

Court of Appeals, State of Michigan

ORDER

Shawn Evan Proctor v Hollis Ann Proctor

Docket No. 305458

LC No. 08-000244-DO

Donald S. Owens
Presiding Judge

Stephen L. Borrello

Amy Ronayne Krause
Judges

The Court orders pursuant to MCR 7.205(D)(2) that this case is REMANDED to the trial court for reconsideration of plaintiff's motion to modify spousal support. On remand, the court should first determine whether the spousal support provision in the consent judgment of divorce is subject to modification under *Staple v Staple*, 241 Mich App 562; 616 NW2d 219 (2000). If the court determines that spousal support is modifiable, the court should determine whether plaintiff has sufficiently demonstrated a change in circumstances to warrant modification and enter an appropriate order in accordance with MCL 552.28.


We do not retain jurisdiction.



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

FEB 15 2012

Date


Chief Clerk