

STATE OF MICHIGAN
COURT OF APPEALS

MELISSA C. ROBINSON,

Plaintiff-Appellant,

v

TIMOTHY PATRICK ROBINSON,

Defendant-Appellee.

UNPUBLISHED

July 17, 2007

No. 267721

Jackson Circuit Court

LC No. 05-006569-PP

Before: White, P.J., and Saad and Murray, JJ.

MEMORANDUM.

Plaintiff appeals from the trial court order that terminated the ex parte personal protection order (PPO) which had been issued against defendant. This appeal has been decided without oral argument pursuant to MCR 7.214(E).

In her brief on appeal, plaintiff acknowledges that after the termination of the PPO in this case, she refiled a new PPO petition. The trial court then issued a PPO based on the new petition.

For that reason, we hold that this appeal is moot. ““An issue is moot if an event has occurred that renders it impossible for the court, if it should decide in favor of the party, to grant relief.”” *City of Warren v Detroit*, 261 Mich App 165, 166 n 1; 680 NW2d 57 (2004), quoting *Michigan Nat'l Bank v St Paul Fire & Marine Ins Co*, 223 Mich App 19, 21; 566 NW2d 7 (1997). A moot issue may nevertheless be reviewed if it is publicly significant and is likely to recur, yet also is likely to evade judicial review. *City of Warren, supra*.

Here, the remedy that plaintiff seeks is a PPO against defendant. Because plaintiff acknowledges that the trial court has already provided that remedy, a decision by this Court in plaintiff's favor would not effectuate relief. While issues involving the interpretation of MCL 600.2950(4) are likely to recur, they do not seem likely to evade review by this Court. Such issues are apt to recur in circumstances in which they are not moot, such as when a subsequent PPO has not been granted at the time an appeal is considered. For that reason, we hold that this appeal is moot.

/s/ Helene N. White

/s/ Henry William Saad

/s/ Christopher M. Murray