Court of Appeals, State of Michigan

ORDER

IN RE GUARDIANSHIP OF DMKK

Docket No. 381129

LC No. 25-909038-GM

Christopher M. Murray
Presiding Judge

Mark T. Boonstra

Colleen A. O'Brien
Judges

The application for leave to pursue a delayed appeal is DENIED on the basis that appellant unreasonably delayed in seeking appellate review. See MCR 7.205(A)(4) ("The court may consider the length of and the reasons for delay in deciding whether to grant the delayed application."). Given that appellant was present (via Zoom) at the December 18, 2025 hearing, was represented by counsel, and does not dispute that she was served with a copy of the probate court's disputed December 18, 2025 order, we cannot credit her representation that the delay at bar was largely attributable to her first learning of the trial court's ruling months later, at a February 17, 2026 hearing. And given that this is a probate matter affecting the care and custody of an elementary-school-aged child, we are unwilling to excuse appellant's unexplained delay in requesting a delayed appeal. See *Jewell v Grand Traverse Co Probate Judge*, 51 Mich App 134, 142; 214 NW2d 717 (1974) (observing that, in proceedings affecting the custody of minor children, granting a delayed appeal may be properly viewed as contrary to "the strong public policy that child custody matters be resolved with all due speed"). See also *Deschaine v St Germain*, 256 Mich App 665, 671 n 9; 671 NW2d 79 (2003) ("Because the Child Custody Act of 1970 . . . and the guardianship statutes have the same purpose of promoting the best interests of children, the two statutes may be interpreted consistent with each other, or *in pari materia*.") (citations omitted).

Presiding Judge

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

September 30, 2026
Date

Chief Clerk