

**Court of Appeals, State of Michigan**

**ORDER**

**William K Langfan v Goodyear Tire & Rubber Company**

Docket No. 317948

LC No. 08-000097-CK

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

The claim of appeal is DISMISSED for lack of jurisdiction. First, the claim of appeal was not timely filed as to either the September 5, 2012 judgment or the June 27, 2013 order. MCR 7.204(A)(1)(a)-(b). In this regard, it appears that the September 5, 2012 judgment was a final order under MCR 7.202(6)(a)(i) but was displaced as the general final order under MCR 7.202(6)(a)(i) by the June 27, 2013 order. In any event, the claim of appeal was not timely as to either the September 5, 2012 judgment or the June 27, 2013 order because it was not filed within 21 days after entry of the June 27, 2013 order. MCR 7.204(A)(1)(a)-(b). While the August 12, 2013 order appears to be a final order under MCR 7.202(6)(a)(iv) and the claim of appeal was timely filed as to that order appellant is not an aggrieved party as to that order because he stipulated to its entry and, thus, may not appeal it to seek a larger amount of taxable costs. MCR 7.203(A); *Kocenda v Archdiocese of Detroit*, 204 Mich App 659, 666; 516 NW2d 132 (1994). At this time, appellant may seek to appeal the June 27, 2013 order by filing a delayed application for leave to appeal under MCR 7.205(F).



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

**SEP 19 2013**

Date

  
Chief Clerk