

Court of Appeals, State of Michigan

ORDER

Patricia Shepard v Civil Rights Commission

Docket No. 336824

LC No. 16-000733-AA

Peter D. O'Connell
Presiding Judge

Kirsten Frank Kelly

Amy Ronayne Krause
Judges

The Court orders that the motion for reconsideration is DENIED. MCL 37.2606(1) does not provide for an appeal of right to this Court. While MCL 37.2606(3) does provide for a circuit court judgment or decree in this context to "be subject to review by appeal in the same manner and form as other appeals from that court," MCR 7.203(A)(1)(a) precludes an appeal of right from a circuit court order entered on appeal from another tribunal. Thus, recognizing that the Civil Rights Commission constitutes a tribunal, the ability to seek appealable review from a circuit court order entered on appeal from the Civil Rights Commission "in the same manner and form as other appeals" under MCL 37.2606(3) means the ability to file an application for leave to appeal pursuant to MCR 7.203(B)(3) as to the circuit court order entered on appeal from the Civil Rights Commission. Appellant presents no meaningful argument to support her apparent indication that the Civil Rights Commission should not be considered a tribunal. Further, the ability of the Civil Rights Commission to provide various forms of relief under MCL 37.2605 is consistent with recognizing it as an administrative tribunal able to afford judicial or quasi-judicial relief. See *Natural Resources Defense Council v Dep't of Environmental Quality*, 300 Mich App 79, 86; 832 NW2d 288 (2013), quoting *Fort v Detroit*, 146 Mich App 499, 503; 381 NW2d 754 (1985) ("Tribunals include administrative agencies acting in a judicial or quasi-judicial capacity.")



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

APR 13 2017

Date

Chief Clerk