

Court of Appeals, State of Michigan

ORDER

Michael S Sherman DO PC v Shirley T Sherrod MD PC

Docket No. 299045; 299775

LC No. 08-014212-CK

Kirsten Frank Kelly
Presiding Judge

Michael J. Talbot

Cynthia Diane Stephens
Judges

The Court orders that the motion to dismiss is GRANTED IN PART.

With respect to appellant Shirley T. Sherrod, M.D., P.C., the appeals are dismissed as a sanction for the fugitive status of Shirley T. Sherrod, M.D., P.C. and Shirley T. Sherrod, M.D. with respect to post-judgment proceedings in the trial court. “[A] fugitive from justice may not seek relief from the judicial system whose authority he or she evades.” *Matsumoto v Matsumoto*, 171 NJ 110; 792 A2d 1222, 1227 (2002).

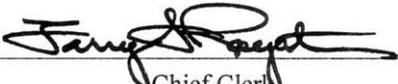
Inasmuch as the pending bankruptcy proceeding with respect to appellant Shirley T. Sherrod, M.D. deprives the Court of the authority to dismiss the appeal with respect to her, 11 USC 362, the Court orders that the appeals are CLOSED with respect to Shirley T. Sherrod, M.D. The closure does not constitute a dismissal or a decision on the merits. When the bankruptcy stay has been removed, the appeals may be reopened on motion.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

JUN 23 2011

Date


Chief Clerk