

Order

Michigan Supreme Court
Lansing, Michigan

January 18, 2013

Robert P. Young, Jr.,
Chief Justice

145873

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

ARTHUR LOUIS PARKS,
Plaintiff-Appellant,

v

SC: 145873
COA: 306974
Wayne CC: 11-010819-AH

DEPARTMENT OF CORRECTIONS,
PAROLE BOARD, and JOHN
PIGGOTT,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the August 7, 2012 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE the order denying the plaintiff's complaint for habeas corpus. The Department of Corrections does not have authority to rescind a final order of discharge from parole once it is delivered to the parolee. *People v Holder*, 483 Mich 168 (2009). According to its own internal operating procedures, it is the responsibility of the Department of Corrections to accurately determine credit prior to delivering a parole discharge. We REMAND this case to the Court of Appeals for reconsideration of the defendant's complaint for habeas corpus consistent with this order.

We do not retain jurisdiction.

HATHAWAY, J., not participating.



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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.

January 18, 2013

Corbin R. Davis

Clerk