

Court of Appeals, State of Michigan

ORDER

In re Phillips

Docket No. 316302

LC No. 13-004745-AS

Michael J. Riordan
Presiding Judge

Kirsten Frank Kelly

Karen M. Fort Hood
Judges

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

The complaint for superintending control against the Lenawee County Circuit Court Judges is DENIED.

The complaint filed by plaintiff Christen Phillips is PARTIALLY DISMISSED to the extent that it also requested a writ of habeas corpus to order the guardians to return the minor child to her custody. MCR 3.303(M), which governs a habeas corpus action seeking custody of a child, does not expressly permit the filing of such a complaint in this Court. Instead, the court rule indicates that a complaint seeking a writ of habeas corpus to inquire into a child's custody "must be presented to the judicial circuit."

Accordingly, defendants Christopher Phillips and Lisa Beazley Phillips are DISMISSED as parties to this matter.



A true copy entered and certified by Angela P. DiSessa, Acting Chief Clerk, on

MAY 29 2013

Date

Angela P. DiSessa
Acting Chief Clerk