

# Court of Appeals, State of Michigan

## ORDER

Kathryn Hedrick v Jeffrey Hedrick

Docket No. 312728

LC No. 09-000442-DM

William C. Whitbeck  
Presiding Judge

Peter D. O'Connell

Patrick M. Meter  
Judges

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The Court orders that the motion to waive fees is GRANTED for this case only.

The motion for immediate consideration is GRANTED.

In lieu of granting the application for leave to appeal, the Court orders that the motion for peremptory reversal pursuant to MCR 7.211(C)(4) is GRANTED. The trial court lacked jurisdiction to modify child support where neither of the parties filed a petition to modify support after the judgment of divorce was entered. MCL 552.17(1); *Sirovey v Campbell*, 223 Mich App 59, 76; 565 NW2d 857 (1997). If one of the parties moves to modify child support, the trial court must strictly comply with the terms of the Michigan Child Support Formula Manual in calculating support obligations unless it determines from the facts of the case that the application of the formula would be unjust or inappropriate. *Borowsky v Borowsky*, 273 Mich App 666, 673; 733 NW2d 71 (2007). The April 12, 2012 and September 26, 2012 orders of the circuit court are REVERSED and the cause is REMANDED.

We do not retain jurisdiction. This order is given immediate effect pursuant to MCR 7.215(F)(2).



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

NOV 5 2012

\_\_\_\_\_  
Date

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Larry S. Royster  
Chief Clerk