

Court of Appeals, State of Michigan

ORDER

In re Hornak Estate

Docket No. 319955

LC No. 10-125981-DE

E. Thomas Fitzgerald, Judge, acting under MCR 7.211(E)(2), orders:

The motion to strike appellant's brief is DENIED. The Court notes that whether to strike a brief as nonconforming with the court rules is entrusted to its discretion inasmuch as MCR 7.212(I) provides that this Court "may" strike a brief that "does not substantially comply" with the requirements of MCR 7.212. Many of the alleged nonconformities cited by the moving appellee are highly technical and plainly do not affect his ability to file an appellee's brief in response to appellant's brief. It also appears that appellant's essential argument is presented adequately enough to allow for responsive briefing.

The motion to extend time to file appellee James P. Boardman's brief is GRANTED TO THE EXTENT that his brief on appeal shall be due on May 27, 2014.

The motion to dismiss appellee's right to submit brief due to neglected time requirement is DENIED.



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

APR 18 2014

Date


Chief Clerk