

**Court of Appeals, State of Michigan**

**ORDER**

**Shirley Gutierrez v Richard Hess**

Docket No. **319521**

LC No. **13-027597-NO**

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

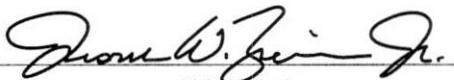
The claim of appeal is DISMISSED for lack of jurisdiction because it was not filed within 21 days of the October 24, 2013 order being appealed from and no motion for postjudgment relief was filed within the initial 21-day appeal period. MCR 7.204(A)(1)(a). Further, the claim of appeal cannot be deemed timely filed under MCR 7.204(A)(3) based on appellant's indication that the order appealed from was not served on her until November 22, 2013 because the claim of appeal was not filed within 14 days after that date. At this time, appellant may seek to appeal the October 24, 2013 order only by filing a delayed application for leave to appeal under MCR 7.205(F).



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

DEC 19 2013

Date

  
Chief Clerk