

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **In re Brian Gene Williams**
Docket No. **285110**
L.C. No. **1996-032897-MI**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The motion to waive fees is GRANTED for this case only.

The complaint for a writ of superintending control is DISMISSED for lack of jurisdiction.

This Court has jurisdiction to issue superintending control orders over lower courts and tribunals. MCR 3.302(A), MCR 3.302(D)(1), and MCR 7.203(C)(1). When a party may file an appeal with the Supreme Court, this Court, or the circuit court, however, that method of review must be used. MCR 3.302(D)(2). If superintending control is sought and an appeal is available, this Court must dismiss the party's complaint for superintending control. *Id.* Because plaintiff seeks superintending control over the Oakland County Probate Court and an appeal is available in the form of a delayed application for leave to appeal from the October 29, 2007 order extending his involuntary treatment, his complaint must be dismissed. MCR 3.302(D)(2), MCR 7.203(B)(4), MCR 7.205(A), MCR 7.205(F)(1), and MCR 7.205(F)(3).



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

JUN - 6 2008

Date

Sandra Schultz Mengel
Chief Clerk