Court of Appeals, State of Michigan

ORDER

Sandra P Simon v Ida B Kelly

Docket No. 267998

LC No. 04-429476-CZ

Helene N. White
Presiding Judge

Michael J. Talbot

Christopher M. Murray
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The Court further orders that the motion to dismiss is DENIED, but the motion to strike appellants' brief is GRANTED. Appellants' brief and amended brief are STRICKEN for failure to conform to the requirements of MCR 7.212(C). The brief as amended does not conform because the index of authorities and table of contents do not match the body of the brief, there is no statement of the applicable standard of review, and the argument does not correspond to the issues identified in the statement of questions. See MCR 7.212(C)(2), (3), (5), and (7).

Appellants shall file a conforming replacement brief within 14 days after the Clerk's certification of this order. The brief shall be considered untimely when filed. The time for filing appellees' brief under MCR 7.212(A)(2)(a)(ii) shall be counted from the date appellants' replacement brief is served on appellees.

The Clerk of the Court shall place this case on the involuntary dismissal docket without further notice to the parties if appellants' replacement brief is not filed within 14 days after the Clerk's certification of this order.

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

OCT 31 2006
Date

Sandra Schultz Mengel
Chief Clerk