

Court of Appeals, State of Michigan

ORDER

John Holeton v City of Livonia

Docket No. 321501

LC No. 14-000104-CZ

Joel P. Hoekstra
Presiding Judge

Kathleen Jansen

Patrick M. Meter
Judges

Pursuant to the order issued by the Michigan Supreme Court (docket no. 152413) dated April 8, 2016, the Court orders that this case is REMANDED to the trial court for further proceedings to determine whether the defendants were prejudiced by the plaintiffs' delay in bringing their action. Appellant is to file with this Court a copy of any motion and any supporting brief filed in the trial court within 14 days of the Clerk's certification of this order. **Proceedings on remand in this matter shall be conducted within 56 days of the Clerk's certification of this order, and they shall be given priority on remand until they are concluded.**

The trial court is to make findings of fact and a determination on the record. The trial court is to cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings. At the conclusion of those proceedings, the trial court shall forward the record and its findings to this court and this court will in turn reconsider its decision that the plaintiffs' claims for injunctive and declaratory relief were barred by the equitable doctrine of laches. See *Lothian v City of Detroit*, 414 Mich 160, 168 (1982).

The parties may file a supplemental brief on appeal within 21 days after completion of the proceedings on remand.

We retain jurisdiction.



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

APR 28 2016

Date

Chief Clerk