

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Mark Joel Henning v Cathy Sue Henning**
Docket No. **302112**
L.C. No. **95-016651-DM**

William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the January 10, 2011 postjudgment order is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). Notably, MCR 7.203(C)(1) only provides this Court with jurisdiction to entertain an original action for superintending control and, thus, cannot provide this Court with jurisdiction over a claim of appeal. At this time, appellant may seek to appeal the January 10, 2011 order only by filing an application for leave to appeal under MCR 7.205(B) or a delayed application for leave to appeal under MCR 7.205(F), as may be appropriate.

The motion for stay is DENIED as moot.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

FEB 03 2011
Date

Larry S. Royster
Chief Clerk