

# Court of Appeals, State of Michigan

## ORDER

Jeanine Burmeister v Aaron Cole

Docket No. 322011

LC No. 11-106573-DC

Michael J. Talbot  
Presiding Judge

Christopher M. Murray

Cynthia Diane Stephens  
Judges

The Court orders that the motions for immediate consideration are GRANTED.

The motion to allow a supplement to the answer is GRANTED.

In light of the order issued by the Wayne Circuit Court on June 4, 2014, the Court orders that the application for leave to appeal is DENIED for failure to persuade the Court of the need for immediate appellate review.

The motion for preemptory reversal is DENIED.

Murray, J., Although typically I enjoy plaintiff's appellate counsel's writing style, the brief he filed in this case contained innumerable, inappropriate comments regarding the trial court that went well beyond any reasonable definition of advocacy. Rather than limiting the brief to legal arguments, Mr. Gentry takes purposeful shots at the intellectual capacity of the trial court, and in doing so has engaged in unprofessional conduct. It is one thing to challenge a court's reasoning, but a whole other matter to attack the judge herself. Counsel should refrain from filing such a brief in the future in this Court or any other court of this State.

Talbot, P.J., I invite both appellate counsel to recall the Lawyer's Oath taken when they were sworn in as members of the bar of the State of Michigan. Plaintiff's appellate counsel exhibited shameful disrespect to "...courts of justice and judicial officers" in his pleadings. The pleadings engaged in "offensive personality" and were not "personally and professionally in conformity with the high standards of conduct imposed upon members of the bar". Defendant's appellate counsel also engaged in "offensive personality" and acted inappropriately in his dealings with the staff of this Court. These cases are very difficult. Both attorneys made the case even more so. I am at peace with my decision but it required a valiant effort to disregard much that was submitted under the sad designation of advocacy.



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

JUN 03 2014

Date

  
Chief Clerk