

Court of Appeals, State of Michigan

ORDER

Carolyn M Bleech v Great Lakes Family Dental Group-DeWitt PC

Docket No. 329042

LC No. 14-011299-CD

Donald S. Owens
Presiding Judge

Michael J. Kelly

Amy Ronayne Krause
Judges

The Court orders that the motion for reconsideration is DENIED. Setting aside the clerk's order of dismissal issued under the authority of MCR 7.218 based upon the parties' stipulation agreeing to the dismissal of the appeal would be futile as this Court lacks jurisdiction over the appeal of right filed on August 31, 2015, because the August 10, 2015, order is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). That order was not a final order under MCR 7.202(6)(a)(i) because it left the claim(s) in the counter complaint undisposed.

Absent the filing of a timely claim of appeal from a final order disposing of the claim(s) in the counter complaint, appellant may seek to appeal the August 10, 2015, 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

DEC 21 2015

Date

Chief Clerk