

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Kirk Leaphart v City of Detroit**
Docket No. **285504**
L.C. No. **06-617898-CZ**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The motion to waive fees is GRANTED for this case only.

The claim of appeal, the motion for immediate consideration, and the motion for peremptory reversal are DISMISSED for lack of jurisdiction because the May 13, 2008 order, which involuntarily dismissed appellant's complaint without prejudice, is not a final order that is appealable as a matter of right to this Court because it neither disposed of all the claims nor adjudicated the rights and liabilities of the parties. MCR 7.202(6)(a)(i) and MCR 7.203(A)(1). See also *Wickings v Arctic Enterprises Inc*, 244 Mich App 125, 135-136; 624 NW2d 197 (2000) (an order dismissing the case for no progress, which was without prejudice, was not a final order according to MCR 7.202(6)(a)(i)).



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

JUN 18 2008

Date

Sandra Schultz Mengel

Chief Clerk