

Court of Appeals, State of Michigan

ORDER

Nudrat Bint Hassan v Saadat Shibly Hossain

Docket No. 354382

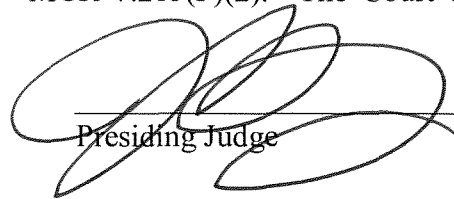
LC No. 12-007655-DM

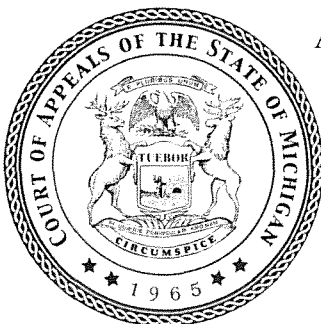
Jane M. Beckering
Presiding Judge

David H. Sawyer

Mark T. Boonstra
Judges

Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal, the Court PEREMPTORILY REVERSES the decision of the Kent Family Court to temporarily modify defendant's parenting time, VACATES that portion of the December 10, 2019 order that modified defendant's parenting time, and REMANDS this matter to the trial court for an EXPEDITED evidentiary hearing on the issues associated with defendant's exercise of parenting time. The trial court committed clear legal error when it modified defendant's parenting time, even on a temporary basis, without conducting a timely evidentiary hearing and without applying the appropriate legal framework under which to analyze plaintiff's motion to enforce parenting time, and, as a consequence, deprived defendant of his due process rights. MCL 772.27(1)(c); *Ludwig v Ludwig*, 501 Mich 1075; 911 NW2d 462 (2018); *Lieberman v Orr*, 319 Mich App 68; 900 NW2d 130 (2017); *Shade v Wright*, 291 Mich App 17; 805 NW2d 1 (2010). This order has immediate effect. MCR 7.215(F)(2). The Court does not retain jurisdiction.


Presiding Judge



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

NOV - 6 2020

Date


Chief Clerk