

Court of Appeals, State of Michigan

ORDER

Department of Talent and Economic Development v Clyde Walker

Docket No. 344929

LC No. 18-002003-AE

Anica Letica
Presiding Judge

Kirsten Frank Kelly

Cynthia Diane Stephens
Judges

In lieu of granting the application for leave to appeal, the Court orders, pursuant to MCR 7.205(E)(2), that the orders of the Wayne Circuit Court, the MCAC, and the Administrative Law Judge hereby are VACATED. The Administrative Law Judge framed the legal issue as whether the Agency's August 2015 redetermination violated MCL 421.32a, without addressing the limit for a redetermination for restitution in MCL 421.62, which at that time was six years. On remand, the judge is to reconsider the matter and specifically address the limit in MCL 421.62 under the totality of the circumstances of this matter, as well as the Agency's legal authority to issue a redetermination in July 2017. The case is REMANDED to the Administrative Law Judge for proceedings consistent with this order.

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

The Court retains no further jurisdiction.

Stephens, J. would deny the application for leave to appeal for lack of merit in the grounds presented.



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

DEC 07 2018

Date


Chief Clerk