

Court of Appeals, State of Michigan

ORDER

Robert Charles Lee v Rieman & Reyes LLC

Docket No. **342577**

LC No. **15-003429-CK**

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

The claim of appeal is DISMISSED for lack of jurisdiction because it was not timely filed under either MCR 7.204(A)(1)(a) or (b) since it was not filed within 21 days after entry of the August 24, 2017 order appealed from or the January 4, 2018 order denying appellant's motion for judgment notwithstanding the verdict or remittitur. The subsequently filed trial court motion for reconsideration of the January 4, 2018 order did not extend the time for filing the claim of appeal because it was not filed within the initial 21-day period following entry of the August 24, 2017 order appealed from. MCR 7.204(A). At this time, appellant may seek to appeal the August 24, 2017 order by filing a delayed application for leave to appeal under MCR 7.205(G). The Court notes that such a delayed application could be timely filed within six months after entry of the January 4, 2018 order denying the motion for judgment notwithstanding the verdict or remittitur, i.e., by July 5, 2018. See MCR 7.205(G)(3)(b); MCR 1.108(1).



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

APR 18 2018

Date


Chief Clerk