

**Court of Appeals, State of Michigan**

**ORDER**

**Oakland County v First Place Bank**

Docket No.   **325239**

LC No.       **2014-139784-CZ**

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Michael J. Talbot, 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 order signed on November 6, 2014, and entered into the trial court register of actions on November 10, 2014. MCR 7.204(A)(1)(a). Further, although a timely motion for reconsideration was filed with the trial court, that motion was not decided until after the claim of appeal was filed. In order for a claim of appeal to be timely under MCR 7.204(A)(1)(b), the claim of appeal must be filed within 21 days *after* entry of the order deciding the motion for reconsideration. Here, the claim of appeal was filed on December 23, 2014. The order deciding the motion for reconsideration was signed on January 2, 2015. Therefore, the claim of appeal was not filed within 21 days *after* entry of the order deciding the motion for reconsideration. MCR 7.204(A)(1)(b).

At this time, appellant may seek to appeal the November 6, 2014 order by filing a delayed application for leave to appeal under MCR 7.205(G). Alternatively, if the January 2, 2015 order is a final order appealable of right, appellant may timely file a claim of appeal by January 23, 2015.



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

**JAN 14 2015**

Date

  
Chief Clerk