

Order

Michigan Supreme Court
Lansing, Michigan

February 20, 2018

Stephen J. Markman,
Chief Justice

155833

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Kurtis T. Wilder
Elizabeth T. Clement,
Justices

KIMBERLY MARIE MARIK,
Plaintiff-Appellee,

v

SC: 155833
COA: 336087
Macomb CC: 2011-000651-DM

PETER BRIAN MARIK,
Defendant-Appellant.

By order of September 12, 2017, the application for leave to appeal the April 20, 2017 order of the Court of Appeals was held in abeyance pending the decisions in *Marik v Marik* (Docket No. 154549) and *Ozimek v Rodgers* (Docket No. 154776). On order of the Court, the orders having entered on November 16, 2017, ___ Mich ___ (2017), the application is again considered. MCR 7.305(H)(1). In lieu of granting leave to appeal, we VACATE the order of the Court of Appeals and we REMAND this case to that court for reconsideration in light of its forthcoming decision in *Marik v Marik (On Remand)* (Docket No. 333687).

We do not retain jurisdiction.



s0209

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 20, 2018

Clerk