

Order

Michigan Supreme Court
Lansing, Michigan

March 26, 2008

135918

Clifford W. Taylor,
Chief Justice

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

IN RE DALTON DEANDRE JACKSON, Minor.

DEPARTMENT OF HUMAN SERVICES,
Petitioner-Appellee,

v

SC: 135918
COA: 281594
Macomb CC: 2004-056305-NA

DALTON D. JACKSON,
Respondent-Appellant.

On order of the Court, the application for leave to appeal the November 21, 2007 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we VACATE the November 21, 2007 and January 31, 2008 orders of the Court of Appeals and we REMAND this case to the Court of Appeals for reconsideration of whether the Court of Appeals lacked jurisdiction over the respondent's claim of appeal. On remand, the Court of Appeals shall address the Macomb Circuit Court's decision to mail notice of the termination of the respondent's parental rights and the advice of appellate rights form to respondent's attorney, rather than to respondent, as required by MCR 3.977(I)(1).

We do not retain jurisdiction.

KELLY, J., would reverse and remand to reinstate the appeal because MCR 3.997(I)(1) was violated.



s0319

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.

March 26, 2008

Corbin R. Davis

Clerk