

Court of Appeals, State of Michigan

ORDER

John Williams v Michigan Automobile Insurance Placement Facility

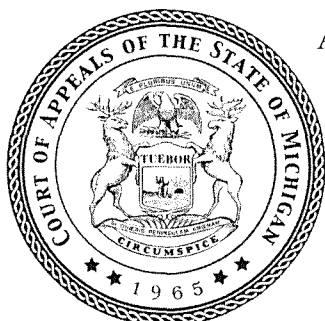
Docket No. 344183

LC No. 17-002844-NF

Christopher M. Murray, Chief Judge, acting under MCR 7.211(E)(2), orders:

The motion for reconsideration is GRANTED and the appeal is REINSTATED. Within 14 days of the date the Clerk's office issues this order, plaintiff's counsel is directed to serve a copy of the application on counsel for State Farm Mutual Automobile Insurance Company. As noted in IOP 7.205(B)(6), an appellant need not serve "(1) a party that has been dismissed from the trial court proceedings by order pursuant to stipulation, or [2] a party that has been dismissed from the trial court proceedings for lack of service." An order granting a motion for summary disposition is not an order "pursuant to stipulation" and a grant of a summary decision is not a dismissal based on "lack of service." Accordingly, neither service exception from the IOP applies here such that plaintiff should have served State Farm with the application when filing it in June.

The Court further orders that appellant's counsel, Carl L. Collins III (P55892), is ASSESSED COSTS of \$250.00 for the failure to pursue the appeal in accordance with the court rules, counsel having failed to appropriately serve State Farm with the application and having failed to file a coherent answer to this Court's inquiry regarding service. Given counsel's pattern of filing appeals with deficiencies, counsel is reminded that submissions to this Court are to comply with the Michigan Court Rules. The assessed costs shall be paid to this Court within 21 days after this order is entered. Such costs are personal to the attorney and shall not be charged back to the client.



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

AUG 21 2018

Date

Jerome W. Zimmer Jr.
Chief Clerk