

**IN THE MICHIGAN COURT OF APPEALS**

**ORDER**

Re: **Kenneth A Roberts v Eightieth District Court**

Docket No. **306517**

L.C. No. **11-005703-AS**

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 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). At this time, appellant may seek to appeal the September 14, 2011 order only by filing a delayed application for leave to appeal under MCR 7.205(F).

Appellant's affidavit of indigency is treated as a motion to waive fees, and the motion is **GRANTED** for this case only.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

OCT 21 2011

Date

*Larry S. Royster*  
Chief Clerk