

## Court of Appeals, State of Michigan

### ORDER

**Adam Schaub v Bank of New York Mellon NA**

Docket No. 315242

LC No. 12-029252-CH

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

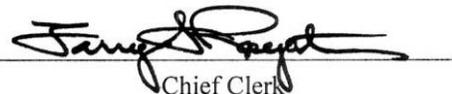
The claim of appeal is DISMISSED for lack of jurisdiction because it was not timely filed. MCR 7.204(A). The claim of appeal was not filed within 21 days after entry of the January 14, 2013 order appealed from and the motion for postjudgment relief was not filed within the initial 21-day appeal period or within further time allowed by the trial court. MCR 7.204(A)(1). Notably, while the claim of appeal literally states that it taken from an April 2012 judgment or order, that is manifestly a clerical error because the lower court case was not initiated until June 2012. Thus, because appellants provide a copy of the January 14, 2013 order with the claim of appeal, this appeal has properly been docketed as taken from that order. At this time, appellants may seek to appeal only by filing a delayed application for leave to appeal under MCR 7.205(F).



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

MAR 22 2013

Date

  
Chief Clerk