

Court of Appeals, State of Michigan

ORDER

Nicholas David Burnett v Tracy Lynn Ahola

Docket No. 338618

LC No. 14-312262-DP

Patrick M. Meter
Presiding Judge

Stephen L. Borrello

Michael J. Riordan
Judges

In accordance with the Supreme Court's order issued April 26, 2018, this matter is REMANDED to the Genesee Circuit Court. This Court retains jurisdiction.

Within 42 days of this order, the trial court shall: "1) determine whether the defendants should be estopped from arguing that the plaintiff committed intrinsic fraud or fraud on the court during the proceedings under the Revocation of Paternity Act (ROPA), MCL 722.1431 *et seq.*, given the entry into or failure to object to custody and parenting time orders with knowledge that the ROPA judgment was obtained through intrinsic fraud or fraud on the court; (2) conduct an evidentiary hearing to determine whether the plaintiff committed intrinsic fraud or fraud on the court during the ROPA proceedings; and (3) if so, determine to what, if any, remedy the defendants are entitled."

The court shall cause a transcript of the hearing to be prepared and filed within 21 days after the completion of the proceedings. After the transcript is filed, the trial court shall immediately forward the record and its findings to this Court.



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

MAY - 1 2018

Date

Chief Clerk