Court of Appeals, State of Michigan

ORDER

SPRING ARBOR TOWNSHIP V LEONARD JUNIOR COUSINO

Docket No. **381733**

LC No. **2025-001854-CH**

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

The claim of appeal and appellant's motion for stay are DISMISSED for lack of jurisdiction. The July 6, 2026 order from which the appeal was claimed is not appealable by right. MCR 7.203(A)(1)(a); MCR 7.202(6)(a). See *Nye v Gable, Nelson & Murphy,* 169 Mich App 411, 415; 425 NW2d 797 (1988) (an order denying reconsideration is not appealable by right). Additionally, the July 28, 2026 judgment, which appears to be the final order in this case pursuant to MCR 7.202(6)(a)(i), was entered after appellant filed his July 24, 2026 claim of appeal. As such, the claim of appeal was prematurely filed in relation to entry of the judgment, MCR 7.204(A)(1)(a), and the Court cannot assume jurisdiction over the claim of appeal as if taken from the judgment. Dismissal is without prejudice to the filing of a late appeal under MCR 7.205(A)(4), provided such a filing meets all requirements of the court rules and is not time-barred.

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

September 9, 2026
Date

Chief Clerk