

Court of Appeals, State of Michigan

ORDER

Hedy Manguson v Gloria Szakacs

Docket No. **318123**

LC No. **2012-001590-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 was not filed within 21 days of the July 23, 2013 order being appealed from and no motion for postjudgment relief was filed within the initial 21-day appeal period. MCR 7.204(A)(1)(a). Also, even treating appellant's signed statement apparently indicating that trial counsel did not receive the order appealed from until August 19, 2013 as an affidavit and assuming that August 19, 2013 should be treated as the date of service of the order appealed from for purposes of MCR 7.204(A)(3), the claim of appeal would not be timely under MCR 7.204(A)(3) because it was not filed within 14 days after August 19, 2013 as extended to September 3, 2013 by the Labor Day holiday, MCR 1.108(1). At this time, appellant may seek to appeal the July 23, 2013 order only 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 Jerome W. Zimmer Jr., Chief Clerk, on

SEP 20 2013

Date


Chief Clerk