

Court of Appeals, State of Michigan

ORDER

Michael Verhamme v Au Train Township Zoning Board of Appeals

Docket No. 299780

LC No. 09-004948-AR

Pat M. Donofrio
Presiding Judge

Kurtis T. Wilder

Karen M. Fort Hood
Judges

The Court orders that the motion for reconsideration is DENIED. We note that the definition of a “tribunal” and related argument advanced by appellants suggest that only a judicial court composed of actual judges may properly be considered a tribunal for purposes of MCR 7.203(A)(1)(a). That position must be rejected because the exclusion provided by MCR 7.203(A)(1)(a) applies to a circuit court order entered on appeal from “any other court or tribunal.” Thus, appellants’ position would render the use of the term “tribunal” in MCR 7.203(A)(1)(a) mere surplusage, which would be contrary to the principle that a court rule will not be interpreted in a way that renders any of its language surplusage. *Snyder v Advantage Health Physicians*, 281 Mich App 493, 501; 760 NW2d 834 (2008). At this time, appellants may seek to appeal the August 9, 2010 order only by filing a delayed application for leave to appeal under MCR 7.205(F).



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

NOV - 4 2010

Date

Sandra Schultz Mengel

Chief Clerk