

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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TRACY L. BARR,

Plaintiff-Appellee,

v

DAVID A. BARR,

Defendant-Appellant.

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UNPUBLISHED

August 13, 1999

No. 207014

Livingston Circuit Court

LC No. 94-021291 DM

Before: Sawyer, P.J., and Holbrook, Jr., and W. E. Collette,\* JJ.

MEMORANDUM.

Defendant appeals from a postjudgment order in this divorce action which prohibits him from exercising his child custody/parenting time rights at any nudist facility. We affirm.

The trial court determined that it would not be in the child's best interest for the child to attend a nudist facility, clothing optional or otherwise. Given the questionable legality of nudism in Michigan, see *People v Ring*, 267 Mich 657; 256 NW 373 (1934); OAG, 1955, No 2,095, p 234 (May 2, 1955), the parties' vehement disagreement about the issue, and the court-appointed expert's conclusion that the child is harmed by continuing discord between his parents, we conclude that the trial court did not abuse its discretion in restricting defendant's exercise of physical custody. Defendant will still be able to exercise his custodial rights at his home, which is off the grounds of the nudist facility for which he works, without violating the terms of the trial court's order.

Affirmed.

/s/ David H. Sawyer

/s/ Donald E. Holbrook, Jr.

/s/ William E. Collette

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\* Circuit judge, sitting on the Court of Appeals by assignment.