

MICHIGAN COURT OF APPEALS

COA Case Number: 278652

SCt Case Number: 139345

CHRISTOPHER LEE DUNCAN V STATE OF MICHIGAN

1	DUNCAN CHRISTOPHER LEE Oral Argument: Y Timely: Y	PL-AE	RET	(31492) GRANZOTTO MARK 225 SOUTH TROY STREET SUITE 120 ROYAL OAK MI 48067 248-546-4649
			RET	(43085) STEINBERG MICHAEL J 2966 WOODWARD AVENUE DETROIT MI 48201 313-578-6800
			RET	(13070) EAMAN FRANK D 645 GRISWOLD ST SUITE 3060 DETROIT MI 48226 313-962-7210
2	BURR BILLY JOE JR	PL-AE	SAM	
3	CONNOR STEVEN	PL-AE	SAM	
4	TAYLOR ANTONIO	PL-AE	SAM	
5	DAVILA JOSE	PL-AE	SAM	
6	O'SULLIVAN JENNIFER	PL-AE	SAM	
7	MANIES CHRISTOPHER	PL-AE	SAM	
8	SECRET BRIAN	PL-AE	SAM	
9	MICHIGAN STATE OF Oral Argument: Y Timely: Y	DF-AT	AG	(30342) NELSON MARGARET A 525 W OTTAWA STREET PO BOX 30736 LANSING MI 48909 517-373-6434
10	GOVERNOR OF MICHIGAN	DF-AT	SAM	

Status: Case Concluded; File Archived **SCT Status:** APPL

80

Consolidations:

278858 CHRISTOPHER LEE DUNCAN V STATE OF MICHIGAN (Case Concluded; File Archived)

278860 CHRISTOPHER LEE DUNCAN V STATE OF MICHIGAN (Case Concluded; File Archived)

06/14/2007	1	Claim of Appeal - Civil		
		Proof Of Service Date: 6/14/2007 Jurisdictional Checklist: Y Register of Actions: Y Fee Code: STATE Attorney:49501 - POTCHEN JOSEPH E		
06/05/2007	2	Order Appealed From		
		From: INGHAM COUNTY CIRCUIT COURT Case Number: 07-000242-CZ Trial Court Judge: 30180 BAIRD LAURA L <i>Nature of Case:</i> Summary Disposition Denied - Gov'tal Immunity		
06/21/2007	5	Notice of Filing Transcript		
		Date: 5/25/2007 Timely: Y Reporter: 4224 - LARSEN JODY A Hearings: 5/15/2007		

