

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Book Tower Associates LLC v Carmen LLC**
Docket No. **280690**
L.C. No. **06-622893-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 because the August 24, 2007 order is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). Particularly, the August 24, 2007 order is not a final order under MCR 7.202(6)(a)(i) because it does not dispose of Count IV of plaintiffs' amended complaint since, while it indicates that it enters judgment in favor of plaintiffs, it does not address the relief to which they are entitled on that claim. At this time appellant may only seek to appeal from the August 24, 2007 order by filing a delayed application for leave to appeal under MCR 7.205(F).



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

SEP 28 2007

Date

Sandra Schultz Mengel

Chief Clerk