

# Court of Appeals, State of Michigan

## ORDER

Tamiko Applewhite v Esurance Insurance Company

Docket No. 351370

LC No. 2019-173426-NI

Elizabeth L. Gleicher  
Presiding Judge

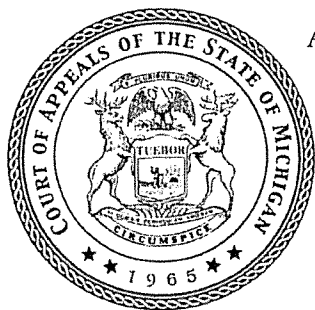
Deborah A. Servitto

Colleen A. O'Brien  
Judges

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Pursuant to MCR 7.205(E)(2), in lieu of granting the application for leave to appeal, the Court orders that the July 24, 2019, order is VACATED and this case is remanded for the trial court to consider lesser sanctions alternative to dismissal. See *Vicencio v Ramirez*, 211 Mich App 501, 506; 536 NW2d 280 (1995). A trial court abuses its discretion by dismissing an action as a sanction without evaluating other available options on the record. *Id.*

The Court retains no further jurisdiction.



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

MAR 05 2020

Date

Chief Clerk