



## MICHIGAN COURTS NEWS RELEASE

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FOR IMMEDIATE RELEASE

### **Supreme Court to hear oral arguments May 5**

LANSING, MI. May 1, 2015 – The Michigan Supreme Court will hear oral arguments on the morning of May 5 in cases involving notice of intent to file medical malpractice suits, character evidence under the res gestae exception, and termination of parental rights.

In [\*Lisa Tyra v Organ Procurement Agency of Michigan\*](#), Lisa Tyra received a kidney transplant, but suffered injury because the kidney was not properly checked for a “cross-match” prior to transplant, and it was subsequently discovered that there was a positive match. Tyra filed a medical malpractice action. State statute requires a waiting period of 182 days or more to file a complaint. Tyra filed her complaint 112 days after serving notices of intent.

In [\*Susan Furr and William Furr v Michael McLeod, M.D. Tara B. Mancl, M.M., Michigan State University Kalamazoo Center for Medical Studies, Inc. and Borgess Medical Centers\*](#), Susan Furr and her husband sued for medical malpractice relating to a thyroidectomy procedure. Before filing a medical malpractice complaint, a plaintiff must give notice to the proposed defendants of intent to sue and mail the notices to defendants 182 days before filing a complaint. The notice of intent in this case was filed at least one day before the expiration of the notice period.

In [\*People v Timothy Ward Jackson\*](#), Jackson was convicted of criminal sexual conduct. He appealed, stating the prosecutor engaged in improper efforts to attack his character, which constituted misconduct, and deprived him of his right to a fair trial under the federal and Michigan Constitutions.

[\*In re N.S.A. McCarthy, Minor and Department of Human Services v Tracy Reed\*](#), the trial court determined termination of parental rights for the minor youth in this case was in the best interest of the child. The Court of Appeals affirmed. The Supreme Court ordered the parties and the lawyer-guardian ad litem (LGAL) to address whether termination of parental rights was in the best interest of the child.

The Court will hear the appeals in its courtroom on the sixth floor of the Michigan Hall of Justice on May 5 beginning at 9:30 a.m. Oral arguments are open to the public.

The Court broadcasts its oral arguments and other hearings [live](#) on the Internet via streaming video technology. Watch the stream live only while the Court is in session and on the bench. [Streaming](#) will begin shortly before the hearings start; audio will be muted until justices take the bench.

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