IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Phil Forner v Robinson Township**
Docket No. **267329**
L.C. No.

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal filed on December 22, 2005, is DISMISSED for lack of jurisdiction because the December 1, 2005, message from Irvin Poke is not a decision of the commission. Thus there is no appeal to this Court because MCL 125.1518 specifically requires a "decision of the commission." As the message states, it is a "staff decision." A staff decision is not the same as a decision of the commission. Furthermore, the message specifically informed appellant that "if you disagree with our decision, you may appeal it to the commission." This statement clearly demonstrates that a staff decision is not the same as the decision of the commission.

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

JAN 12 2006
Date

Sandra Schultz Mengel
Chief Clerk