

STATE OF MICHIGAN
COURT OF APPEALS

In re MICHAEL GEORGE PETERSON.

SHELLY DINSMOORE, R.N.,

Petitioner-Appellee,

v

MICHAEL GEORGE PETERSON,

Respondent-Appellant.

UNPUBLISHED

May 21, 2019

No. 346149

Ontonagon Probate Court

LC No. 2018-001020-MI

Before: SHAPIRO, P.J., and BORRELLO and BECKERING, JJ.

PER CURIAM.

Respondent appeals by right an August 24, 2018 probate court order granting a petition for involuntary treatment of mental illness and ordering respondent to undergo mental health treatment for up to 90 days with up to 60 days of hospitalization. For the reasons set forth in this opinion, we dismiss this appeal as moot.

The probate court granted a petition requesting hospitalization and treatment for mental illness. The court determined that respondent’s mental health diagnoses made him a potential risk to himself or others and that respondent was therefore a “person requiring treatment” under MCL 330.1401(1). On August 24, 2018, the probate court entered an order requiring respondent to be hospitalized for up to 60 days followed by up to 90 days of alternative treatment. On October 29, 2018, respondent appealed that order.

Respondent argues that the probate court clearly erred when it determined that he was a “person requiring treatment” under MCL 330.1401(1)(a) and (c). This issue is moot, however, and we decline to address it. Specifically, the probate court’s order for respondent to undergo up to 90 days of mental health treatment expired in November 2018. One of respondent’s mental health treatment providers petitioned for a second or continuing treatment order, but in February 2019, the probate court granted a motion to withdraw the petition. Accordingly, the initial order for mental health treatment has expired and there is currently no petition for a second or

continuing mental health order. Because there is no relief that may be granted, we dismiss this appeal as moot. See *People v Richmond*, 486 Mich 29, 34; 782 NW2d 187 (2010) (holding that a case is moot if it seeks “judgment upon some matter which, when rendered, for any reason, cannot have any practical legal effect upon a then existing controversy,” and that “a court will not decide moot issues.”) (quotation marks and citation omitted).

Dismissed.

/s/ Douglas B. Shapiro

/s/ Stephen L. Borrello

/s/ Jane M. Beckering