

STATE OF MICHIGAN
MACOMB COUNTY CIRCUIT COURT

JOHN MICHAEL JONES and
OUTBACK PROPERTY
MANAGEMENT, LLC,

Plaintiffs,

Case No. 2015-1987-CB

vs.

WESTMINSTER, LLC and
LEONARDO ROBERTS,

Defendants.

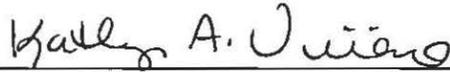
OPINION AND ORDER

Plaintiffs have filed a motion for reconsideration of the Court's August 3, 2016 Opinion and Order. However, Plaintiffs subsequently filed a claim of appeal of the Court's August 3, 2016 Opinion and Order. MCR 7.208(A) provides that "[a]fter a claim of appeal is filed....the trial court...may not set aside or amend the judgment or order appealed from except (1) by order of the Court of Appeals, (2) by stipulation of the parties, (3) after a decision on the merits in an action in which a preliminary injunction was granted, or (4) as otherwise provided by law." Consequently, this Court does not have jurisdiction to address the merits of Plaintiffs' motion. As a result, their motion must be dismissed.

Based on the foregoing, Plaintiffs' motion for reconsideration of the Court's August 3, 2016 Opinion and Order is DENIED based on this Court's lack of jurisdiction to rule upon the motion pursuant to MCR 7.208(A). Pursuant to MCR 2.602(A)(3), the Court states this Opinion and Order neither resolves the last pending claim nor closes the case.

IT IS SO ORDERED.

Date: SEP 26 2018


Hon. Kathryn A. Viviano, Circuit Court Judge

FILED
2018 SEP 26 P 2:28
KATHRYN A. VIVIANO
CLERK
MACOMB COUNTY
CIRCUIT COURT
MICHIGAN