

**Court of Appeals, State of Michigan**

**ORDER**

**Arthur H Oesch v Stacey M Oesch**

Docket No.   **320027**

LC No.       **11-002706-CH**

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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 because the order denying a motion for reconsideration dated January 3, 2014 and entered in the circuit court register of actions on January 6, 2014 is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). Further, the claim of appeal cannot be saved by treating it as being taken from the underlying December 4, 2013 order denying appellant's motion to set aside the default judgment in this case. That order is also not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). Particularly, it is not a final order under MCR 7.202(6)(a)(i) because it does not dispose of any claim in this case but rather declines to set aside the earlier disposition of the claims in the default judgment. At this time, appellant may seek to appeal either the December 4, 2013 order or the January 6, 2014 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 31 2014**

Date

  
Chief Clerk