

Court of Appeals, State of Michigan

ORDER

Kreg A Morris v Jamie Marie Heinz

Docket No. 334760

LC No. 09-004735-DM

Douglas B. Shapiro
Presiding Judge

Henry William Saad

Stephen L. Borrello
Judges

The Court orders that the motion for reconsideration is DENIED. A postjudgment order regarding only child support is not an aspect of child custody for purposes of this Court's appellate jurisdiction. In the recent opinion for publication in *Ozimek v Rodgers*, ___ Mich App ___, ___ NW2d ___ (Docket No. 331726, issued August 25, 2016), pp 5-7, this Court held that, in a dispute between parents of a child, only an order affecting physical custody, not legal custody, constitutes an order affecting custody within the meaning of MCR 7.202(6)(a)(iii). Indeed, this Court discussed child support orders as orders that could be considered to affect legal custody issues, so that such orders would improperly be treated as appealable of right if legal custody issues were not held to be excluded from the scope of orders affecting custody for purposes of MCR 7.202(6)(a)(iii). *Id.*, p 7. Further, appellant has done nothing to show that the order appealed from is a final order under MCR 7.202(6)(a)(i). To the contrary, the judgment of divorce entered in this case in March 2010 is presumably the final judgment under MCR 7.202(6)(a)(i), and appellant has provided no argument to establish that it is not.



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

OCT 25 2016

Date

Chief Clerk