

Order

Michigan Supreme Court
Lansing, Michigan

September 6, 2011

Robert P. Young, Jr.,
Chief Justice

143017

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

LEO N. WILEY,
Petitioner-Appellant,

v

SC: 143017
COA: 293125
Ingham CC: 08-001000-AA

CIVIL SERVICE COMMISSION,
Respondent-Appellee.

On order of the Court, the application for leave to appeal the March 24, 2011 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

MARKMAN, J. (*concurring*).

I concur with the Court's order. I write separately only to clarify that the Court of Appeals decision did not reinstate the Civil Service Commission's final order, but instead remanded to the trial court for further proceedings. Thus, the trial court will have the opportunity to revisit this case, consider the aggravating factors relied on by respondent in light of the whole record, and once again determine whether the dismissal of petitioner was arbitrary and capricious.



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I, Corbin R. Davis, 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.

September 6, 2011

Corbin R. Davis

Clerk