

STATE OF MICHIGAN

IN THE 94th JUDICIAL DISTRICT COURT FOR THE COUNTY OF DELTA

MICHAEL O'CONNOR.,

Plaintiff.

V

Case number: 24 SC 000468
Honorable Steven C Parks

CITY OF GLADSTONE.

Defendant.

ORDER OF DISMISSAL

The parties appeared before the Court on August 23, 2024.

The case involves a dispute regarding the cost of an appeal under the Property Maintenance code. Plaintiff O'Connor admitted that no appeal fees were paid. Plaintiff requested that the Court either grant judgment for the cost of the appeal fee or issue an advisory opinion indicating that the \$75.00 property maintenance appeal fee was improperly adopted and implemented.

Pursuant to MCL 600.8401 the jurisdiction of the small claims division of District Court is "confined to cases for the recovery of money..." Moreover, the District Courts equitable jurisdiction is limited by MCL 600.8302.

Since Plaintiff has not sustained damages and the Court lacks jurisdiction to render an advisory opinion or declaratory judgment:

IT IS HEREBY ORDERED that the matter is dismissed without prejudice.

August 30, 2024

Date




Honorable Steven C Parks

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CERTIFICATE OF MAILING: I certify that on this date I served a copy of this order on the parties or their attorneys by first-class mail addressed to their last known addresses as defined in MCR 2.107(C)(3)

9-3-24
Date



Deputy clerk