

Court of Appeals, State of Michigan

ORDER

Munson Medical Center v County of Roscommon

Docket No. **331741**

LC No. **13-721440-CK**

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 order dated February 8, 2016 and entered in the circuit court register of actions on February 11, 2016 is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). That order is not a final order under MCR 7.202(6)(a)(i) because it expressly leaves undetermined the amount of damages to be awarded. Further, contrary to appellant's indication, the February 11, 2016 order is not a declaratory judgment. However, even if it were a declaratory judgment, MCR 2.605(E) does not define what constitutes a final judgment or order for purposes of a judgment or order being appealable of right to this Court but, rather, MCR 7.202(6)(a) defines a final judgment or order for that purpose. At this time, appellant may seek to appeal the February 11, 2016 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

MAR 10 2016

Date


Chief Clerk