

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Carole Isom v State Farm Insurance Company**

Docket No. **285735**

L.C. No. **98-004694 NF**

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

The claim of appeal filed on May 29, 2008, is DISMISSED for lack of jurisdiction for the same reason that the claim of appeal filed in No. 279297 was dismissed. The final order under MCR 7.202(6)(a)(i) was the 1999 consent judgment. That was clearly the finding in the order denying the motion for reconsideration in No. 277927 because Jeffrey Nicholas was deceased by time the claim of appeal was filed in No. 277927 and this was known by the court. It also must be noted that this Court has already denied an appeal "for lack of merit in the grounds presented." See the order in No. 280982. The Court of Appeals specifically did not deny "Defendant's application stating that the lack of a final order precluded their review of this matter." Lastly, the trial court lacks the authority to rule that an order is final when the Court of Appeals has already concluded that the order is not and could not be a final order.



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

JUL - 3 2008

Date

*Sandra Schultz Mengel*

Chief Clerk