

Court of Appeals, State of Michigan

ORDER

City of East Lansing v Richard John Schomaker

Docket No. 347994

LC No. 18-000206-AR

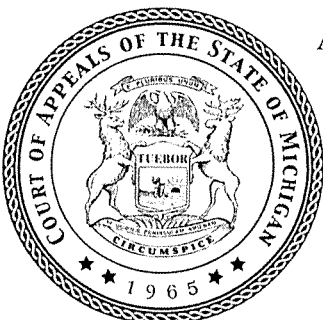
Stephen L. Borrello
Presiding Judge

Patrick M. Meter

Michael F. Gadola
Judges

Pursuant to MCR 7.205(E)(2), and in lieu of granting the delayed application for leave to appeal, the Court orders that the circuit court's order dismissing appellant's appeal is REVERSED, and the matter REMANDED for further proceedings. While defendant's counsel failed to fully comply with the circuit court's June 14, 2018 order and timely cure all defects, defendant timely moved to have the appeal reinstated pursuant to MCR 7.113(A)(2). Because the failure to cure all defects was the result of mistake, inadvertence, or excusable neglect, the motion to reinstate the case should have been granted. MCR 7.113(A)(2). The matter is remanded to the circuit court, which shall reinstate the appeal.

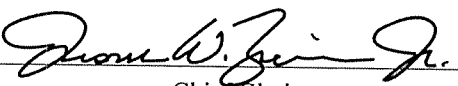
This order is to have immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.



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

AUG 14 2019

Date


Chief Clerk