

Court of Appeals, State of Michigan

ORDER

Carrie Jean Powell v Kevin Mitchell VanBuskirk

Docket No. **325224**

LC No. **10-900402-DM**

Michael J. Talbot, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction. The order dated December 1, 2014 and entered in the circuit court register of actions on December 2, 2014 is not a final order under MCR 7.202(6)(a)(iii) as to its denial of appellant's motion to change the residence of the parties' minor child because that aspect of the order does not affect the custody of the child since the child would remain in appellant's physical custody regardless of whether that motion was granted or denied. Accordingly, that aspect of the order is not appealable of right. MCR 7.203(A). Further, appellant is not an aggrieved party with standing to appeal as to the portion of the December 2, 2014 order denying appellee's motion for a change of custody. MCR 7.203(A). At this time, appellant may seek to appeal the December 2, 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 15 2015

Date


Chief Clerk