

**Court of Appeals, State of Michigan**

**ORDER**

**Talmer Bank and Trust v DSLT Inc**

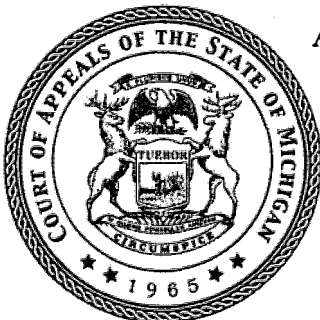
Docket No.   **319740**

LC No.       **13-014909-CZ**

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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. MCR 7.203(A)(1). The order dated December 2, 2013 and entered in the circuit court register of actions on December 3, 2013 is not a final order as defined in MCR 7.202(6)(a)(i) because it leaves the claims against defendant DSLT, Inc. undisposed. The claims against that defendant were not disposed of because only a default, not a default judgment, was entered as to that defendant. Notably, the language in the December 3, 2013 order designating it as a final order is not controlling. *Faircloth v Family Independence Agency*, 232 Mich App 391, 400-401; 591 NW2d 314 (1998). At this time, appellant may seek to appeal the December 3, 2013 order by filing a delayed application for leave to appeal under MCR 7.205(G).



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

**JAN 28 2014**

Date

  
Chief Clerk