

# Court of Appeals, State of Michigan

## ORDER

In re Attorney General

Docket No. 303752

LC No. 01-106546-CZ

Christopher M. Murray  
Presiding Judge

Michael J. Talbot

Kurtis T. Wilder  
Judges

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

The motions to file reply briefs are GRANTED.

The Court orders, pursuant to MCR 7.206(D)(3) and 7.216(A)(7), that the April 7, 2011, order entered by the defendant judge of Wayne County Circuit Court is REVERSED. The defendant judge exceeded her jurisdiction and authority by essentially extending the permanent injunction, entered in this proceeding between the city of Detroit and the Detroit International Bridge Company, to the State of Michigan and its agencies including the Michigan Department of Transportation. The State and its agencies are not parties in the proceeding and the trial court did not make the necessary findings to allow it to extend the injunction to a non-party. MCR 3.310(C)(4). See *Dept of Public Health v Rivergate Manor*, 452 Mich 495, 500; 550 NW2d 515 (1996) and *In re Gosnell*, 234 Mich App 326, 341-342; 594 NW2d 90 (1999). Because plaintiff has no other adequate remedy available, this Court finds that it is appropriate to order peremptory relief on the complaint.

The motion for stay is DENIED AS MOOT in light of this Court's peremptory relief.

This order is to have immediate effect, MCR 7.215(F)(2), and the Court retains no further jurisdiction.



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

MAY 27 2011

Date

  
Chief Clerk