06/26/2007	6	Appearance - Appellee Date: 6/26/2007 For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE Attorney: 31492 - GRANZOTTO MARK		
06/28/2007	7	Docketing Statement MCR 7.204H For Party: 9 MICHIGAN STATE OF DF-AT Proof Of Service Date: 6/26/2007 Filed By Attorney: 49501 - POTCHEN JOSEPH E		
07/13/2007	8	Motion: Motion Proof Of Service Date: 7/13/2007 Check No.: 303246 Fee: \$100.00 Receipt #: 2786521 Filed By Attorney: 43085 - STEINBERG MICHAEL J For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE Answer Due: 7/20/2007 <i>Comments:</i> To Modify the Order Granting Stay of Proceedings		
07/20/2007	9	Answer - Motion Proof Of Service Date: 7/20/2007 Event No: 8 Motion For Party: 9 MICHIGAN STATE OF DF-AT Filed By Attorney: 49501 - POTCHEN JOSEPH E		
07/24/2007	10	Submitted On Motion Docket Event: 8 Motion District: L Item #: 8		
08/02/2007	11	Order: Deny - Generic Click here to view document in PDF format. Event: 8 Motion Panel: ATD,PDO,DSO Attorney: 43085 - STEINBERG MICHAEL J <i>Comments:</i> Motion to modify order granting stay; Judge Owens would grant in part.		
08/07/2007	12	Brief: Stricken by Order Proof Of Service Date: 8/7/2007 Oral Argument Requested: Y Timely Filed: Y Filed By Attorney: 49501 - POTCHEN JOSEPH E For Party: 9 MICHIGAN STATE OF DF-AT <i>Comments:</i> Per order of 10/10/2007, Appellant's Brief Stricken.		
09/11/2007	14	Brief: Generic Brief Proof Of Service Date: 9/11/2007 Oral Argument Requested: Y Timely Filed: Y Filed By Attorney: 31492 - GRANZOTTO MARK For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE <i>Comments:</i> Appellee's Brief returned because Appellant's Brief stricken		
09/12/2007	13	Noticed Record: REQST Mail Date: 9/13/2007		
09/21/2007	15	Motion: Strike Proof Of Service Date: 9/21/2007 Check No.: 30598 Fee: \$100.00 Receipt #: 2786522 Filed By Attorney: 31492 - GRANZOTTO MARK For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE Answer Due: 10/5/2007 <i>Comments:</i> Appellant's Brief on Appeal		
09/25/2007	16	Brief: Generic Brief Proof Of Service Date: 9/25/2007 Oral Argument Requested: Timely Filed: Filed By Attorney: 49501 - POTCHEN JOSEPH E For Party: 9 MICHIGAN STATE OF DF-AT <i>Comments:</i> Reply brief returned because appellee's brief returned.		
09/27/2007	17	Record Filed <i>Comments:</i> 3LCFS (TR INCL); --Ingham Circuit		
10/03/2007	19	Answer - Motion Proof Of Service Date: 10/3/2007 Event No: 15 Strike For Party: 9 MICHIGAN STATE OF DF-AT Filed By Attorney: 49501 - POTCHEN JOSEPH E		
10/09/2007	20	Submitted On Administrative Motion Docket Event: 15 Strike District: L		
10/10/2007	21	Order: Strike - Motion - Grant Click here to view document in PDF format. Event: 15 Strike Panel: ETF <i>Comments:</i> Pgs 7-17 of appts' brief stricken-amended brief due 10/24; Appe has 14 dys to file amended brief.		
10/19/2007	22	Motion: Reconsideration of Order Proof Of Service Date: 10/19/2007 Filed By Attorney: 49501 - POTCHEN JOSEPH E		

For Party: 9 MICHIGAN STATE OF DF-AT
 Fee Code: STATE
 Answer Due: 11/2/2007

10/23/2007	31	Brief: Amended - Appellant		
		Proof Of Service Date: 10/23/2007 Oral Argument Requested: Timely Filed: Filed By Attorney: 49501 - POTCHEN JOSEPH E For Party: 9 MICHIGAN STATE OF DF-AT <i>Comments:</i> Per Court order of 10/10/2007		
10/30/2007	23	Answer - Motion		
		Proof Of Service Date: 10/30/2007 Event No: 22 Reconsideration of Order For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE Filed By Attorney: 31492 - GRANZOTTO MARK		
11/06/2007	25	Submitted On Reconsideration Docket		
		Event: 22 Reconsideration of Order District: L Item #: 1		
11/06/2007	28	Motion: Affirm		
		Proof Of Service Date: 11/6/2007 Check No.: 308028 Fee: \$100.00 Receipt #: 2786523 Filed By Attorney: 31492 - GRANZOTTO MARK For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE Answer Due: 11/27/2007		
11/06/2007	32	Brief: Amended - Appellee		
		Proof Of Service Date: 11/6/2007 Oral Argument Requested: Timely Filed: Filed By Attorney: 31492 - GRANZOTTO MARK For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE <i>Comments:</i> Per order of 10/10/2007		
11/07/2007	26	Order: Order - Generic		
		Click here to view document in PDF format. Event: 22 Reconsideration of Order Panel: ETF Attorney: 49501 - POTCHEN JOSEPH E <i>Comments:</i> Clerk directed to submit motion for reconsideration to a three-judge panel		
11/13/2007	29	Submitted On Motion Docket		
		Event: 22 Reconsideration of Order District: L Item #: 0		
11/19/2007	30	Order: Reconsideration - Deny - Appeal Remains Open		
		Click here to view document in PDF format. Event: 22 Reconsideration of Order Panel: PMM,WCW,DSO Attorney: 49501 - POTCHEN JOSEPH E <i>Comments:</i> (See Evt 26.) Appeal limited to governmental immunity issue-parties may filed amended briefs.		
11/19/2007	34	Pleadings Returned		
		Date: 9/11/2007 For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE Attorney: 31492 - GRANZOTTO MARK <i>Comments:</i> Appe's brief returned because appt's brief stricken; by copy ret'd appt's reply brief filed 9/25/07		
11/26/2007	33	Answer - Motion		
		Proof Of Service Date: 11/26/2007 Event No: 28 Affirm For Party: 9 MICHIGAN STATE OF DF-AT Filed By Attorney: 49501 - POTCHEN JOSEPH E		
11/26/2007	36	Brief: Reply		
		Proof Of Service Date: 11/26/2007 Oral Argument Requested: Timely Filed: Filed By Attorney: 49501 - POTCHEN JOSEPH E For Party: 9 MICHIGAN STATE OF DF-AT		
11/27/2007	35	Submitted On Motion Docket		
		Event: 28 Affirm District: L Item #: 3		
12/07/2007	39	Order: Affirm - Motion - Deny		
		Click here to view document in PDF format. Event: 28 Affirm Panel: PMM,DSO,ATD Attorney: 31492 - GRANZOTTO MARK <i>Comments:</i> Judge Davis would grant.		
12/26/2007	40	Motion: Strike		
		Proof Of Service Date: 12/21/2007 Check No.: 159536 Fee: \$100.00 Receipt #: 2786524 Filed By Attorney: 31492 - GRANZOTTO MARK For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE Answer Due: 1/4/2008		

