IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **John P Byrne III v Republic Bank**
Docket No. **278211**
L.C. No. **2003-053169-CK**

Pat M. Donofrio, Judge, acting under MCR 7.217 and MCR 7.219(I), orders:

The above appeal is DISMISSED for want of prosecution, appellant having failed to ensure the timely filing of the transcript. The cross-appeal shall remain open.

Bryan Monaghan (P42461), retained counsel for appellant, shall pay to the Clerk of this Court, within 21 days of the certification of this order, court costs in the sum of $250 for allowing this appeal to appear on the involuntary dismissal docket. Such costs are personal to the attorney and shall not be charged back to the client or to the State.

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

OCT 0 4 2007
Date

Sandra Schultz Mengel
Chief Clerk