# Court of Appeals, State of Michigan

## ORDER

RUDOLPH STONISCH III V GLORIE M STONISCH LIVING TRUST

Docket No. 377556

LC No. 2025-427150-TV

Matthew S. Ackerman
Presiding Judge

Brock A. Swartzle

Philip P. Mariani
Judges

---

Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal, the Court REVERSES the September 12, 2025 order denying the motion to change venue and REMANDS for entry of an order transferring the case to Grand Traverse County Probate Court. Petitioner failed to carry his burden to establish Oakland County Probate Court as the proper venue. See *Gross v Gen Motors Corp*, 448 Mich 147, 155; 528 NW2d 707 (1995). The trust was not registered when the action was filed, meaning that venue is proper "in any place where the trust properly could be registered." MCL 700.7204(1)(b). Under MCL 700.7209(1), if, as in this case, the trust does not designate a place for registration, the trust may be registered "at the principal place of administration." Because this case involves cotrustees, the location of the "principal place of administration" is governed by MCL 700.7209(2). Petitioner failed to address MCL 700.7209(2). Absent evidence that MCL 700.7209(2)(a) or (b) apply, registration is proper either in "the usual place of business or residence of any of the costrustees as agreed upon by them." MCL 700.7209(2)(c). Petitioner offered no evidence to support that either cotrustee has a usual place of business or a residence in Oakland County, and venue is thus improper in Oakland County. Instead, venue is proper in Grand Traverse County, where one of the cotrustees resides, and the trial court erred by denying the motion to change venue. See MCL 600.1651.

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

June 8, 2026
Date

Chief Clerk