Court of Appeals, State of Michigan

ORDER

CARRIE VAN-DEVENTER-DOU PONCE V KRIS V DOU PONCE

Docket No. 381453

LC No. 2022-000886-DM

Michael J. Riordan
Presiding Judge

Kathleen A. Feeney

Andrew J. Lievense
Judges

The motion for immediate consideration is GRANTED.

Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal, the May 18, 2026 order is VACATED and the case is REMANDED to the trial court for entry of an order that the modification of child support is retroactive to April 8, 2026, the date defendant's motion to adjust child support was served on plaintiff. The trial court erred by making the modification retroactive to January 9, 2026. See MCL 552.603(2) ("Retroactive modification of a support payment due under a support order is permissible with respect to a period during which there is pending a petition for modification, but only from the date that notice of the petition was given to the payer or recipient of support."); *Waple v Waple*, 179 Mich App 673, 675-676; 446 NW2d 536 (1989).

In all other respects the delayed application is DENIED for lack of merit in the grounds presented.

This order is to have immediate effect. MCR 7.215(F)(2).

We do not retain jurisdiction.

Presiding Judge

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

November 10, 2026
Date

Chief Clerk