

**Court of Appeals, State of Michigan**

**ORDER**

Deborah Six v Ilia Arnold

Docket No. 311093

LC No. 2010-028212-NH

Stephen L. Borrello  
Presiding Judge

William C. Whitbeck

Amy Ronayne Krause  
Judges

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The Court orders that appellants' motion for reconsideration is GRANTED and the November 15, 2013 order is VACATED. Accordingly, this appeal is REINSTATED. Further, appellants' brief on appeal submitted with the motion for reconsideration is accepted for filing.

We note that the language of our November 15, 2013 order inviting appellants to submit a motion for reconsideration of that order along with their brief on appeal is consistent with the general practice of this Court tending to strongly favor the resolution of appeals on their merits as opposed to dismissing appeals on nonjurisdictional procedural grounds. In this regard, while we do not condone the multiple procedural failures by appellants' counsel during the course of this appeal, we are aware that a refusal to set aside the dismissal of this appeal of right would be visited not only on counsel but on appellants personally which supports our decision to reinstate this appeal. Further, while we will not show improper favoritism to an attorney who has a familial relationship with a Judge of this Court, neither will we be unfair to parties represented by such an attorney through allowing our decisions to be influenced by unfounded insinuations of such improper favoritism. Moreover, the present motion is not the proper context for considering the merits of this appeal.

Appellees are allowed 35 days from the date of the Clerk's certification of this order to timely file their briefs on appeal.



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

FEB 20 2014

\_\_\_\_\_  
Date

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Chief Clerk