Court of Appeals, State of Michigan

ORDER

KERRY DE LA MIYA V 15TH CIRCUIT COURT JUDGE

Docket No. 382381

LC No. 25-070266-DP

Kristina Robinson Garrett
Presiding Judge

Colleen A. O'Brien

Allie Greenleaf Maldonado
Judges

The motion to waive fees is GRANTED for this case only.

The motion for immediate consideration is GRANTED.

The "complaint for writ of mandamus and writ of prohibition" shall be considered a complaint for superintending control. See MCR 3.302(C) ("A superintending control order replaces the writs of certiorari and prohibition and the writ of mandamus when directed to a lower court or tribunal."); see also *People v Johnson*, 345 Mich App 51, 59; 3 NW3d 846 (2022).

The complaint for superintending control is DENIED.

The motion to stay the September 17, 2026 bench trial is DISMISSED AS MOOT. Proceedings were held on September 17, 2026, after which the lower court entered an order dismissing plaintiff's complaint.

Kristina R. Garrett
Presiding Judge

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

October 16, 2026
Date

Jerome W. Zimmer Jr.
Chief Clerk