

Court of Appeals, State of Michigan

ORDER

Joshua Aaron McAlpine v Emily Ann Fritz

Docket No. 315126

LC No. 03-011195-DM

William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the February 11, 2013 order is not a final order appealable of right, MCR 7.202(6)(a); MCR 7.203(A), as claimed by appellant. Specifically, that postjudgment order is not a final order under MCR 7.202(6)(a)(iii) because it does not affect the custody of the parties' minor child but rather only resolves a dispute regarding whether he should be administered a certain type of prescription medication. At this time, appellant may seek to appeal the February 11, 2013 order by filing a delayed application for leave to appeal under MCR 7.205(F).

The motion for stay and accompanying motion for immediate consideration are DENIED as moot.



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

MAR 08 2013

Date


Chief Clerk