

Court of Appeals, State of Michigan

ORDER

Tracy L Hayley v Daniel B Martin

Docket No. 324689

LC No. 07-705347-DM

Karen M. Fort Hood
Presiding Judge

Michael J. Talbot

Kurtis T. Wilder
Judges

The Court orders that defendant's motion for reconsideration is DENIED. However, the Court finds that appellant has failed to pursue the appeal in conformity with the rules, appellant having failed to fully investigate whether the transcripts of all the proceedings as required under MCR 7.210(B)(1)(a) had been ordered until after defendant moved for reconsideration.

The Court further orders attorney Anne Argiroff, retained counsel for appellant, to pay appellee, within 21 days after the certification of this order, costs in the sum of \$500.00 for counsel's failure to investigate the necessary transcripts, the failure to comply with the court rules having necessitated appellee's motion. MCR 7.216(A)(7) and MCR 7.219(I). The assessed costs are personal to the attorney and shall not be charged back to the client.

The Court further orders appellant's counsel to secure the filing of the court reporter's certificate to confirm that the transcript order has been received, see MCR 7.210(B)(1)(a). If the certificate to confirm the transcript order is not filed within this Court within 21 days after the Clerk's certification of this order, the Clerk is directed to submit the appeal on the involuntary dismissal docket for dismissal under MCR 7.217.

The Court further orders that appellant's counsel shall serve a copy of the transcript on appellee within 7 days of the date of the court reporter's production of the transcript. MCR 7.210(F).

The time for filing appellee's brief shall be calculated under MCR 7.212(A)(2)(a)(ii) from the date the additional transcript is served upon appellee.

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



AUG 11 2015

Date

Chief Clerk