

Court of Appeals, State of Michigan

ORDER

Theodore Cadwell v City of Highland Park

Docket No. 336969

LC No. 10-012583-NO

Kurtis T. Wilder
Presiding Judge

Kirsten Frank Kelly

Michael J. Riordan
Judges

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

Pursuant to MCR 7.205(E)(2), the Wayne Circuit Court's January 23, 2017 order is REVERSED because the circuit court failed to properly calculate the interest owed on the judgment under MCL 600.6013(8) consistent with this Court's holding in *Chelsea Investment Group, LLC v City of Chelsea*, 288 Mich App 239, 256-260; 792 NW2d 781 (2010). As *Chelsea* instructs,

MCL 600.6013(8) simply requires that interest on a judgment be recalculated every six months from the date of the filing of the complaint using the interest rates announced on July 1 or January 1, whichever is "immediately preceding" the complaint's six-month calculation date. For example, interest for a complaint filed in August 2008 would be calculated in February 2009 using the January 1, 2009, rate, and would be calculated again in August 2009, using the July 1, 2009, rate. [*Id.* at 259.]

Accordingly, we REMAND this case for a recalculation of the interest due consistent with *Chelsea*.

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

This Court retains no further jurisdiction.



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

MAR 20 2017

Date


Chief Clerk