

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Petitioner-Appellee,

v

KEVIN LEE CRAMER,

Respondent-Appellant.

UNPUBLISHED

March 10, 2009

No. 288449

Gratiot Circuit Court

LC No. 08-010927-PP

Before: Murphy, P.J., and Fitzgerald and Markey, JJ.

MEMORANDUM.

Respondent appeals by right from the trial court's ruling on the timeliness of his motion to terminate a personal protection order (PPO). We affirm.

Respondent received the PPO in March 2008. In accordance with MCL 600.2950b(1), (3), the PPO form, approved by the State Court Administrative Office, was written in plain English and was designed for use by individuals proceeding without attorneys. The PPO included a statement that respondent could file a motion to terminate the PPO within 14 days. The statement advised respondent that forms and instructions were available from the clerk of court. Despite these instructions, respondent failed to file any motion regarding the PPO until August 2008. Respondent claims that he had good cause for the delay, arguing that he did not fully understand the PPO, that his job required him to travel outside the state for considerable time periods, and that he was unrepresented. The trial court found that respondent had failed to demonstrate good cause for the delay under MCR 3.707(A)(1)(b). We agree. Nothing in respondent's testimony constituted a reasonable excuse for a nearly four-month delay in responding to the PPO.

Respondent also claims that he had a constitutional due process right to be heard and that the trial court's ruling denied him those rights. Respondent did not present this argument to the trial court, so we need not address it. However, we note that this Court has determined that the

statutory safeguards applicable to PPOs are sufficient to protect litigants' due process rights.
Kampf v Kampf, 237 Mich App 377; 384; 603 NW2d 295 (1999).

We affirm.

/s/ William B. Murphy
/s/ E. Thomas Fitzgerald
/s/ Jane E. Markey