

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **David S Symons v Josephine S Lee**
Docket No. **281937**
L.C. No. **06-062007-CZ**

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

The claim of appeal filed on November 16, 2007, is DISMISSED for lack of jurisdiction because the order of October 29, 2007, is not a final order as defined by MCR 7.202(6)(a)(i) because it does not adjudicate all the rights and liabilities of the parties as is required by MCR 7.202(6)(a)(i). In the order of April 18, 2007, the trial court stated, "following confirmation of the sale and closing, the Court will determine the distribution of the proceeds of sale, including dower interests, if any, in the proceeds." At this point there has been no closing and no order that distributes the proceeds of the sale. Any appeal at this point must be by application for leave to appeal under MCR 7.205.



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

DEC 12 2007

Date

Sandra Schultz Mengel
Chief Clerk