Court of Appeals, State of Michigan

ORDER

IN RE D MCFALL MINOR

Docket No. 379914

LC No. 2008-001094-NA

Michael J. Kelly
Presiding Judge

Christopher M. Trebilcock

Andrew J. Lievense
Judges

The motion to withdraw as appointed counsel under MCR 7.211(C)(5) is DENIED for reasons that the appeal is not wholly frivolous. Counsel for respondent-appellant shall have 35 days from the Clerk's certification of this order within which to file an appellant's brief on appeal addressing the following issues: (1) whether the trial court, upon being told by respondent-appellant that the minor child had a Native American heritage, failed to make or direct any efforts to determine if the minor child is an "Indian Child" under the Indian Child Welfare Act, 25 USC 1901 *et seq.*, or the Michigan Indian Family Preservation Act, MCL 712B.1 *et seq.*; (2) whether respondent-appellant's plea of admission was knowingly, understandingly, and voluntarily made, see MCR 3.971(B); and (3) whether respondent-appellant received proper notice of the termination hearing, see MCR 3.920(B)(2)(b), (B)(4)(a), (B)(5)(a)(i), and (G). Counsel may raise any other related or unrelated issues that counsel deems appropriate after reviewing the record. To the extent counsel for respondent-appellant intended to seek dismissal of the appeal or other relief, counsel for respondent-appellant may file the appropriate motion after consulting with respondent-appellant.

Presiding Judge

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

September 28, 2026
Date

Chief Clerk