

Court of Appeals, State of Michigan

ORDER

RJMC Corp v Estate of Dario Tomei

Docket No. **347082**

LC No. **18-029723-CB**

Christopher M. Murray, Chief Judge, acting under MCR 7.211(E)(2), orders:

The motion for immediate consideration is GRANTED.

The motion for reconsideration is DENIED. The motion is, in critical part, predicated on appellants' assertion that their motion for relief from judgment filed in the trial court on October 5, 2018 was filed within 21 days after entry of the underlying judgment on September 13, 2018. But this is incorrect because October 5, 2018 was 22 days after September 13, 2018. Accordingly, assuming that the September 13, 2018 judgment was a final judgment, MCR 7.204(A)(1)(b) did not allow the filing of a claim of appeal after the motion for relief from judgment was denied because the motion was not filed within 21 days after entry of the September 13, 2018 order and there is no indication that the trial court extended the time for filing the motion within that 21-day period.



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

MAR 11 2019

Date



Chief Clerk