

STATE OF MICHIGAN
COURT OF APPEALS

GUARANTY RESIDENTIAL LENDING, INC.,
f/k/a TEMPLE-INLAND MORTGAGE
CORPORATION,

Plaintiff-Appellee,

v

WILLIAM D. MCMASTER and DIANE
MCMASTER,

Defendants-Appellants.

UNPUBLISHED
February 8, 2005

No. 251146
Oakland Circuit Court
LC No. 2003-049986-CH

Before: Zahra, P.J., and Neff and Cooper, JJ.

MEMORANDUM.

In this action to quiet title, defendants appeal as of right from the trial court's order denying their motion to set aside default and granting plaintiff's motion for entry of a default judgment. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

This is the second time these litigants have been before our bench. This controversy goes back to 1996, when defendants defaulted on the mortgage held by plaintiff. The property was foreclosed upon and defendants failed to redeem in the statutory period. Plaintiff obtained a judgment of possession, and in 1998, defendants filed an action to quiet title and for breach of contract against plaintiff.¹ The matter was disposed of on summary disposition in favor of plaintiff and we affirmed. *McMaster v Temple Inland Mortgage*, unpublished opinion per curiam of the Court of Appeals, issued July 12, 2002 (Docket No. 228491). Plaintiff brought this action to quiet title to the property and to have the claim of interest filed on the property with the register of deeds by defendants removed, as well as to enjoin defendants from interfering in any way with the sale of the property.

¹ Defendants alleged that plaintiff had arranged an agreement with them before foreclosure, but plaintiffs instead proceeded with foreclosure.

First, defendants argue that the circuit court erred in refusing to hear defendants' motion for reconsideration. MCR 2.119(F)(1) requires that such a motion be filed within fourteen days after the particular order sought to be reconsidered was entered. Defendants filed their motion a week late, and as this Court has explained, our rules do not provide for a delayed motion for reconsideration. *Ramsey v City of Pontiac*, 164 Mich App 527, 538; 417 NW2d 489 (1987). Therefore, the trial court properly denied defendants' motion for reconsideration.

This matter having been decided by way of a default judgment, defendants' remaining claims on appeal are not properly before this Court. Furthermore, we decline to address plaintiff's request to impose sanctions on defendants because it has not been presented to this Court in a motion pursuant to MCR 7.211(C)(8).

Affirmed.

/s/ Brian K. Zahra
/s/ Janet T. Neff
/s/ Jessica R. Cooper