

Court of Appeals, State of Michigan

ORDER

Herbert Smith v City of Pontiac

Docket No. 277771

LC No. 2006-073639-NO

Mark J. Cavanagh
Presiding Judge

Kathleen Jansen

Pat M. Donofrio
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The motion to affirm pursuant to MCR 7.211(C)(3) is DENIED for failure to persuade the Court that it is manifest that the question to be reviewed is so unsubstantial as to need no argument or formal submission or was not properly raised.

Judge Jansen would grant the motion to affirm.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 14 2007

Date

Sandra Schultz Mengel
Chief Clerk