# Court of Appeals, State of Michigan

## ORDER

**MICHAEL R SAIIA V SEAN MICHAEL KASS**

Docket No. **378501**

LC No. **2024-032370-CZ**

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Stephen L. Borrello, Chief Judge Pro Tem, acting under MCR 7.203(F)(1), orders:

The claim of appeal (filed on December 2, 2025) is DISMISSED for lack of jurisdiction because it was not filed within 21 days of the November 6, 2025 order appealed from (even as extended to Monday, December 1, 2025 due to the literal twenty-first day having been Thanksgiving, MCR 1.108(1)) and no motion for postjudgment relief was filed within the initial 21-day appeal period. MCR 7.204(A)(1)(a). In this regard, while the claim of appeal indicates the date of the order appealed from as being November 12, 2025, a copy of a November 6, 2025 apparent trial court final order was provided with the claim of appeal and that order was also entered in the trial court register of actions on November 6, 2025. Thus, per MCR 7.204(A), November 6, 2025 was the date of entry of the order appealed from and the claim of appeal was not timely filed within 21 days thereafter, even as extended to December 1, 2025. Dismissal is without prejudice to the filing of a delayed application for leave to appeal under MCR 7.205(A)(4), provided such a filing meets all requirements under the court rules and is not time-barred.

The motions for stay and immediate consideration are DENIED as moot.

The motion to waive fees is GRANTED for this case only.

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

December 8, 2025
Date

Chief Clerk