

## Court of Appeals, State of Michigan

### ORDER

**William Sim Spencer v Benzie County Prosecuting Attorney**

Docket No.    **342289**

LC No.         **16-010475-CZ**

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Michael J. Talbot, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is **DISMISSED** for lack of jurisdiction because appellant is not an aggrieved party as to the February 6, 2018 order appealed from. MCR 7.203(A). He cannot possibly be aggrieved by that order because it grants him the complete relief he was entitled to receive on remand under this Court's November 14, 2017 opinion in Docket Number 337827, which was all the circuit court could properly do in terms of providing substantive relief to appellant pursuant to the remand. See *Glenn v TPI Petro, Inc*, 305 Mich App 698, 703; 854 NW2d 509 (2014). Further, review of the register of actions reflects that there was no other order entered in the interval between this Court's November 14, 2017 opinion and the February 6, 2018 order that appellant could be seeking to challenge in this appeal. In this regard, appealing the February 6, 2018 order in his favor in this civil case is not a proper means for appellant to seek relief as to any challenge he may wish to bring as to charges in the separate criminal case in the circuit court.

The motion for emergency consideration pleading is recognized as a motion to expedite this appeal and motion for immediate consideration. Those motions are **DENIED** as moot.

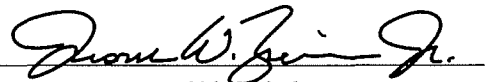
The motion to waive fees is **GRANTED** for this case only.



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

**FEB 28 2018**

Date

  
Chief Clerk