

Court of Appeals, State of Michigan

ORDER

Brian Patrick v Angela Schoener

Docket No. 321893

LC No. 13-015245-NF

Karen M. Fort Hood
Presiding Judge

Cynthia Diane Stephens

Michael J. Riordan
Judges

In lieu of granting the application, the Court orders, pursuant to MCR 7.205(E)(2), that the May 1, 2014, order of the Wayne Circuit Court denying defendants' motion for change of venue hereby is REVERSED. Where plaintiff has alleged multiple causes of action, including one based on personal injury, venue shall be determined under the rules applicable to actions in tort, MCL 600.1641(2). Pursuant to MCL 600.1629(1)(b)(i), Oakland County is the proper venue as the county in which the original injury occurred and in which plaintiff resides. Given the mandatory language in MCL 600.1641(2), the circuit court should have transferred the case to Oakland County. The case is REMANDED to the circuit court for further proceedings consistent with this order.

This order is to have immediate effect, MCR 7.215(F)(2).

The Court retains no further jurisdiction.



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

SEP 24 2014

Date


Chief Clerk