

Court of Appeals, State of Michigan

ORDER

In re Robby Lampart

Docket No. 314801

LC No. 2007-000087-DL

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction. The January 25, 2013 order appealed from is not a final order appealable of right under MCR 3.993(A)(4) because it merely denies a motion to change an already-existing obligation. It is inherent in the structure of the court rules regarding an appeal of right in this Court that a final order must actually dispose of a matter, not merely deny a motion to change an already-existing disposition. Otherwise, there could be a succession of final orders based on a trial court denying multiple motions to modify an earlier final order. See MCR 7.202(6)(a)(i) (requiring a judgment or order to be the *first* judgment or order disposing of claims and adjudicating rights and liabilities of the parties to be a final order). At this time, appellant may seek to appeal the January 25, 2013 order by filing a delayed application for leave to appeal under MCR 7.205(F).

The motion to waive fees is GRANTED for this case only.



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

MAR 0 1 2013

Date


Chief Clerk