecting the custody of a minor under MCR 7.202(6)(a)(iii). At this time, appellant may seek to appeal the April 5, 2013, order regarding spousal support only by filing a delayed application for leave to appeal under MCR 7.205(F).

The appellant's Affidavit Concerning Financial Status is treated as a motion to waive fees and the motion is GRANTED for this case only.



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

MAY 10 2013

Date

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

Chief Clerk