

Court of Appeals, State of Michigan

ORDER

Andrea Alana Yelder v Otin Meggisson

Docket No. 330167

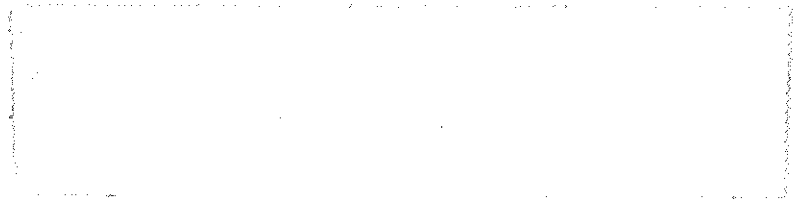
LC No. 13-000638-DM

Karen M. Fort Hood
Presiding Judge

Elizabeth L. Gleicher

Cynthia Diane Stephens
Judges

The Court orders that the motion for reconsideration is DENIED. First, appellant has not established that the October 23, 2015 order is a final order under MCR 7.202(6)(a)(iv) merely because it requires payment of a fee to a receiver who is an attorney where he has not shown that a person has to be an attorney to be appointed to act as a receiver in the present context. Further, the October 23, 2015 order cannot reasonably be considered to affect custody within the meaning of MCR 7.202(6)(a)(iii) based on requiring sale of a home. We note that the basic holding of the relevant portion of *Wardell v Hincka*, 297 Mich App 127; 822 NW2d 278 (2012), is that an order denying a motion to change custody affects custody within the meaning of MCR 7.202(6)(a)(iii) in light of the "utmost importance" of such a decision to the matter of custody. *Id.*, 132-133. An order requiring sale of a home is not at all reasonably comparable in terms of its effect on custody merely because it will lead to a change in the residence where a parent exercises parenting time with the children.



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

FEB 03 2016

Date


Chief Clerk