

Court of Appeals, State of Michigan

ORDER

Andre Williams v State Farm Mutual Automobile Insurance Company

Docket No. 332322

LC No. 14-015459-AV

Christopher M. Murray
Presiding Judge

Karen M. Fort Hood

Michael J. Riordan
Judges

In lieu of granting leave to appeal, the Court orders that the motion for peremptory reversal pursuant to MCR 7.211(C)(4) is GRANTED. Jurisdiction was proper in the district court where the complaint did not allege damages in excess of the jurisdictional limit. See *Hodge v State Farm Mut Auto Ins Co*, 499 Mich 211, 223-224; ___ NW2d ___ (2016) ("the allegations in the complaint establish the amount in controversy."). Since *Hodge* has retroactive effect, see *Lincoln v Gen Motors Corp*, 231 Mich App 262, 267; 586 NW2d 241 (1998), aff'd 461 Mich 483 (2000), the circuit court's opinion and order to the contrary was in error. Accordingly, we VACATE the circuit court's March 14, 2016 opinion and order in its entirety and REMAND for proceedings consistent with this order.

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

SEP 30 2016

Date


Chief Clerk