IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Megan Ann Lavoie v Jeffery Dale Goward**
Docket No. **266076**
L.C. No. **95-179300-DM**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the October 3, 2005 order is a postjudgment order that does not affect the custody of a minor. MCR 7.202(6)(a)(i), MCR 7.202(6)(a)(iii) and MCR 7.203(A)(1). Simply scheduling a custody hearing without deciding the issue of custody is not an order affecting the custody of a minor. As a result, appellant may challenge the order in question by filing a delayed application for leave to appeal under MCR 7.205.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

NOV 10 2005
Date

Sandra Schultz Mengel
Chief Clerk