

# Court of Appeals, State of Michigan

## ORDER

Lamont Crawford v Detroit Transportation Corp

Docket No. 287547

LC No. 07-728703-CZ

Kurtis T. Wilder  
Presiding Judge

Kirsten Frank Kelly

Karen M. Fort Hood  
Judges

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The Court orders that the motion to dismiss the appeal for plaintiff-appellant's failure to pursue the appeal in conformity with the rules is DENIED.

However, on its own motion, the Court orders that the appeal is DISMISSED for lack of jurisdiction. The Court lacks jurisdiction because the August 15, 2008, order appealed from is not a final order as defined under MCR 7.202(6)(a)(i). MCR 7.203(A)(1). The stipulated order of dismissal, which preserves plaintiff-appellant's ability to set aside the dismissal, does not resolve the merits of plaintiff-appellant's claims against Adrian Jones. The order is clearly designed to allow an immediate appeal from the prior order dismissing plaintiff-appellant's claims against defendant-appellee Detroit Transportation Corporation without precluding the resurrection of plaintiff-appellant's claims against Adrian Jones. See *Detroit v Michigan*, 262 Mich App 542, 545-546; 686 NW2d 514 (2004).

The motion to extend time to file answers to the motion to dismiss and motion to affirm is DISMISSED AS MOOT.



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

**MAR 5 - 2009**

Date

*Sandra Schultz Mengel*  
Chief Clerk