

**Court of Appeals, State of Michigan**

**ORDER**

**Comerica Bank v Ernest Bateson**

Docket No. **314784**

LC No. **10-000354-CZ**

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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 24, 2013 order denying a motion for reconsideration is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). Further, the claim of appeal cannot be saved by treating it as being taken from the underlying December 19, 2012 order which is also not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). That postjudgment order is not a final order under MCR 7.202(6)(a)(i). Rather, it appears evident that the final order under MCR 7.202(6)(a)(i) is the judgment entered in this case in January 2011. At this time, appellant may seek to appeal either the December 19, 2012 order or the January 24, 2013 order by filing a delayed application for leave to appeal under MCR 7.205(F).



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

**MAR 20 2013**

Date

  
Chief Clerk