

Court of Appeals, State of Michigan

ORDER

Manuel A. Buitendorp v Swiss Valley Inc

Docket No. 301483

LC No. 10-000114

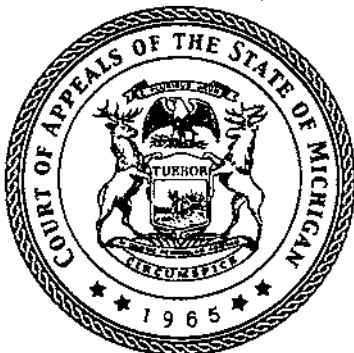
Jane M. Beckering
Presiding Judge

David H. Sawyer

William B. Murphy, C. J.
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the application for leave to appeal, the Court VACATES the November 16, 2010 order of the Worker's Compensation Appellate Commission, and REMANDS this matter to the Commission for a determination of the merits of defendants' appellate challenge. The WCAC abused its discretion when it dismissed defendants' appeal. MCL 418.859a(1); *Pankey v Bigard/Drillers, Inc*, 222 Mich App 7; 564 NW2d 464 (1997). This order has immediate effect. MCR 7.215(F)(2). The Court does not retain jurisdiction.

Beckering, J. would deny application for leave to appeal.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

DEC 27 2011

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line. Below the line, the words "Chief Clerk" are printed.

Chief Clerk