

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Susan Elizabeth Lundin v David Louis Lanciault**
Docket No. **279376**
L.C. No. **2000-621728-DO**

E. Thomas Fitzgerald, 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 June 27, 2007 order is a postjudgment order that does not affect the custody of a minor. MCR 7.202(6)(a)(i), MCR 7.202(6)(a)(iii) and MCR 7.203(A)(1). It was the September 26, 2000 judgment of divorce that was the MCR 7.202(6)(a)(i) final order. It is not unusual in a judgment of divorce to establish a formula for distribution of future money as opposed to a specific amount because in those instances the exact amount is still unknown. Such situations include the sale of homes and businesses and pending lawsuits. However, such a situation does not render the judgment of divorce a non-final order. Any subsequent order establishing the amount is simply effectuating what was already decided in the judgment of divorce. As a result, appellant may challenge the order in question 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 - 1 2007

Date

Sandra Schultz Mengel

Chief Clerk