Court of Appeals, State of Michigan

ORDER

FELCH LLC V DEREK S ANTOL

Docket No. **382534**

LC No. **2025-002427-CB**

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

The "fee waiver request" is considered as a motion to waive fees and is GRANTED for this appeal only.

The claim of appeal is DISMISSED for lack of jurisdiction because the June 30, 2026 order, denying appellant's motion for relief from judgment, is not a final order appealable by right. MCR 7.203(A)(1); 7.202(6)(a)(i). The October 9, 2025 default judgment entered in the case was the final order appealable by right pursuant to MCR 7.202(6)(a)(i). See *Allied Electric Supply Co, Inc v Tenaglia,* 461 Mich 285, 288; 602 NW2d 572 (1999). Appellant did not timely claim an appeal from entry of the default judgment, MCR 7.204(A)(1), and the March 13, 2026 motion for relief from the judgment did not extend the time for filing an appeal of right from the judgment because the motion was not filed within the initial 21-day appeal period. MCR 7.204(A)(1)(d); *Allied Electric,* 461 Mich at 289. Further, while the June 30, 2026 order states it "is a final Order and closes the case," the statement is not controlling for purposes of this Court's jurisdiction. *Faircloth v Family Independence Agency*, 232 Mich App 391, 400; 591 NW2d 314 (1998). Dismissal is without prejudice to whatever other relief may be available consistent with the court rules.

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

October 5, 2026
Date

Chief Clerk