

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JONATHAN CHRISTOPHER
HUGHES, Minor.

DAVID CIAK and LESLIE CIAK,

Petitioners-Appellees,

v

DANIELLE ELIZABETH HUGHES,

Respondent-Appellant.

UNPUBLISHED
December 1, 2000

No. 224140
Genesee Circuit Court
Family Division
LC No. 99-014280

Before: Smolenski, P.J., and Holbrook, Jr. and Gage, JJ.

MEMORANDUM.

Respondent's parental rights to the minor child were terminated under § 43 of the Adoption Code, MCL 710.43; MSA 27.3178(555.43), after she consented to the child's adoption by petitioners. Respondent subsequently filed a timely motion for rehearing, alleging that her consent was given under duress and was involuntary. The trial court denied the motion. Respondent now appeals as of right, asserting that the trial court abused its discretion by denying her motion for rehearing, and also erred by failing to state the reasons for its decision. We remand.

The trial court was required to state its reasons for denying respondent's motion for rehearing, either in writing or on the record. MCL 710.63; MSA 27.3178(555.63); MCR 5.756(B). The record indicates that the trial court summarily denied respondent's motion without explanation. Absent a statement of reasons for the court's decision, we are unable to review that decision. Accordingly, while retaining jurisdiction, we remand for the trial court to state the reasons for its decision in accordance with MCL 710.63; MSA 27.3178(555.63) and MCR 5.756(B).

Remanded. We retain jurisdiction.

/s/ Michael R. Smolenski
/s/ Donald E. Holbrook, Jr.
/s/ Hilda R. Gage