Court of Appeals, State of Michigan

ORDER

NOVI SURGERY CENTER LLC V JOHN MONTGOMERY

Docket No. **378083**

LC No. **2024-209657-CK**

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 entry of the final order appealed from and the motion for post-judgment relief was not timely filed within the initial 21-day period or within further time allowed by the trial court. MCR 7.204(A)(1)(d). Although the motion for reconsideration was timely filed from the order denying the motion for relief from judgment, the motion for relief from judgment was not timely filed and cannot be used to extend the time to file the claim of appeal. 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

November 18, 2025
Date

Chief Clerk