Court of Appeals, State of Michigan

ORDER

In re Contempt of Kathleen King O'Brien

Docket No. 312908

LC No. 2009-008198-DM

Joel P. Hoekstra
Presiding Judge

William B. Murphy, C. J.

Douglas B. Shapiro
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the Court PEREMPTORILY REVERSES the contempt finding made by the trial court and VACATES the May 17, 2012 order effectuating that finding. The trial court abused its discretion when it found appellant in contempt where the record reveals that appellant's contempt citation was caused by her persistent and zealous representation of the interests of her client and not any willful creation of an obstruction of the performance of a judicial duty. *In re Contempt of Robertson*, 209 Mich App 433; 531 NW2d 763 (1995); *In the Matter of Meizlish*, 72 Mich App 732; 250 NW2d 525 (1976). This order has immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.

A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

OCT 0 2 2013
Date

Chief Clerk