

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Ronald Frailey v Alina Frailey**  
Docket No. **264087**  
L.C. No. **05-001874-DZ**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the July 1, 2005 order is not a final order for the reason that the order does not adjudicate all the rights and liabilities of the parties as required by MCR 7.202(6)(a)(i). Though cited in the jurisdictional checklist, MCL 722.27b does not give any special appellate rights to an order entered under that statute. Therefore, the general rule, which is there is only an appeal of right from a final order, applies. As stated, the July 1, 2005 order has not adjudicated all the rights and liabilities of the parties. It simply sends the matter to a referee for counseling and mediation and specifically does not address “the issue of whether or not grandparent visitation is in the best interests of the minor children.” As a result, appellant may only challenge the order at this time by filing a delayed application for leave to appeal under MCR 7.205.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 10 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk