

Court of Appeals, State of Michigan

ORDER

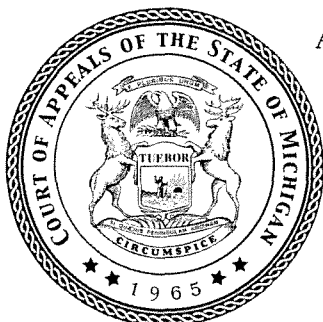
Cory D Earley v Stephanie A VanHemert

Docket No. **340945**

LC No. **12-003004-DC**

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

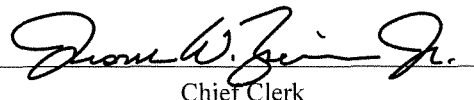
The claim of appeal is DISMISSED for lack of jurisdiction because the October 17, 2017 order appealed from is not a final order as defined in MCR 7.202(6). MCR 7.203(A)(1). Specifically, the postjudgment order regarding the issue of the minor child's vaccinations is not considered an order affecting the custody of a minor under MCR 7.202(6)(a)(iii). *Ozimek v Rodgers*, 317 Mich App 69, 80-81; 893 NW2d 125 (2016), *lv pending*. The fact that the order states that it "is a final order and resolves all pending claims between the parties" is not controlling for purposes of this Court's jurisdiction. *Faircloth v Family Independence Agency*, 232 Mich App 391, 400; 591 NW2d 314 (1998). At this time, appellant may seek to appeal the October 17, 2017 order only 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

NOV - 7 2017

Date


Chief Clerk