Court of Appeals, State of Michigan

ORDER

Jennifer Dawn Smith v Michael William Smith

Docket No. **318465**

LC No. **08-002126-DM**

David H. Sawyer, Chief Judge Pro Tem, 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 August 16, 2013 final 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). Rather, the circuit court register of actions reflects that the relevant motion for reconsideration was not filed until September 9, 2013, 24 days after entry of the August 16, 2013 order. At this time, appellant may seek to appeal the August 16, 2013 order only by filing a delayed application for leave to appeal under MCR 7.205(F).

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

OCT 16 2013
Date

Chief Clerk