

STATE OF MICHIGAN
COURT OF APPEALS

DAVID SCHIED,

Plaintiff-Appellant,

v

STATE OF MICHIGAN, ATTORNEY
GENERAL, DEPARTMENT OF EDUCATION,
DEPARTMENT OF MANAGEMENT &
BUDGET, DEPARTMENT OF CIVIL RIGHTS,
MICHIGAN STATE POLICE, WASHTENAW
COUNTY PROSECUTORS, LINCOLN
CONSOLIDATED SCHOOLS BOARD OF
EDUCATION, SANDRA HARRIS,
NORTHVILLE PUBLIC SCHOOLS BOARD OF
EDUCATION, SCOTT SNYDER, KATY
PARKER, DAVID BLITHO, LEONARD
REZMIERSKI, KELLER THOMA LAW FIRM,
WAYNE COUNTY REGIONAL EDUCATION
SERVICES AGENCY, MARLENE DAVIS,
KEVIN MAGIN, DAVID SOEBBING and
NORTHVILLE CITY POLICE DEPARTMENT,

Defendants-Appellees.

UNPUBLISHED

May 19, 2009

No. 282804

Ingham Circuit Court

LC No. 07-001256-AW

Before: Bandstra, P.J., and Owens and Donofrio, JJ.

MEMORANDUM.

Plaintiff appeals from an order of the circuit court dismissing his complaint without prejudice. We treat this matter as on application for appeal by leave and grant the application. After considering plaintiff's arguments and the record before us, we conclude that relief is not warranted, and affirm.

Plaintiff first argues that the circuit court judge committed misconduct when he failed to disqualify himself from the case because of bias and then proceeded to dismiss the matter without having heard motions previously filed by plaintiff. Because plaintiff did not file an affidavit below in support of his motion, the issue is not properly before us. MCR 2.003(C)(2). In any event, the reported statements of the circuit court judge regarding a friendship with one of

the named defendants do not alone demonstrate a probability of bias that would have required disqualification.

Also, we see no error in the dismissal of plaintiff's complaint. Plaintiff's complaint and subsequent more definite statement contained many broad and diffuse criminal allegations that were not properly before the circuit court, MCL 764.1(1); MCR 6.101(C), and not discernibly supported by a reasoned application of law and fact. MCR 2.111(A)(1), (B)(1). Despite its volume, plaintiff's complaint did not provide notice to the adverse parties of the claims they were to defend. While dismissal of a matter is the harshest sanction that the court may impose on a plaintiff, *Schell v Baker Furniture Co*, 232 Mich App 470, 475; 591 NW2d 349 (1998), trial courts do have the explicit authority to impose appropriate sanctions in order to contain and prevent abuses and administer the orderly operation of justice, *Maldonado v Ford Motor Co*, 476 Mich 372, 375-376; 719 NW2d 809 (2006). Accordingly, the circuit court did not err in dismissing the complaint. MCR 2.115(A)

Plaintiff also raises several issues that reargue matters previously before this Court in *Schied v Lincoln Consolidated Schools*, unpublished opinion per curiam of the Michigan Court of Appeals, issued June 29, 2006 (Docket No. 267023). We have no jurisdiction to review issues arising from a separate but related case. MCL 7.203(A)(1); *Chapdelaine v Sochocki*, 247 Mich App 167, 177; 635 NW2d 339 (2001).

Affirmed.

/s/ Richard A. Bandstra
/s/ Donald S. Owens
/s/ Pat M. Donofrio