

Court of Appeals, State of Michigan

ORDER

In re J McCarrick Minor

Docket No. **317403**

LC No. **13-014227-NA**

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

On the Court's own motion, the August 30, 2013 order is VACATED to the extent that it dismissed the claim of appeal as untimely because it is apparent the claim of appeal was actually filed on July 19, 2013, i.e., 21 days after entry of the June 28, 2013 order appealed from.

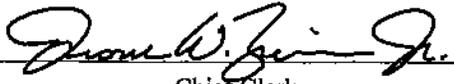
However, the claim of appeal is DISMISSED for lack of jurisdiction because the June 28, 2013 order is not a final order appealable of right. Particularly, that order is not appealable of right under MCR 3.993(A)(1) because it is not an *order of disposition* placing the relevant minor under the supervision of the court or removing her from the home. While the June 28, 2013 order does place the minor under court supervision and remove her from the home that order is an order entered after a preliminary hearing under MCR 3.965 and 3.967, not an order of disposition entered under MCR 3.973. At this time, appellant may seek to appeal the June 28, 2013 order 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

SEP 16 2013

Date


Chief Clerk