Comments: Appellants' Reply Brief

01/04/2008	41	Answer - Motion		
		Proof Of Service Date: 1/4/2008 Event No: 40 Strike For Party: 9 MICHIGAN STATE OF DF-AT Filed By Attorney: 49501 - POTCHEN JOSEPH E		
01/08/2008	43	Submitted On Motion Docket		
		Event: 40 Strike District: L Item #: 4		
01/15/2008	44	Order: Strike - Motion - Grant		
		Click here to view document in PDF format. Event: 40 Strike Panel: SLB,WCW,ATD Attorney: 31492 - GRANZOTTO MARK <i>Comments:</i> Strike section II of appellant's reply brief - may file an amended reply brief w/in 14 days		
01/25/2008	45	Brief: Amended - Generic		
		Proof Of Service Date: 1/24/2008 Oral Argument Requested: Timely Filed: Filed By Attorney: 49501 - POTCHEN JOSEPH E For Party: 9 MICHIGAN STATE OF DF-AT <i>Comments:</i> Amended reply brief - filed per 1/15/08 order		
03/14/2008	46	Motion: Consolidate		
		Proof Of Service Date: 3/14/2008 Filed By Attorney: 49501 - POTCHEN JOSEPH E For Party: 9 MICHIGAN STATE OF DF-AT Fee Code: STATE Answer Due: 3/21/2008 <i>Comments:</i> Cons w/ 278858 & 278860		
03/18/2008	47	Correspondence Sent		
		For Party: 9 MICHIGAN STATE OF DF-AT Attorney: 49501 - POTCHEN JOSEPH E <i>Comments:</i> Multiple motns filed - only one fee- need addl filing fee		
03/25/2008	49	Submitted On Administrative Motion Docket		
		Event: 46 Consolidate District: L Item #: 1		
03/26/2008	50	Pleadings Returned		
		Date: 3/25/2008 For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE Attorney: 31492 - GRANZOTTO MARK <i>Comments:</i> Answer to motn to consolidate & extend time - filed too late		
03/26/2008	51	Order: Consolidate - Grant		
		Click here to view document in PDF format. Event: 46 Consolidate Panel: DSO <i>Comments:</i> Consl: 278652,278858,278860		
10/01/2008	58	Stips: Substitute Attorney - AT		
		Filed By Attorney: 67762 - SHERMAN ANN M For Party: 9 MICHIGAN STATE OF DF-AT		
10/03/2008	59	Defective Filing Letter		
		Event: 58 OTHER - Cured		
10/22/2008	61	Other		
		For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE Attorney: 43085 - STEINBERG MICHAEL J <i>Comments:</i> Received change of address		
10/28/2008	62	Correspondence Received		
		Date: 10/27/2008 For Party: 9 MICHIGAN STATE OF DF-AT Attorney: 67762 - SHERMAN ANN M <i>Comments:</i> Bfs state Ms. O'Sullivan had not yet been sentenced. She now has. Attach JOS.		
10/28/2008	63	Defect Cured		
		Event: 58 P/S Date: 10/27/2008 OTHER - Cured		
10/28/2008	64	Proof of Service - Generic		
		Date: 10/27/2008 For Party: 9 MICHIGAN STATE OF DF-AT Attorney: 67762 - SHERMAN ANN M <i>Comments:</i> Substitution of counsel showing party name & address		
12/01/2008	65	Appearance - Appellant		
		Date: 12/1/2008 For Party: 9 MICHIGAN STATE OF DF-AT Attorney: 30342 - NELSON MARGARET A		

