

**Court of Appeals, State of Michigan**

**ORDER**

Farm Bureau Life Insurance Company of MI v Richard Rossell II

Elizabeth L. Gleicher  
Presiding Judge

Docket No. 361009

Deborah A. Servitto

LC No. 2021-186641-CB

Sima G. Patel

Judges

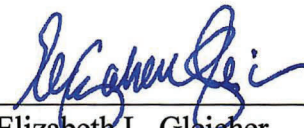
---

The motion for immediate consideration is GRANTED.

In lieu of granting the application, the Court orders, pursuant to MCR 7.205(E)(2), that the April 6, 2022 order of the Oakland Circuit Court denying the motion to deem the motion for summary disposition to be timely filed or in the alternative to extend the filing deadline to allow a timely filing hereby is REVERSED. Even assuming that the 10-point font used for the footnotes and a portion of the caption in the motion for summary disposition did not conform to the court rules, the court's decision to reject the timely filed motion on that basis was not in keeping with the general construction principles expressed in MCR 1.105. The court rules should be used as a guide in the achievement of justice. See *Higgins v Henry Ford Hosp*, 384 Mich 633, 637; 186 NW2d 337 (1971). The rejection of a timely filed motion on the basis of footnote font size does not align with the just, speedy, and economical determination of this case. The case is REMANDED to the circuit court for further proceedings consistent with this order.

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

The Court retains no further jurisdiction.

  
\_\_\_\_\_  
Elizabeth L. Gleicher  
Presiding Judge



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

June 2, 2022

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chief Clerk