

# Court of Appeals, State of Michigan

## ORDER

Robert William Pann v Department of Corrections

Docket No. 342096

LC No. 17-100558-AA

Michael F. Gadola  
Presiding Judge

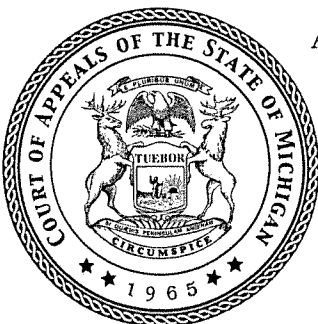
William B. Murphy

Karen M. Fort Hood  
Judges

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The Court orders that the motion for reconsideration is GRANTED. The order dated February 8, 2018, is VACATED. In light of the circuit court's January 23, 2018 order we accept that the relevant motion for reconsideration was timely filed in the circuit court. Further, the claim of appeal was timely filed within 21 days after entry of the January 23, 2018 order. MCR 7.204(A)(1)(b). Accordingly, we direct the Clerk's Office to docket this appeal as taken from the December 7, 2017 circuit court order denying appellant's appeal.

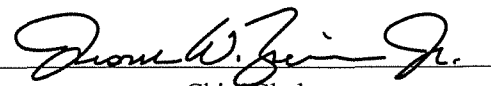
However, the claim of appeal is again DISMISSED for lack of jurisdiction because the December 7, 2017 circuit court order entered on appeal from another tribunal is not appealable of right. MCR 7.203(A)(1)(a). At this time, appellant may seek to appeal the December 7, 2017 order by filing a delayed application for leave to appeal under MCR 7.205(G).



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

MAR 23 2018

Date

  
Chief Clerk