Court of Appeals, State of Michigan

ORDER

Robert R. Golombeski v Timberline Logging, Inc

Docket No. 279285

LC No. 06-000058

Stephen L. Borrello
Presiding Judge

William C. Whitbeck

Alton T. Davis
Judges

On the Court's own motion, the Court orders that the order granting leave to appeal is VACATED.

The application for leave to appeal is DISMISSED for lack of jurisdiction because the June 15, 2007 order of the Workers' Compensation Appellate Commission (WCAC) is not a final order for the reason that the WCAC remanded the matter to the magistrate for further proceedings and did not retain jurisdiction.

This Court has jurisdiction to review only final orders of the WCAC. MCL 418.681a(14); MCR 7.203(B)(3); *Boggetta v Burroughs Corp*, 368 Mich 600, 603; 118 NW2d 980 (1962). An order of remand to the worker's compensation magistrate for a hearing is not a final decision; thus, it is not appealable to this Court. *Boggetta, supra; Page v Asplundh Tree Expert Co (After Remand)*, 172 Mich App 636, 648; 432 NW2d 384 (1988).

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

MAY 27 2008
Date

Sandra Schultz Mengel
Chief Clerk