

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Nancy A Bartlett v Bazill LLC**
Docket No. **278077**
L.C. No. **2006-076244-CK**

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 since appellant failed to file its claim of appeal within 21 days of the entry of the January 31, 2007 order denying its timely motion to set aside the December 20, 2006 default judgment. MCR 7.202(6)(a)(i), 7.203(A)(1), and 7.204(A)(1)(b). The motion asking the circuit court to reconsider its decision to deny the motion to set aside the default judgment did not toll the time that appellant had to file the claim since it is a second postjudgment motion that was not filed within the original 21-day appellate period. MCR 7.204(A). See also *Allied Electric Supply Co v Tenaglia*, 461 Mich 285, 289; 602 NW2d 572 (1999). If appellant still wants to challenge these orders, it must file a delayed application for leave to appeal under MCR 7.205. See MCR 7.203(B)(5).



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

MAY 31 2007

Date

Sandra Schultz Mengel

Chief Clerk