

Court of Appeals, State of Michigan

ORDER

In re Jackson

Docket No. 332096

LC No. 09-003770-FC

Michael J. Talbot
Presiding Judge

Kurtis T. Wilder

Christopher M. Murray
Judges

The Court orders pursuant to MCR 7.206(D)(4) and MCR 7.216(A)(7) that the matter is REMANDED to the trial court for resolution of the disputed clerical errors alleged in plaintiff's "Motion for Correction of Register of Actions." The Court Rules clearly allow plaintiff to request such relief. See MCR 6.435(A) ("Clerical mistakes in . . . parts of the record and errors arising from oversight or omission may be corrected by the court at any time . . . on motion of a party . . ."). The trial court's reference to the Register of Actions, whether corrected or not, was insufficient to resolve plaintiff's motion. See MCR 6.435(C) ("If a dispute arises as to whether the record accurately reflects what occurred in the trial court, the court, after giving the parties the opportunity to be heard, *must resolve the dispute and, if necessary, order the record to be corrected*) (emphasis added). On remand, the trial court is to enter an order addressing whether it complied with this Court's directives in *People v Jackson*, unpublished opinion per curiam of the Court of Appeals, issued April 21, 2011 (Docket No. 295994) and address the remaining allegations of clerical error contained in plaintiff's motion.

A copy of this order shall be transmitted to Third Judicial Circuit Court Criminal Division Presiding Judge Timothy M. Kenny.

This Court retains no further jurisdiction.



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

AUG 03 2016

Date


Chief Clerk