

STATE OF MICHIGAN
COURT OF APPEALS

RAE YOUNG and SUE YOUNG,

Plaintiffs-Appellees,

v

RONALD BATTISTE and LAURIE BATTISTE,

Defendants-Appellants.

UNPUBLISHED
September 9, 1997

No. 194212
Lapeer Circuit Court
LC No. 94-020437 NZ

Before: O'Connell, P.J., and White and C. F. Youngblood*, JJ.

MEMORANDUM.

Defendants appeal by right the Lapeer Circuit Court's adjudication that defendants were in contempt of an August, 1994, preliminary injunctive order.

Defendants argue that the preliminary injunctive order was improperly issued in the first instance. That is irrelevant for present purposes, since unless and until that order was dissolved or set aside on appeal, defendants were obligated to obey it and the circuit court had the power to punish disobedience thereof as contempt. *Rose v Aaron*, 345 Mich 613; 76 NW2d 829 (1956); *Reed v Soltys*, 106 Mich App 341; 308 NW2d 201 (1981). Accordingly, defendants' contempt conviction is affirmed.

With respect to defendants' further argument, that this Court should now set aside the preliminary injunctive order, this Court is without jurisdiction over that issue, which is outside the scope of the present claim of appeal. *In re Contempt of Johnson*, 165 Mich App 422; 419 NW2d 419 (1988).

/s/ Peter D. O'Connell
/s/ Helene N. White
/s/ Carole F. Youngblood

* Circuit judge, sitting on the Court of Appeals by assignment.