

Court of Appeals, State of Michigan

ORDER

In Re Johnston/Jenkins Minors

Docket No. **345016**

LC No. **16-000684-NA**

Christopher M. Murray, Chief Judge, acting under MCR 7.203(F)(1), orders:

The Court lacks jurisdiction of an appeal of right because the claim of appeal filed by trial court order entered on July 27, 2018, was not filed within 14 days of the June 19, 2018, order terminating parental rights and appellant did not file a request for the appointment of appellate counsel with the circuit court within that 14-day period. MCR 7.204(A)(1)(c); MCR 3.977(J)(1)(c) and MCR 3.977(J)(2)(a).

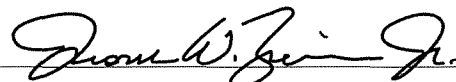
However, in light of the August 21, 2018, expiration of the 63-day period for filing an application for leave to appeal, see MCR 3.993(C)(2), the claim of appeal is treated as a delayed application for leave to appeal. See *In re Chester*, 477 Mich 1012; 726 NW2d 411 (2007). Within 21 days after the date of this order, appellant shall file with the Clerk of this Court five copies of a brief in support of the application conforming to MCR 7.212(C), proof of service of that brief on counsel for the other parties, and either the transcript copies or court reporter's certificate as would be required by MCR 7.205(B)(4), so that this Court may consider whether to grant the application. Any other party to the case may file an answer to the brief in support of the application within 21 days of service of the supporting brief.



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

AUG 22 2018

Date



Chief Clerk