Court of Appeals, State of Michigan

ORDER

JOSEPH DAVIS JR V ALLISON STAUDER

Docket No. 378416

LC No. 25-100766-DO

Daniel S. Korobkin
Presiding Judge

Michael F. Gadola

Christopher P. Yates
Judges

The motion for immediate consideration is GRANTED.

Pursuant to MCR 7.205(E)(2), in lieu of granting the application for leave to appeal, the trial court's November 1, 2025 order denying counsel's motion to withdraw is REVERSED and this matter is REMANDED to that court for further proceedings consistent with this order. By denying the motion to withdraw for the reasons stated on the record—despite a severe, seemingly total breakdown in the attorney-client relationship and the unreasonable financial burden that counsel would suffer as a result—the trial court abused its discretion. See *People v Jackson*, 467 Mich 272, 279 n 7; 650 NW2d 665 (2002); *Genrow v Flynn*, 166 Mich 564, 567-568; 131 NW 1115 (1911); *In re Withdrawal of Attorney*, 234 Mich App 421, 431-432, 435; 594 NW2d 514 (1999). On remand, the trial court should enter an order granting the disputed motion to withdraw and adjourning trial for a period that will, in the court's discretion, give defendant a reasonable opportunity to seek new counsel. See *In re Lovitt*, ___ Mich App ___, ___; ___ NW3d ___ (2024) (Docket No. 367124); slip op at 7 ("When an attorney seeks to withdraw from representation of a client, both the attorney and the court have an obligation that the client is . . . given an opportunity to obtain other counsel."); accord *Bye v Ferguson*, 138 Mich App 196, 207-208; 360 NW2d 175 (1984).

In light of the foregoing, the motion for stay pending appeal is DENIED as moot.

This order is to have immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.

Presiding Judge

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

December 4, 2025
Date

Chief Clerk