

Court of Appeals, State of Michigan

ORDER

Matthew Town v Township of Mayfield

Docket No. 350748

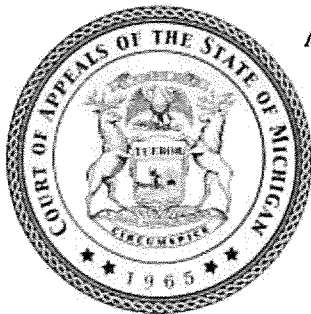
LC No. 2019-034901-AA

Michael J. Kelly
Presiding Judge

Michael F. Gadola

Brock A. Swartzle
Judges

The Court orders that the motion to dismiss this appeal is DENIED. Because the decision of the township board to approve a special use permit in this matter was made at a public hearing, not an adversarial hearing, and did not involve procedural characteristics common to courts, such as a right to call witnesses, the township board did not act as a tribunal in this matter. Thus, MCR 7.203(A)(1)(a) does not bar an appeal of right as to the September 4, 2019 order appealed from. *Natural Resources Defense Council v Dep't of Environmental Quality*, 300 Mich App 79, 86-87; 832 NW2d 288 (2013). Further, because the September 4, 2019 order is the first circuit court order disposing of all claims in this case, it is a final order appealable of right to this Court. MCR 7.202(6)(a)(i); MCR 7.203(A).



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

FEB 04 2020

Date


Chief Clerk