

Court of Appeals, State of Michigan

ORDER

Bonnie A Fortin v Joseph A Fortin, Jr

Docket No. 282845

LC No. 96-002512-DM

Michael J. Talbot
Presiding Judge

Kurtis T. Wilder

Elizabeth L. Gleicher
Judges

In Docket No. 280271, this Court administratively dismissed plaintiff's claim of appeal for lack of jurisdiction on the basis that the order regarding attorney fees for postjudgment litigation involving child support did not fall within MCR 7.202(6)(a)(iv). However, in *Ponte v Ponte*, 480 Mich 1032; 743 NW2d 214 (2008), the Supreme Court vacated this Court's dismissal of a claim of appeal, which employed the same analysis in the dismissal of plaintiff's claim of appeal. The Supreme Court ruled that the post-judgment order awarding attorney fees and costs was a final order under MCR 7.202(6)(a)(iv), and remanded the matter to this Court for plenary consideration. *Id.*

In order to restore plaintiff's right to appeal from the June 25, 2007 order that was improperly dismissed, the Court orders that the delayed application for leave to appeal is GRANTED, limited to the issues raised in the application. MCR 7.205(D)(4). The time for taking further steps in this appeal runs from the date of the Clerk's certification of this order. MCR 7.205(D)(3).



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

AUG 13 2008

Date

Sandra Schultz Mengel
Chief Clerk