Court of Appeals, State of Michigan

ORDER

In re John Thomas Ragen Jr

Docket Nos. 285822 and 285823

LC No. 02-410284-NA

Michael J. Talbot
Presiding Judge

Kurtis T. Wilder

Elizabeth L. Gleicher
Judges

The Court, acting under MCR 7.203(F)(2), orders that the motions for reconsideration are GRANTED.

A review of the exhibits attached to appellants' motions and the appellate filings showed the Wayne Circuit Court, Family Division, Juvenile Section signed the orders terminating appellants' parental rights without holding a hearing. Furthermore, neither the request for counsel forms nor the family court's register of actions show if or when the family court served appellants with notice that their parental rights had been terminated as required by MCR 3.977(I)(1)(c) or provided appellants with the request for appellate counsel forms in a timely manner. Without this information, this Court cannot determine whether appellants filed their claims of appeal in a timely manner.

Because there are questions affecting appellants' due process rights and their right to access the courts, this Court will accept the appeals as being filed within the time allotted by the court rules. MCR 3.977(I)(1)(c), MCR 3.993(A)(2), MCR 7.203(A)(2), MCR 7.204(A), MCR 7.204(A)(1)(c), and MCR 7.216(A)(7).

Within 28 days of the certification of this order or the filing of the transcripts, whichever is later, appellants shall file their briefs on appeal. Appellees may file their briefs in response within 21 days of being served with appellants' pleadings. The parties must file a motion with this Court if they want to modify the above briefing schedule. MCR 7.202(2), MCR 7.202(4), and MCR 7.204(A)(1)(c).

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

SEP - 5 2008
Date

Sandra Schultz Mengel
Chief Clerk