

Court of Appeals, State of Michigan

ORDER

Don's Dea Ru Dairy Farm v Willima B David

Docket No. **328635**

LC No. **14-659454-CH**

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 July 15, 2015 and entered in the circuit court register of actions on July 16, 2015 is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). That order is not a final order under MCR 7.202(6)(a)(i) because it does not determine the amount of damages and/or other relief that appellees are entitled to on their counter complaint. Further, the inaccurate description of the July 16, 2015 order as a final order in the circuit court register of actions does not have legal significance. See *Faircloth v Family Independence Agency*, 232 Mich App 391, 400-401; 591 NW2d 314 (1998) (trial court's certification of an order as final is not controlling). At this time, appellant may seek to appeal the July 16, 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

SEP 04 2015

Date

Chief Clerk