

Court of Appeals, State of Michigan

ORDER

Estate of Rebecca R Rogers v Saginaw Chippewa Indian Tribe of Michigan

Docket No. 316970

LC No. 12-010474-CK

Patrick M. Meter
Presiding Judge

Peter D. O'Connell

Donald S. Owens
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The motion to enforce the mandatory stay provisions of MCR 2.614(D) and MCR 7.209(A)(1) is DENIED.

On its own motion, the Court orders that the appeal is DISMISSED for lack of jurisdiction. MCR 7.216(A)(10). An order denying governmental immunity to a governmental party is a final order under MCR 7.202(6)(a)(v). Appellant's motion for summary disposition was based on sovereign immunity, which has a meaning different from governmental immunity. *County Road Ass'n of Michigan v Governor*, 287 Mich App 95, 118; 782 NW2d 784 (2010). An order denying sovereign immunity is not included within the definition of a final order that is appealable by right to this Court. This Court lacks jurisdiction over an appeal of right from a non-final order. MCR 7.203(A).



Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

SEP 10 2013

Date



Chief Clerk