

Court of Appeals, State of Michigan

ORDER

James O'Neill v Janice A Moses

Docket No. **328367**

LC No. **13-630290-CZ**

Michael J. Talbot, Chief Judge, acting under MCR 7.203(F)(1), orders:

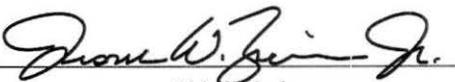
The claim of appeal is DISMISSED for lack of jurisdiction because the order dated June 25, 2015 and entered in the circuit court register of actions on July 1, 2015 is not a final order appealable of right by appellants. MCR 7.202(6)(a); MCR 7.203(A). Particularly, that order is not a final order under MCR 7.202(6)(a)(i) because it does not dispose of any *claim* in this case but rather merely quashes a subpoena. Further, to the extent that the July 1, 2015 order might be a final order under MCR 7.202(6)(a)(iv) as a postjudgment order denying an award of attorney fees against appellants, they are obviously not aggrieved parties as to that aspect of the order. MCR 7.203(A). Moreover, the trial court's certification of the order as final is not controlling. *Faircloth v Family Independence Agency*, 232 Mich App 391, 400-401; 591 NW2d 314 (1998). At this time, appellants may seek to appeal the July 1, 2015 order by filing a delayed application for leave to appeal under MCR 7.205(G).



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

AUG 12 2015

Date


Chief Clerk