Comments: Atty Nelson replacing atty Sherman (Same office - AG's)

12/09/2008	60	Submitted on Case Call		
		District: D Item #: 7 Panel: WBM,DHS,WCW		
01/29/2009	67	Motion: Motion		
		Proof Of Service Date: 1/29/2009 Check No.: 6695 Fee: \$100.00 Receipt #: 2786525 Filed By Attorney: 31492 - GRANZOTTO MARK For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE Answer Due: 2/5/2009 <i>Comments:</i> For Permission to File Supplemental Authority (Supp Auth attached to motion)		
02/10/2009	68	Submitted On Motion Docket Affecting Call		
		Event: 67 Motion District: L Item #: 1		
02/17/2009	69	Order: Grant - Generic		
		Click here to view document in PDF format. Event: 67 Motion Panel: WBM,DHS,WCW Attorney: 31492 - GRANZOTTO MARK <i>Comments:</i> Motion to file supplemental authority - the supplemental authority filed w/ the motion is accepted		
02/17/2009	70	Verbal Order To Parties-Phone		
06/11/2009	73	Opinion - Authored - Published		
		Click here to view document in PDF format. Pages: 53 Panel: WBM,DHS,WCW Author: WBM Result: L/Ct Judgment/Order Affirmed		
06/11/2009	74	Opinion - Dissenting		
		Click here to view document in PDF format. Pages: 35 Author: WCW		
07/23/2009	75	SCt: Application for Leave to SCt		
		Supreme Court No. 139345 Notice Date: 8/18/2009 Fee: Paid Check No.:40110 For Party: 9 Attorney: 30342 - NELSON MARGARET A <i>Comments:</i> Same application 139345 - 139347, all events in 139345		
07/29/2009	76	SCt Motion: Miscellaneous		
		Notice Date: 08/11/2009 Check No.: 1 Party: 9 Filed By Attorney: 30342 - NELSON MARGARET A <i>Comments:</i> by AG to file suppl authority		
09/16/2009	78	SCt: Miscellaneous Filing		
		Filing Date: 9/16/2009 For Party: 9 MICHIGAN STATE OF DF-AT Filed By Attorney:67762 - SHERMAN ANN M <i>Comments:</i> supplemental authority by attorney general on behalf of the state		
09/22/2009	79	SCt: Brief in Opposition to SCt Application		
		Filing Date: 9/22/2009 For Party: 1 DUNCAN CHRISTOPHER LEE PL-AE Filed By Attorney:43085 - STEINBERG MICHAEL J		
10/02/2009	80	Supreme Court - File & Record Sent To		
		File Location: Z <i>Comments:</i> sc#139345 3 lcf(trs incl)		
10/05/2009	81	SCt: COA and TCt Received		
		3 files		
10/13/2009	82	SCt: Reply to SCt Pleading		
		Filing Date: 10/13/2009 For Party: 9 MICHIGAN STATE OF DF-AT Filed By Attorney:67762 - SHERMAN ANN M <i>Comments:</i> DFAT's reply in support of APPL		
12/18/2009	83	SCt Order: Grant Application		
		Click here to view document in PDF format.		

Case Listing Complete