

Court of Appeals, State of Michigan

ORDER

Tom Barrow v City of Detroit Election Commission

Docket No. 318956

LC No. 13-014388-AW

Michael J. Talbot
Presiding Judge

Christopher M. Murray

Cynthia Diane Stephens
Judges

The Court orders that the motion for immediate consideration is GRANTED and the motion to dismiss is DENIED.

In lieu of granting the motion to dismiss, the Court orders appellants to serve appellees' attorney with a copy of the transcript and file proof of that service with the Clerk of this Court as required under MCR 7.210(F). If proof of service of the transcript on appellees is not filed within 14 days after the entry of this order, the Clerk is directed to submit the appeal for dismissal pursuant to MCR 7.217 without further notice to the parties. The time to file appellees' brief under MCR 7.212(A)(2)(a)(ii) shall be calculated from the date the transcript is served.

The Court further orders appellants to pay to appellees, within 21 days after the entry of this order, costs in the amount of \$500.00 for appellants' failure to comply with the requirements of MCR 7.210(F), the failure to comply with the court rule having necessitated appellees' motion that was filed on May 23, 2014. MCR 7.216(A)(7) and MCR 7.219(I).

The Court further orders that the parties shall submit briefs on whether this appeal is moot, given that the election has already taken place. See *Darnall v McKittrick et al*, 328 Mich 183 (1950). Plaintiffs shall submit their brief within 14 days of the certification of this order, while defendants shall submit their brief seven days after service of plaintiffs' brief. No further briefs shall be allowed.



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

JUN 11 2014

Date


Chief Clerk