

Order

Michigan Supreme Court
Lansing, Michigan

June 25, 2010

Marilyn Kelly,
Chief Justice

139507

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

In re GENEVIEVE BROOKELYN HANSEN,
Minor.

DEPARTMENT OF HUMAN SERVICES,
Petitioner-Appellee,

v

SC: 139507
COA: 289903
Manistee CC Family Division:
07-000083-NA

BILLY JOE HANSEN,
Respondent-Appellant.

On order of the Court, leave to appeal having been granted and the briefs and oral arguments of the parties having been considered by the Court, we hereby VACATE the July 21, 2009 judgment of the Court of Appeals, and we REMAND this case to the Manistee Circuit Court Family Division for reconsideration of its decision to terminate the respondent's parental rights in light of *In re Mason*, 486 Mich ___ (2010) (Docket No. 139795, decided May 26, 2010).

We do not retain jurisdiction.

WEAVER, J. (*dissenting*).

I dissent from the majority's decision to vacate the judgment of the Court of Appeals and to remand this case to the trial court for reconsideration in light of *In re Mason*, 486 Mich ___ (2010) (Docket No. 139795, decided May 26, 2010). I continue to believe that *In re Mason* was wrongly decided and even if that case was not wrongly decided, it does not apply to the different facts in this case in which leave was improvidently granted. I would deny leave and allow the decision by the Court of Appeals terminating the respondent's parental rights to stand.



0622

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.

June 25, 2010

Corbin R. Davis

Clerk