

Court of Appeals, State of Michigan

ORDER

Charter Township of Lansing v Groesbeck Park Drain Bd of Review

Docket No. 316870

LC No. 13-000388-CE

Donald S. Owens
Presiding Judge

Michael J. Kelly

Amy Ronayne Krause
Judges

The Court orders that the motion for immediate consideration of appellee's second motion to dismiss filed on July 26, 2013 is GRANTED.

The second motion to dismiss is DENIED. This appeal is not moot because this Court could grant meaningful relief to appellant by reversing the order appealed from and remanding this case for further proceedings. See *McCracken v Detroit*, 291 Mich App 522, 531; 806 NW2d 337 (2011) (issue moot if event has occurred rendering it impossible for a court to grant relief). Properly understood, appellee's argument that MCL 280.161 bars appellant from obtaining relief in this case regards the merits of the appeal, specifically whether the circuit court properly dismissed this case for lack of subject matter jurisdiction, not whether this appeal is moot. Of course, the merits of an appeal are not properly decided in addressing a motion to dismiss an appeal as moot.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

AUG 14 2013

Date


Chief Clerk