

Order

Michigan Supreme Court
Lansing, Michigan

October 7, 2005

126705

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

ANDRE WILSON, personal representative of the Estate of JUANITA WILSON, deceased; RENITA STULTZ MCCOLLOUGH, personal representative of the Estate of HAROLD MCCOLLOUGH, deceased; JACQUELINE WINSTON, personal representative of the Estate of NELSON EVANS, deceased; MYRA WOLLS ROLLINS, personal representative of the Estate of ALMA HOLLIE, deceased; LADONNA COKOR, individually and on behalf of all persons similarly situated,
Plaintiffs-Appellees,

v

SC: 126705
COA: 243425
Wayne CC: 01-114580-NZ

SINAI GRACE HOSPITAL and DETROIT MEDICAL CENTER,
Defendants-Appellants.

By order of May 5, 2005, the application for leave to appeal was held in abeyance pending the decision in *Fisher v W A Foote Memorial Hospital* (Docket No. 126333). On order of the Court, the order denying the application for leave to appeal in *Fisher* having been issued on July 29, 2005, 473 Mich 888 (2005), the application is again considered. Pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we VACATE the April 29, 2004 judgment of the Court of Appeals, and we REMAND this case to the Wayne Circuit Court for dismissal of the complaint. The case is moot, given its specific facts, and the issue is not likely to recur yet evade judicial review, in light of the Medical Records Access Act, MCL 333.26261 et seq.

CAVANAGH and KELLY, JJ., would deny leave to appeal.



d1003

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 7, 2005

Corbin R. Davis

Clerk