

**IN THE MICHIGAN COURT OF APPEALS**

**ORDER**

Re: **Richard I Owens v CSX Transportation Inc**  
Docket No. **287761**  
L.C. No. **07-700248-NI**

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

The application for leave to appeal is DISMISSED for lack of jurisdiction because the lower court had not entered the order being appealed before appellant filed the application on September 16, 2008; thus, the application is premature. MCR 7.203(B), and 7.205(A). In light of the dismissal of the application, the motions for immediate consideration, for stay and to waive the stay requirements are also DISMISSED.



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

**SEP 26 2008**

Date

*Sandra Schultz Mengel*  
Chief Clerk