

Court of Appeals, State of Michigan

ORDER

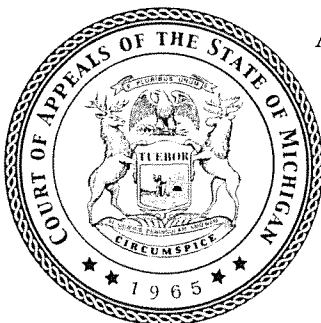
Jeffrey Franks v Newell A Franks II

Docket No. **341936**

LC No. **13-000809-CB**

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 December 28, 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 the stipulation of the parties, is not a final order under MCR 7.202(6)(a)(i) because it dismissed six remaining claims without prejudice and without resolving the merits of those claims. *Detroit v Michigan*, 262 Mich App 542, 545; 686 NW2d 514 (2004). The fact that the order states that it “is a final order and closes the case,” is not controlling. *Faircloth v Family Independence Agency*, 232 Mich App 391, 400; 591 NW2d 314 (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

JAN 23 2018

Date


Chief Clerk