IN THE MICHIGAN COURT OF APPEALS

AMENDED

ORDER

Re: **In Re Mayes Estate**
Docket No. **260799**
L.C. No. **04-025735-DA**

E. Thomas Fitzgerald, Judge, acting under MCR 7.211(E)(2), orders:

The motion to strike the statement of facts in appellant's brief is DENIED. This Court does not yet have the lower court record in this matter to determine the veracity of appellant's statement of facts and thus its compliance with MCR 7.212(C). However, this Court will obtain and review the entire probate court record in this matter and its opinion will be based on that record.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN 17 2005
Date

Sandra Schultz Mengel
Chief Clerk