

Court of Appeals, State of Michigan

ORDER

In re William W Weigle Revocable Trust

Docket No. 314722

LC No. 12-001336-TV

Jane E. Markey
Presiding Judge

Joel P. Hoekstra

Jane M. Beckering
Judges

The Court orders that the motion to dismiss this appeal for lack of jurisdiction as to the third issue in appellants' brief on appeal is DENIED. Contrary to the premise of this motion, this Court's jurisdiction over an appeal of right is not determined by the issues raised in appellants' brief on appeal. Rather, this Court is vested with jurisdiction over an appeal of right by the filing of a claim of appeal and entry fee within the time for taking such an appeal. MCR 7.204(B). Thus, because the claim of appeal initiating this appeal was timely filed under MCR 7.204(A)(1)(a) and appellee does not dispute that the January 22, 2013 order appealed from is appealable of right, appellee has not established any basis for concluding that this Court lacks jurisdiction over this appeal in whole or in part. Any question as to whether appellants have standing to raise a particular issue in their brief on appeal is a matter for the case call panel to consider in deciding the proper disposition of the appeal, not a proper basis to claim that this Court partially lacks jurisdiction over this appeal.

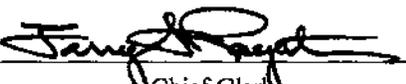
The motion to strike appellants' brief on appeal is also DENIED.



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

MAY 02 2013

Date


Chief Clerk