

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Loretta Shorter v Gerald J Garner PC**
Docket No. **269090**
L.C. No. **97-004215-CK**

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

The claim of appeal filed March 15, 2006, is DISMISSED for lack of jurisdiction because appellant failed to file the claim of appeal within 21 days of the December 28, 2005 order denying the motion for new trial as required by MCR 7.204(A)(1)(b). The final order in the case was not the February 27, 2006 order, that order was just the last order entered in the case. The final order as defined by MCR 7.202(6)(a)() was the May 15, 2001 judgment as it was the first order disposing of he claims of the parties. Once the timely filed motion for new trial was finally disposed of on December 28, 2005, appellant had 21 days to file the claim of appeal. That did not occur.



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

MAR 31 2006

Date

Sandra Schultz Mengel

Chief Clerk