

**Court of Appeals, State of Michigan**

**ORDER**

**Re: Ivy Alice Wimmer v Mario Allan Montano**

Docket No.   **340339; 340409; 340830; 340996**

LC No.       **2012-802216-DO**

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The Court orders that the motion for immediate consideration is GRANTED.

It is further ordered, pursuant to MCR 2.003(D)(3)(a)(i), the motion to disqualify Judge Mark J. Cavanagh has been referred to the Chief Judge, and upon de novo review, it is DENIED. This Court presumes judges to be impartial, see *In re MKK*, 286 Mich App 546, 566; 781 NW2d 132 (2009), and plaintiff has not provided any evidence of bias or prejudice on the part of Judge Mark J. Cavanagh as outlined in MCR 2.003(C). The sole basis to seek recusal is the decision Judge Cavanagh participated in with this Court, but “the remedy for mistakes made by trial judges lies in the appellate process, not in motions to disqualify.” *Cain v Dep’t of Corrections*, 451 Mich 470, 516-517; 548 NW2d 210 (1996).



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

FEB 05 2019

Date

  
Chief Clerk