

**0Court of Appeals, State of Michigan**

**ORDER**

Re: **Mario Allan Montano v Karen D McDonald**

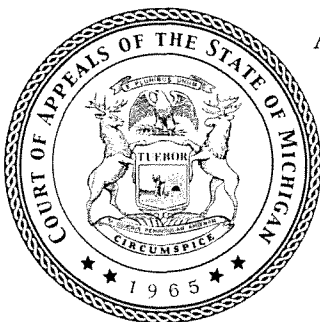
Docket No.   **345241**

LC No.         **2017-158729-CZ**

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Christopher M. Murray, Chief Judge, acting under MCR 2.003(D)(3)(a)(i), orders:

The motion to disqualify 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 O'Brien as outlined in MCR 2.003(C). The fact that Judge O'Brien was many years ago a colleague of the trial court judge is simply, without more, not a basis to question the impartiality of Judge O'Brien. See, e.g., *Samsara Memorial Trust v Kelly Rimmel & Zimmerman*, 102 A3d 757, 770 (NJ, 2014) and *Barrett v Marbley*, 2014 WL 4202499 (SD Oh, 2014).



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

**FEB - 1 2019**

Date

  
Chief Clerk