Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V DUSTYN MICHAEL DURBIN

Docket No. 379261

LC Nos. 20-000503-FC; 22-000630-FH

Daniel S. Korobkin
Presiding Judge

Colleen A. O'Brien

Philip P. Mariani
Judges

The delayed application for leave to appeal is GRANTED. The time for taking further steps in this appeal runs from the date of the Clerk's certification of this order. MCR 7.205(E)(3). This appeal is limited to the issues raised in the application and supporting brief. MCR 7.205(E)(4).

On the Court's own motion pursuant to MCR 7.216(A)(7), this case is CONSOLIDATED with the application filed in Docket No. 379215, *People of MI v Thomas Hernandez*.

Presiding Judge

O'Brien, J., would have denied leave to appeal.

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

April 28, 2026
Date

Chief Clerk

Jerome W. Zimmer Jr.
Chief Clerk

Michigan Court of Appeals
Office of the Clerk

POLICY ON CONSOLIDATED CASES

The enclosed order consolidates the noted appeals. This statement explains the effect of consolidation on the appellate process.

FILING DEADLINES regarding transcripts, motions or briefs will not be affected by the consolidation. Rather, those deadlines that would apply in each individual docket number will be enforced by the Court. Where brief due dates are different in each docket number, on motion to the Court and payment of one motion fee counsel may be permitted to consolidate brief due dates so that one brief may be filed.

CAPTIONS in consolidated cases are not generally affected by consolidation. The easiest and most accurate way to caption a pleading to be filed in a set of consolidated cases is to reproduce the individual captions seriatim, in ascending order of this Court's docket numbers. Party connections, such as defendant-appellant, plaintiff-appellee, should be accurate within each docket number. Combining all parties and party connections into one catch-all caption is discouraged because it is almost impossible to do so without sacrificing accuracy.

DOCKETING of pleadings will be most quickly accomplished if the title of the pleading specifies the individual docket number(s) in which filing is to be made. For example, where plaintiff is appellant in one case and appellee in the other, docketing will be facilitated by the following pleading title:

"Plaintiff-Appellant's Brief in No. 229000"

FORMAL SUBMISSION of consolidated cases to a panel is joint. The panel will receive all briefs filed in all parts of the consolidated cases. If oral argument has been preserved, the cases will be argued as one case before the same panel. Time allotted to each side for oral argument will be calculated pursuant to MCR 7.214(B). Note that if a brief is late in one case of a set of consolidated cases, oral argument as to the issues raised in that brief is not preserved.

DECISION of consolidated cases will occur in one opinion. Release of the opinion will occur as per the Court's customary procedures.

If you have any questions at all about preparing documents for filing in your consolidated appeals, please contact the Clerk's Office for assistance.