

Court of Appeals, State of Michigan

ORDER

Bank of New York v Taja A Sevelle

Docket No. 301693

LC No. 10-009130-AV

E. Thomas Fitzgerald
Presiding Judge

Kathleen Jansen

Elizabeth L. Gleicher
Judges

The Court orders that the application for leave to appeal is hereby HELD IN ABEYANCE until further order of this Court.

This matter is REMANDED to the trial court to conduct a hearing to determine whether plaintiff was an "owner" of the indebtedness or an interest in the indebtedness and authorized to foreclose by advertisement. MCL 600.3204(1)(d); *Residential Funding Co, LLC v Saurman*, ___ Mich App ___, ___ NW2d ___ (2011).

The trial court shall hold its hearing and issue its findings within 28 days after the Clerk's certification of this order. Defendant shall file a copy of the court's findings with this Court within 7 days after trial court issues them.

This Court retains jurisdiction.



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

SEP 22 2011

Date

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