

Court of Appeals, State of Michigan

ORDER

Ally Bank v Dennis Lee Livingston

Docket No. 329918

LC No. 14-035911-PD

Donald S. Owens
Presiding Judge

Peter D. O'Connell

Amy Ronayne Krause
Judges

The Court orders that the motion to dismiss this appeal is GRANTED. Appellee has established that the actual final order under MCR 7.202(6)(a)(i) is the August 3, 2015 order granting its motion for summary disposition against appellant. The claim of appeal was not timely filed within 21 days after entry of the August 31, 2015 order denying reconsideration of that final order. MCR 7.204(A)(1)(b). Alternatively, if the October 14, 2015 order were accurate in describing itself as a "final order" with regard to appellant, but not as to defendant Dennis Livingston, then it would not be a final order under MCR 7.202(6)(a)(i). It is also plain that the October 14, 2015 order is not a final order under the special definitions provided by MCR 7.202(6)(a)(ii)-(v). Accordingly, that order is not appealable of right. MCR 7.203(A).



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

FEB 22 2016

Date


Chief Clerk