

Court of Appeals, State of Michigan

ORDER

Pauline Lynn Coleman v Gary Lee Coleman

Docket No. **331252**

LC No. **15-026191-DO**

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

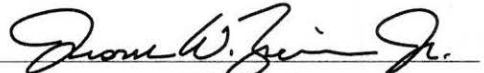
The claim of appeal is DISMISSED for lack of jurisdiction because the January 6, 2016 judgment of divorce is not a final judgment appealable of right. MCR 7.202(6)(a); MCR 7.203(A). That judgment is not a final judgment under MCR 7.202(6)(a)(i) because it leaves undetermined whether appellee is entitled to one-half of appellant's retirement benefits attributable to purchased years of service where it provides that he is entitled to one-half of those benefits "if it is determined that those service years were purchased during the marriage" without making that determination. The trial court's inaccurate statement at the conclusion of the judgment that it disposes of the last pending claim is not controlling. *Faircloth v Family Independence Agency*, 232 Mich App 391, 400-401; 591 NW2d 314 (1998).



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

FEB 09 2016

Date


Chief Clerk