

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Steven M Banch Jr v Anthony Malizia**
Docket No. **305619**
L.C. No. **2010-107982-NM**

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.201(B)(3), orders:

The claim of appeal filed by plaintiff-appellant/cross appellee is DISMISSED for failure to pursue the case in conformity with the rules. MCR 7.201(B)(3); 7.216(A)(10). On September 28, 2011, the Clerk of this Court notified appellant by letter that the claim of appeal was defective for failure to pay the \$375 entry fee. MCR 7.204(B)(2). The letter warned that the appeal would be dismissed if payment was not made within 21 days. MCR 7.201(B)(3). Appellant failed to pay the entry fee in the time indicated.

This appeal continues as to the claim of cross appeal filed by defendant-appellee/cross appellant.



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

OCT 31 2011

Date


Chief Clerk