

Court of Appeals, State of Michigan

ORDER

Sheila Young v State Farm Mutual Automobile Insurance Company

Docket No. **335301**

LC No. **13-009296-NF**

Michael J. Talbot, Chief Judge, acting under MCR 7.211(E)(2), orders:

The claim of appeal is **DISMISSED** for lack of jurisdiction because it was not filed within 21 days of the order being appealed from and no motion for postjudgment relief was filed within the initial 21-day appeal period. MCR 7.204(A)(1)(a). At this time, appellant may seek to appeal the September 19, 2016 order only by filing a delayed application for leave to appeal under MCR 7.205(G).

The motion to accept the claim of appeal nunc pro tunc due to a transmission error when e-filing is **DENIED**. Appellant has failed to prove to the Court's satisfaction that the transmission failed because of the failure of the TrueFiling system to process the electronic document or because of the Court's computer system's failure to receive the document on October 7, 2016. Administrative Order 2014-23, VII(A)(2). Further, appellant has failed to support the assertion that transmission was completed where appellant has not shown that the claim was served via United States mail October 7, 2016, the date asserted on the proof of service.

Michael J. Talbot



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

NOV - 2 2016

Date

Jerome W. Zimmer Jr.
Chief Clerk