

Court of Appeals, State of Michigan

ORDER

In re Conservatorship of Patricia Kemp

Docket No. 346000

LC No. 16-000696-CA

Michael J. Riordan
Presiding Judge

Cynthia Diane Stephens

Stephen L. Borrello
Judges

The motion for reconsideration is DENIED. The present motion appears to misapprehend the basis on which the claim of appeal was dismissed. MCR 7.204(A)(1)(b) provides that a claim of appeal may be filed within 21 days after entry of an order denying a motion for reconsideration or other relief from the order appealed "if the motion was filed within the initial 21-day appeal period or within further time the trial court has allowed for good cause during that 21-day period." Here, the lower court register of actions shows that the motion for postjudgment relief was filed on September 26, 2018, which was 22 days after entry of the September 4, 2018 order appealed from. Further, there is no indication that the trial court extended the time for filing the motion for postjudgment relief. Thus, MCR 7.204(A)(1)(b) is inapplicable and this Court properly dismissed the claim of appeal as untimely.



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

DEC 03 2018

Date


Chief Clerk