

STATE OF MICHIGAN

IN THE COURT OF APPEALS

Edgar Johnson III,
Plaintiff(s)-Appellee(s)

Defendant-Appellant's Brief
Consolidated in
Court of Appeals No.s 345803 & 345955

v

Lower Ct./Tribunal No. 10-022282-DM

LTC, Dr. Pamela J. Lee Johnson,
Defendant(s)-Appellant(s)

**WITHDRAWAL OF
MOTION RELATED TO CALENDAR**

Date: 30 June 2019

Pamela Joy Lee Johnson
P.O. Box 4704
Manassas, VA 20108A

517-410-6674

RECEIVED
2019 JUL -1 AM 9:00
COURT OF APPEALS
LANSING OFFICE

Withdrawal of Motion Related to Calendar

1. In an Order dated JAN 24 2019, "On the Court's own motion pursuant to MCR 7.216(A)7, the Court orders that this case, "Docket No. 245955, "be CONSOLIDATED with the claim of appeal filed in Docket No. 345803, LTC Pamela Joy Lee Johnson DO v Edgar Johnson III."
2. The Court set a "Schedule of Arguments – MCR 7.213(D)" for "Tuesday, July 9, 2019 at 11:00 AM." Mailing dated and postmarked as "June 7, 2019." Received by Appellant on 14 June 2019.
3. Noted in the Schedule of Arguments, "Oral Argument Preserved" for Appellant and no annotation of either preservation or no preservation of oral argument for Appellee(s).
4. Appellant is aware that there has not been any Appellee(s) filing of any type in this matter. Additionally, Appellant is aware that the Appellee(s) has not filed any briefs, documentations, or the like in the timely manner as allowed by the Court.
5. Appellant(s) asks if the Court needs Oral Argument and or testimony from the Appellant(s) to further clarify or prove that the Appellant's Brief presented compelling, adequate and appropriate evidence that supports

and substantiates that the lower court erred in its rulings, that the calendar date and time for the hearing be changed to another date and time.

6. The Appellant(s) requests a Motion for Continuance or Adjournment to another date and time.
7. Appellant has scheduled follow-up, consultation, treatment, and probable surgery for a medical condition that inhibits Appellant's presence at the aforementioned "Schedule of Arguments" and immediate travel. Appellant is unable to delay these medical appointments. Appellant will immediately inform the Court of surgical date, when scheduled, if necessary.
8. To expediate, if oral argument and or testimony is needed to further clarify or prove that the Appellant(s)'s Brief presented compelling, adequate and appropriate evidence that supports and substantiates that the lower court erred in its rulings, the Appellant(s) respectfully suggests either a change of venue or telephonic appearance at a later date and time.
9. Appellant(s) currently resides in Virginia.
10. If oral argument and or testimony by Appellant(s) is not warranted, as elaborated in aforementioned items five (5) and eight (8), then Appellant(s) requests pardon from oral argument and or testimony in appearance both physically and telephonically.

11. Appellant was telephonically contacted by "Mike" from Michigan Court of Appeals ((517) 373-9124; (517) 373-0786) on 24 June 2019 at approximately 13:15 and 13:25 regarding 1) "defect" in the motion as to a motion fee of one hundred dollars (\$100.00) is required to file a motion 2) he, Mike, reviewed the motion and said that I am not required to be present for oral argument, "oral arguments are not a critical part of the case," and that generally the brief is relied on, and 3) to withdraw the motion, a letter would need to be sent in to the Michigan Court of Appeals, ATTN: Mike and facsimiled transmission to (517) 373-4274 or mailed to Michigan Court of Appeals.

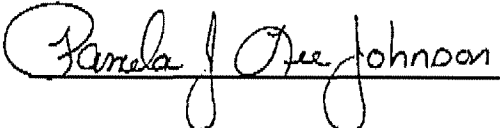
12. Mike followed up on 26 June 2019 at approximately 12:42, leaving telephone message for Appellant regarding having not received facsimile transmission. Appellant called Mike at earliest availability, in regards, and informed Mike that a letter of "Withdrawal of Motion Related to Calendar" would be forthcoming via facsimile transmission no later than Monday, 01 July 2019, as soon as Appellant is in an area of which to transmit and date of which Mike returns to the office at Michigan Court of Appeals, per Mike.

13. Today, 30 June 2019, via facsimile transmission, respectfully, Appellant submits a letter of "Withdrawal of Motion Related to Calendar" based on the aforementioned information contained in this letter.

Wherefore for good cause and more information provided by the Court of Appeals representative Mike, the Appellant(s) prayerfully and respectfully requests "Withdrawal of Motion Related to Calendar" based on the aforementioned information contained in this letter. Appellant(s) requests preservation of the right to submit a "Motion Related to the Calendar" at a later date and time in consideration of items one through nine, if needed.

Appellant "thanks" the Judges and Mike, in advance for the additional information provided on 24 June 2019 and 26 June 2019.

Respectfully submitted,



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Proof of Service

On 30 June 2019, I facsimiled or mailed a copy of the **Withdrawal of Motion
Related to Calendar** to:

Court Of Appeals
Facsimiled

Erica Terranova
Mailed

Edgar Johnson III
Mailed

to Michigan Court of Appeals
(517) 373-4274

ATTN: Mike

at Bailey, Smith, & Bailey P.C.

2211 Assoc. Drive

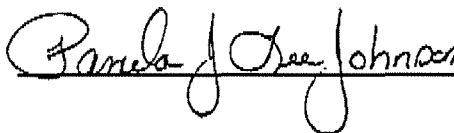
Suite 600

Okemos, MI 48874

at 26201 Burg Road

Warren, MI 48089

Date: 30 June 2019



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