

STATE OF MICHIGAN
COURT OF APPEALS

PINTER’S FLOWERLAND, INC.,

Plaintiff-Appellee,

v

V. K. VEMULAPALLI and SASIKALA
VEMULAPALLI,

Defendants-Appellants,

and

JOSEPH MANDELL, JOSEPHINE MANDELL,
LEO KLEIN, PHYLLIS KLEIN, ANNA M.
COLLIER, MAXINE COLLIER, DANNY K.
MCCOMAS, and DIANNA P. MCCOMAS,

Defendants.

UNPUBLISHED

June 24, 2003

No. 238518

Wayne Circuit Court

LC No. 00-013026-CK

Before: Talbot, P.J. and Neff and Kelly, JJ.

MEMORANDUM

Defendants¹ appeal as of right the circuit court’s judgment quieting title to a parcel of land in plaintiff and ordering plaintiff to pay defendants \$14,131.68. We dismiss the appeal.

After the trial court entered the final judgment, plaintiff paid the full amount of the judgment to defendants who, in turn, executed a partial satisfaction of judgment.² Plaintiff contends defendants waived their right to appeal by accepting payment in the amount of the judgment and executing a partial satisfaction of judgment. We agree.

¹ V.K. Vemulapalli and Sasikala Vemulapalli are the only defendants involved in this appeal, and “defendants” in this opinion will refer only to them. The trial court entered an order dismissing the other defendants without prejudice.

² Although entitled a “partial” satisfaction of judgment, when read in conjunction with the judgment, it is a full satisfaction of judgment.

We review issues of law de novo. *Klinke v Mitsubishi Motors Corp*, 219 Mich App 500, 506; 556 NW2d 528 (1996). “The general rule states that a satisfaction of judgment is the end of proceedings and bars any further effort to alter or amend the final judgment.” *Becker v Halliday*, 218 Mich App 576, 578; 554 NW2d 67 (1996). A party who accepts satisfaction, in whole or in part, waives the right to maintain an appeal if such an appeal might result in putting at issue the right to relief already received, unless the appeal addresses an issue collateral to the benefits accepted. *Id.* “The principle guiding enforcement of a satisfaction of judgment is the promotion of certainty and finality.” *Id.* at 579. A satisfaction of judgment generally extinguishes the entire claim. *Id.*

We find this claim of appeal is extinguished by the partial satisfaction of judgment. The questions presented on appeal put at issue the right to relief already received by defendants, also making defendants’ issues moot. The satisfaction of judgment precludes defendants from pursuing this appeal.

Dismissed.

/s/ Michael J. Talbot

/s/ Janet T. Neff

/s/ Kirsten Frank Kelly