

Court of Appeals, State of Michigan

ORDER

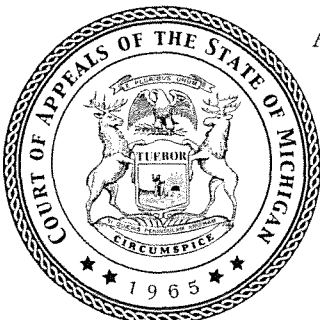
Deep Harbor Condominium Association v Marine Adventure LLC

Docket No. **348973**

LC No. **18-060393-CK**

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

The claim of appeal is DISMISSED for lack of jurisdiction because the April 29, 2019 order is not a final order appealable by right. MCR 7.203(A)(1); MCR 7.202(6)(a). The order is not appealable by right because, based on the stipulation of the parties, it dismissed the last remaining claims in the case without resolving the merits of those claims or barring them from being resurrected in the future. *Detroit v Michigan*, 262 Mich App 542, 545; 686 NW2d 514 (2004). The fact that the order states that it “is a final order and resolves all claims and closes the case” is not controlling for purposes of this Court’s jurisdiction. *Faircloth v Family Independence Agency*, 232 Mich App 391, 400; 591 NW2d 314 (1998). Dismissal is without prejudice to the filing of a late appeal under MCR 7.205(G), provided such a filing meets all requirements under the court rules and is not time-barred.



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

JUN - 4 2019

Date


Chief Clerk