Court of Appeals, State of Michigan

ORDER

STEPHEN PATRICK COLLINS V CHARTER TOWNSHIP OF NILES

Docket No. **379566**

LC No. **2025-000290-AW**

Michael F. Gadola, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because it was not filed within 21 days of the order being appealed from and no motion for postjudgment relief was filed within the initial 21-day appeal period. MCR 7.204(A)(1)(a). The order appealed from was signed and entered on January 30, 2026. The 21-day appeal period expired on Friday, February 20, 2026, but the claim of appeal was not submitted to this Court until Saturday, February 21, 2026. It is irrelevant that the January 30, 2026 order may have been mailed to appellant's counsel on February 5, 2026. The mailing of the order on February 5, 2026 constituted timely service of the order, MCR 2.107(C) (service by mail is permissible); MCR 2.602(E) (within 7 days of the signing of the order). Therefore, MCR 7.204(A)(3) is not applicable to extend the time for filing a claim of appeal from the January 30, 2026 order. Dismissal is without prejudice to the filing of a late appeal under MCR 7.205(A)(4), provided such a filing meets all requirements under the court rules and is not time-barred.

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

March 3, 2026
Date

Chief Clerk