

# Court of Appeals, State of Michigan

## ORDER

Jennifer Alice Kreiner v Claudio Fahmy

Docket No. 350213

LC No. 16-028676-DM

Amy Ronayne Krause  
Presiding Judge

Michael F. Gadola

Brock A. Swartzle  
Judges

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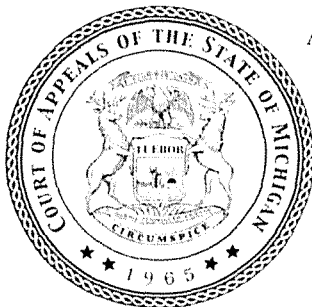
In lieu of granting the delayed application for leave to appeal, pursuant to MCR 7.205(E)(2), we REMAND to the trial court. The trial court shall hold a hearing within 45 days. The trial court may consider up-to-date evidence on the circumstances of the children.

The trial court must determine whether a change in the parenting-time schedule would constitute a change in the custodial environment. If so, the trial court shall apply the standards set forth in *Vodvarka v Grasmeyer*, 259 Mich App 499; 675 NW2d 847 (2003), and related caselaw. If not, the trial court shall apply the standards set forth in *Shade v Wright*, 291 Mich App 17; 805 NW2d 1 (2010), and related caselaw. The trial court shall consider the impact of parenting time on the mental health of the parties' minor daughter.

The parties may file supplemental briefs within 21 days of the filing by the trial court of its decision on remand.

The trial court shall order a transcript of the hearing on remand to be prepared at public expense and filed within 21 days after completion of the proceedings.

This Court retains jurisdiction.



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

JAN - 2 2023

Date

Chief Clerk