

STATE OF MICHIGAN
COURT OF APPEALS

SHERRI A. LASLEY,

Plaintiff-Appellee,

v

DELIA J. LAING,

Defendant-Appellant.

UNPUBLISHED

April 19, 2002

No. 227924

Washtenaw Circuit Court

LC No. 00-000457-PH

Before: K.F. Kelly, P.J., and Doctoroff and Cavanagh, JJ.

MEMORANDUM.

Defendant appeals as of right from an order denying her motion to terminate a non-domestic ex parte personal protection order. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not err when it denied defendant's motion to terminate the PPO. There was testimony at the evidentiary hearing demonstrating that defendant engaged in a willful course of conduct that would cause a reasonable person to feel frightened, intimidated, and harassed and that actually caused plaintiff to experience those feelings. MCL 600.2950a, MCL 750.411h. Defendant placed two telephone calls to plaintiff, who planned to marry defendant's husband once defendant's divorce action was final. Both were harassing in tone and left plaintiff feeling frightened. The second call required defendant to seek out plaintiff's unlisted number and was made within days of a threat articulated to defendant's husband that she would "beat up" plaintiff.

Defendant also photographed plaintiff's apartment and sent a friend over to confirm that her husband's car was there. Just weeks before the hearing, she sent a veiled threat to her husband that plaintiff should keep away from defendant's daughter. The trial court expressly found that the testimony of plaintiff and defendant's husband was credible, and this Court defers to that determination. *Lumley v Bd of Regents for the Univ of Michigan*, 215 Mich App 125, 135; 544 NW2d 692 (1996). Under these circumstances, the trial court did not err when it

denied defendant's motion to terminate the PPO.

Affirmed.

/s/ Kirsten Frank Kelly
/s/ Martin M. Doctoroff
/s/ Mark J. Cavanagh