Court of Appeals, State of Michigan

ORDER

First Financial Bank NA v Scott T Bosgraaf Trust
Huntington National Bank v HTSTS LC

Docket Nos. 316782; 317156

LC Nos. 11-002488-CK; 11-002326-PD

William C. Whitbeck
Presiding Judge

Peter D. O'Connell

Patrick M. Meter
Judges

The Court orders that the motion to dismiss these appeals for lack of jurisdiction is GRANTED. Thus, the claim of appeal is DISMISSED for lack of jurisdiction in both Docket Numbers 316782 and 317156 because the April 17, 2013 order appealed from is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). It is manifest that order is not a final order under MCR 7.202(6)(a)(i) as to the consolidated circuit court cases at issue because it does not dispose of appellee's contractual claims since the damages to be awarded to it on those claims have not yet been determined by the trial court. We decline to treat the claim of appeal as a granted application for leave to appeal. If appellant believes there is a sound basis to seek leave to appeal the April 17, 2013 order at this point rather than waiting to file a claim of appeal after entry of a final order under MCR 7.202(6)(a)(i) in this case, then he may file a delayed application for leave to appeal within 21 days after the date of this order pursuant to MCR 7.205(F)(5).

A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

NOV 18 2013
Date

Chief Clerk