

Court of Appeals, State of Michigan

ORDER

Frances Cucinella Trust v David L Verduce

Docket No. 310213

LC No. 09-024897-CK

Michael J. Talbot
Presiding Judge

Kurtis T. Wilder

Kirsten Frank Kelly
Judges

The Court orders that the motion to dismiss is DENIED.

The Court further orders that the motion to remand pursuant to MCR 7.211(C)(1) is GRANTED. The matter is remanded so that plaintiff-appellee may move for relief from the trial court's judgment of April 23, 2012. Proceedings on remand are limited to the issues as raised in the motion to remand.

Plaintiff-appellee is to file with this Court a copy of any motion and any supporting brief filed in the trial court within 14 days of the Clerk's certification of this order. The trial court is to hear and decide the matter within 56 days of the Clerk's certification of this order. Plaintiff-appellee must also file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry.

The trial court is to make findings of fact and a determination on the record. The trial court is to cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings.

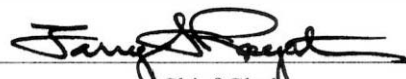
This Court retains jurisdiction in the cause, and the time for proceeding with the appeal in this Court begins upon issuance of an order in the trial court that finally disposes of the remand proceedings. Nevertheless, the time for proceeding with the appeal begins 14 days from the date of certification of this order if remand pleadings are not filed in the trial court within the 14-day period.



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

AUG 16 2012

Date


Chief Clerk