

STATE OF MICHIGAN
COURT OF APPEALS

ROBIN L. HATFIELD,

Plaintiff-Appellee,

v

MICHAEL R. HATFIELD,

Defendant-Appellant.

UNPUBLISHED

October 19, 2004

No. 248123

Allegan Circuit Court

LC No. 02-032029-PP

Before: Griffin, P.J., and Saad and O'Connell, JJ.

MEMORANDUM.

Defendant appeals as of right from an order denying his request to strike a personal protection order (PPO) in its entirety. We dismiss this appeal as moot. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

While this case was pending on appeal, the PPO at issue expired by its own terms on August 8, 2003. From our review of the record and the statute under which the PPO was authorized, MCL 600.2950, we see no indication that defendant is subject to any continuing limitation on his freedom of action or other adverse consequence from the now expired PPO. Obviously, it is not possible to now rectify the alleged undue restraint on defendant's actions as a result of the PPO during the time prior to its expiration. Thus, the issue presented by this appeal is moot. *City of Warren v City of Detroit*, 261 Mich App 165, 166 n 1; 680 NW2d 57 (2004), lv pending (issue is moot if event has occurred that renders it impossible for a court to grant relief). A moot issue will be reviewed only if the issue is publicly significant and likely to recur yet evade judicial review. *Id.* We do not believe that whether the now expired PPO was properly entered or continued is an issue of public significance. Further, while issues involving the validity of a PPO are likely to recur, they do not seem likely to evade review by this Court because they are apt to recur in circumstances in which they are not moot, e.g., a PPO remains in force at the time that an appeal is considered.

Appeal dismissed as moot.

/s/ Richard Allen Griffin

/s/ Henry William Saad

/s/ Peter D. O'Connell