

# Court of Appeals, State of Michigan

## ORDER

In re MP and JP, Minors

Docket No. 340754

LC Nos. 17-000591-NA; 17-000592-NA

Michael J. Kelly  
Presiding Judge

Amy Ronayne Krause

Brock A. Swartzle  
Judges

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The Court orders that the motion for immediate consideration is GRANTED. The Court further orders that the delayed application for leave to appeal is GRANTED. This appeal is limited to the issues raised in the application and supporting brief.

On its own motion, the Court orders that this case shall be EXPEDITED. The appellant's brief is due no later than 35 days from the date of the Clerk's certification of this order. The appellee's brief is due no later than 21 days after service of the appellant's brief. No extensions of time will be allowed for filing of the briefs except by order of the Court.

The Clerk is directed to place this case on the next available case call after the expiration of the time to file appellee's brief.

Ronayne Krause, J., dissents and states: In lieu of granting or denying the application for leave to appeal, the trial court's order from August 31, 2017, should be affirmed under MCR 705(E), in my opinion. As argued by the appellee in the trial court, MCL 722.634 does not prohibit a parent from being found neglectful when the parent's choice of prayer over medicine endangers the child's life. In this case, one child has already died from jaundice, which is easily treatable per the record. The record also indicates that the two children still living were removed, in part, because the parents would not abide by the conditions set forth by the court in terms of physical discipline for "religious reasons". This case involves physical discipline and lack of medical treatment due to religious beliefs. There is simply no reason to keep these two surviving children in a state of disruption over this very simple issue of a jury instruction in which the trial court made an excellent record for its August 31, 2017 order.



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

DEC 20 2017

Date

  
Chief Clerk