Court of Appeals, State of Michigan

ORDER

ANDY PRZEKOP V CLYDE REALTY LLC

Docket No. 374681

LC No. 23-012522-CB

Thomas C. Cameron
Presiding Judge

Adrienne N. Young

Philip P. Mariani
Judges

The motion "to supplement the appellate record and to return the case to Court of Appeals following remand" is DENIED. To the extent the motion asks that the appellate record be supplemented to include the November 7, 2024 transcript, the request is moot, as that transcript is part of the record on appeal upon filing. See MCR 7.210(A)(1) ("In an appeal from a lower court, the record consists of . . . the transcript of any testimony or other proceedings in the case appealed . . ."). To the extent the motion asks that the matter be "returned" to the Court of Appeals following remand, that request is also moot. This Court's April 3, 2026 order retained jurisdiction, and with entry of the trial court's November 4, 2026 order, the remand proceedings in the trial court have concluded. To the extent the motion seeks peremptory reversal under MCR 7.211(C)(4), the motion is DENIED for failure to persuade the Court of the existence of manifest error requiring reversal and warranting peremptory relief without argument or formal submission.

Within 14 days of the date of the Clerk's entry of this order, appellant may file a supplemental brief, limited to no more than 3,200 words, addressing how the November 7, 2024 transcript impacts the issues raised in this appeal. Within 14 days after service of appellant's supplemental brief, appellee may file a responsive brief, also limited to 3,200 words. No reply will be accepted without leave of the Court. The matter will be submitted on the session calendar on a future date.

Presiding Judge

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

November 16, 2026
Date

Chief Clerk