

STATE OF MICHIGAN

IN THE COURT OF APPEALS

CHRISTINE MORRISON,

Petitioner,

v.

Court of Appeals No. 377022
Macomb County Circuit Court
Case No. 95-4609-DM

MACOMB COUNTY CIRCUIT COURT, FAMILY DIVISION;
HON. TRACEY YOKICH, in her official capacity; and
EDWARD HANNAFORD,

Respondents.

**MOTION FOR RECONSIDERATION OF DISMISSAL OF PETITION FOR
SUPERINTENDING CONTROL**

(No Oral Argument Requested)
Pursuant to MCR 7.215(I)

Dated: September 17, 2025

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INTRODUCTION

Petitioner, Christine Morrison, respectfully requests reconsideration of this Court's September 5, 2025, Order dismissing her Petition for Superintending Control. The dismissal was based on the assumption that a delayed application for leave to appeal under MCR 7.205 would be an adequate remedy.

However, Petitioner asserts that the 1997 "Consent Judgment" is void *ab initio*—entered without consent, signatures, jurisdiction, or due process. Therefore, it is not subject to the ordinary procedural rules that govern valid orders, including MCR 7.205. Because a void judgment creates no legal rights, imposes no obligations, and cannot be legitimized by appeal, superintending control under MCR 7.306 is the proper remedy.

Petitioner seeks reconsideration of this Court's ruling under MCR 7.215(I) on the grounds that the judgment at issue is legally non-existent, and the trial court lacked authority to issue any subsequent orders based on it.

I. A VOID JUDGMENT IS NOT SUBJECT TO APPEAL UNDER MCR 7.205

This motion does not merely allege legal error or injustice—it asserts a **fundamental jurisdictional defect**. The 1997 "Consent Judgment" is void *ab initio*, not voidable. Therefore, **MCR 7.205 is inapplicable**, and this Court's reliance on it constitutes palpable error.

A. MCR 7.205 Does Not Apply to Void Judgments

MCR 7.205 governs delayed applications for leave to appeal **from valid final orders**. A void judgment, by contrast, is not a valid order. It cannot be appealed because it never lawfully

existed. It is subject to collateral attack at any time and cannot be cured by procedural compliance or time limitations.

B. Courts Must Have Both Subject-Matter and Personal Jurisdiction

The U.S. Supreme Court and Michigan appellate courts have repeatedly held that judgments entered without both subject-matter and personal jurisdiction are **void ab initio**. Jurisdiction cannot be waived, retroactively asserted, or presumed.

A judgment entered without jurisdiction or in violation of due process is void and may be challenged at any time, in any court. This includes all **subsequent orders** that rely upon or stem from the original void judgment, which are also legally unenforceable.

Legal precedents include:

- **Thomas v. Washington Gas Light Co.**, 448 U.S. 261, 272 (1980):
A void judgment is a legal nullity. A party may challenge it at any time.
- **In re Ferranti**, 504 Mich 1, 27 (2019):
A void judgment is a complete nullity and may be attacked at any time.
- **Lawrence M. Clarke, Inc. v. Richco Constr., Inc.**, 489 Mich 265, 276 (2011):
Void judgments have no legal effect and cannot be enforced.
- **Durfee v. Duke**, 375 U.S. 106, 116 (1963):
A void judgment may be challenged at any time, in any court.
- **Lubben v. Selective Service System**, 453 F.2d 645 (1st Cir. 1972):
A judgment is void if the court lacked jurisdiction or acted in violation of due process.

- **Hoffman v. Nigh**, 113 Mich App 658, 667 (1982):

Judgment entered without jurisdiction is void ab initio, not merely voidable.

- **People v. Clement**, 254 Mich App 387, 394 (2002):

Judgment without personal jurisdiction is void and may be attacked at anytime.

II. THE 1997 JUDGMENT IS VOID AB INITIO

A. Lack of Consent

The original judgment and its amendments were never signed by either party. The record includes repeated objections and explicit statements confirming the absence of consent.

Transcript Evidence:

- **March 8, 1999- Judge Maceroni:**

CHRISTINE MORRISON: "The validity of the consent judgment of annulment."

CHRISTINE MORRISON: "I never consented or signed that, and neither did my attorney."

CHRISTINE MORRISON: "I would like that to be set aside."

(Exhibit A, pp. 14, 20, 21)

- **August 20, 2001- Malpractice Trial, Judge Templin:**

ATTORNEY GEYER: "This was not a consent."

ATTORNEY GEYER: "Your Honor, for the purpose of speeding things up, I'll stipulate that the clients did not sign either amendment."

COURT: "Okay."

ATTORNEY HENRY: "Or the original."

ATTORNEY GEYER: "Or the original."

(Exhibit B, pp.38,39,226)

B. Due Process and Jurisdictional Violations

A "consent judgment" entered without actual consent is not merely procedurally defective—it is unconstitutional. It violates fundamental due process and deprives the court of **personal jurisdiction**, rendering the judgment void.

Under **MCR 2.612(C)(1)(d)**, such a judgment is a nullity, and **all subsequent orders based upon it are also void**.

III. PETITIONER'S LEGISLATIVE TESTIMONY CORROBORATES FRAUDULENT COURT PRACTICES

In 2025, Petitioner testified before **Arizona and Idaho State Senate Joint Legislative Committees** about systemic judicial fraud in Michigan's family courts. She submitted documentation confirming that she **never signed** the judgment or any amendments.

This corroborates the judicial record and shows a pattern of deprivation of constitutional rights.

IV. SUPERINTENDING CONTROL IS THE EXCLUSIVE REMEDY

Where no appeal lies from a **void judgment**, and the trial court continues to enforce unlawful orders, superintending control is the only lawful recourse.

In *Gusler v. Gusler*, 338 Mich App 567 (2021), this Court vacated a judgment based on a settlement not agreed to by the parties, holding that **"a trial court lacks authority to enter judgment without valid consent or a trial."** The same principle applies here.

V. CONCLUSION

The Court's September 5, 2025, dismissal erroneously assumes the existence of an adequate remedy via appeal. However, no such remedy exists for a judgment that is **void ab initio**. It follows that all subsequent orders entered in reliance on that void judgment are **also void and unenforceable**.

Reconsideration is warranted to prevent further enforcement of unconstitutional, jurisdictionally defective, and legally nonexistent orders.

RELIEF REQUESTED

Petitioner respectfully requests that this Honorable Court:

1. GRANT reconsideration of the September 5, 2025, dismissal under MCR 7.215(I);
2. VACATE the September 5, 2025, dismissal order;
3. REINSTATE the Petition for Superintending Control pursuant to MCR 7.306(A)(2), (C), and (D);
4. DECLARE the 1997 judgment and **all subsequent orders** void ab initio under MCR 2.612(C)(1)(d);
5. GRANT any other equitable relief, including costs, as the Court deems just and necessary to remedy the ongoing unconstitutional enforcement of void orders.

VII. AFFIRMATION

I, Christine Morrison, affirm under penalty of perjury that the contents of this motion are true to the best of my knowledge and belief.

Respectfully submitted,

Christine Morrison

- **Exhibit A** – March 8, 1999: Transcript (pp. 14, 20, 21)
- **Exhibit B** – August 20, 2001: Transcript Excerpts (pp. 38, 39, 226)
- **Exhibit C** – August 11, 2025: Trial Court Order Denying Relief
- **Exhibit D** – Court Docket: Unsigned Divorce Settlement & Amendments

EXHIBIT

- **Exhibit E** – September 5, 2025: Court of Appeals Dismissal Order