

Court of Appeals, State of Michigan

ORDER

Great Lakes Reporting LLC v Alexander V Lyzohub

Docket No. 329828

LC No. 15-003086-AV

Michael J. Riordan
Presiding Judge

Michael J. Talbot

Cynthia Diane Stephens
Judges

The Court orders that the motion for immediate consideration is GRANTED.

It is further ordered that the motion for peremptory reversal pursuant to MCR 7.211(C)(4) is GRANTED for the reason that plaintiff was not required to post a bond as a condition to an appeal by right. *Mathew R Abel, PC v Grossman Investments Co*, 302 Mich App 232, 236 n 1; 838 NW2d 204 (2013), quoting *Wright v Fields*, 412 Mich 227, 228; 313 NW2d 902 (1981) (although “a bond is required to secure a stay of proceedings to enforce the judgment during the appeal [to the circuit court], it is not a condition of the right to appeal.”).

The Wayne Circuit Court’s “order granting defendant/appellant’s motion to dismiss appeal for failure of plaintiff to post appeal bond as ordered by trial court on June 8, 2015” is REVERSED and the cause is REMANDED for consideration of plaintiff’s arguments challenging the February 18, 2015 orders of the 16th District Court.

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

We do not retain jurisdiction.



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

NOV 20 2015

Date


Chief Clerk