

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

HARRY J. VEEDER,  
Appellant,

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File No. 94-12310-AA  
HON. PHILIP E. RODGERS, JR.

DEPARTMENT OF CIVIL SERVICE  
(Classification and Selection  
Operations Bureau) and DEPARTMENT  
OF MILITARY AFFAIRS (Michigan  
Veterans Facility,  
Respondents.

David L. Stowe (P29684)  
Attorney for Appellant

Treva Truesdale (P28572)  
Attorney for Respondents

DECISION ON APPEAL

Appellant/Petitioner (hereinafter Petitioner) filed a Motion for Reconsideration of this Court's denial of Appellant's Motion to File an Untimely Brief. Appellees/Respondents (hereinafter Respondents) timely filed a response to this Court's Pre-Hearing Order dated December 8, 1994. Petitioner failed to file a reply as provided in the Pre-Hearing Order. This Court has reviewed the motion, the briefs and the Court file.

The parties presented their oral arguments on Petitioner's Motion to File an Untimely Brief at a hearing held on November 3, 1994. At that time, this Court made its oral ruling denying the motion and granting Respondent's motion to dismiss the petition for review. Petitioner now seeks reconsideration of that decision.

MCR 2.119(F), entitled Motions for Rehearing and Reconsideration, reads in pertinent part, as follows:

(3) Generally, and without restricting the discretion of the court, a motion for rehearing or reconsideration which merely presents the same issues ruled on by the court, either expressly or by reasonable implication, will not be granted. The moving party must demonstrate a palpable error by which the court and the parties have been misled and show that a different disposition of the motion must result from correction of the error.

The Court has reviewed the motion and Petitioner's brief. The Court finds that the motion presents the same issues ruled on by the Court, either expressly or by reasonable implication. The Court does not find that a palpable error has been demonstrated and that a different disposition of the motion must result from the correction of an error. MCR 2.119(F)(3).

Petitioner's motion for reconsideration is denied.

IT IS SO ORDERED.

HONORABLE PHILIP E. RODGERS, JR.  
Circuit Court judge  
Dated: 6/27/95