

Court of Appeals, State of Michigan

ORDER

Roger Ajluni v RKA Petroleum Companies Inc

Docket No. 348421

LC No. 2017-159624-CE

Mark J. Cavanagh
Presiding Judge

Kathleen Jansen

Colleen A. O'Brien
Judges

The Court orders that the motion to reply to the answer to the motion to dismiss is GRANTED. The reply to the answer that was received on May 15, 2019, is accepted for filing.

The Court further orders that the motion to dismiss pursuant to MCR 7.211(C)(2)(a) is GRANTED for the reason that the appeal is not within the Court of Appeals jurisdiction. The order appealed from, the March 20, 2019 order which granted defendant's motion for access to plaintiffs' property, did not dispose of all the claims pending below and, therefore, is not a final order for purposes of this Court's jurisdiction under MCR 7.202(6)(a)(i). It is undisputed that plaintiff's property damage claims remain pending in the trial court. Furthermore, the March 20, 2019, order is not a final order under any of the other definitions contained in MCR 7.202(6)(a). Therefore, this Court lacks jurisdiction over this appeal. MCR 7.203(A)(1); MCR 7.202(6)(a).



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

MAY 29 2019

Date


Chief Clerk