

Court of Appeals, State of Michigan

ORDER

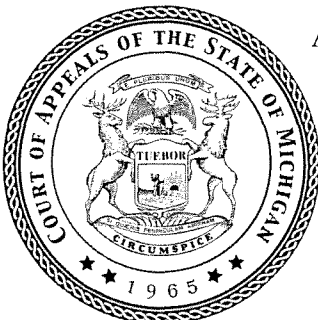
Guillermo Mendoza Jr v Consumers Energy Company

Docket No. **337800**

LC No. **15-002268-NO**

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 March 16, 2017 is not a final order appealable by right. MCR 7.202(6)(a)(i); MCR 7.203(A). That order, which was entered on stipulation of the parties, is not a final order under MCR 7.202(6)(a)(i) because it dismissed the remaining claims in the case without prejudice and without resolving the merits of those claims. *Detroit v Michigan*, 262 Mich App 542, 543-545; 686 NW2d 514 (2004). The fact that the order states that it is “a final order that resolves the last pending claim and closes the case” is not controlling. *Faircloth v Family Independence Agency*, 232 Mich App 391, 400; 591 NW2d 341 (1998). Appellants may seek to appeal any appropriate order(s) in this case by filing a delayed application for leave to appeal within the time limit allowed by MCR 7.205(G).



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

APR 25 2017

Date

Chief Clerk