

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Michael Michelle Valenti-McClendon v Darrell Eric McClendon**
Docket No. **263816**
L.C. No. **02-000136-DM**

E. Thomas Fitzgerald, Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the May 17, 2005 order is a postjudgment order that does not affect the custody of a minor. MCR 7.202(6)(a)(i), MCR 7.202(6)(a)(iii), and MCR 7.203(A)(1). The MCR 7.202(6)(a)(i) final order was the July 2003 judgment of divorce. At best the May 17, 2005 order may have been a modification of the judgment of divorce. However, a modification is not a reversal of the earlier final order. As a result, appellant may challenge the order in question by filing a delayed application for leave to appeal under MCR 7.205.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on



JUL 22 2005

Date

Sandra Schultz Mengel
Sandra Schultz Mengel
Chief Clerk