Court of Appeals, State of Michigan

ORDER

Sheri Schooley v Consolidated Roadhouse of Taylor

Docket No. 291284

LC No. 08-106910-NO

Christopher M. Murray
Presiding Judge

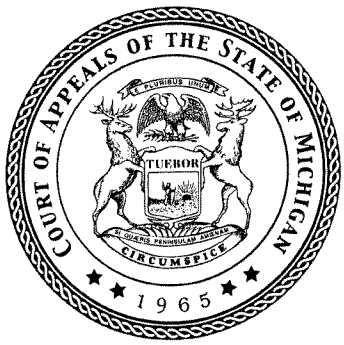
Michael J. Talbot

Cynthia Diane Stephens
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The application for leave to appeal is DENIED for failure to persuade the Court of the need for immediate appellate review.

Judge Murray would grant the application for leave to appeal to determine whether plaintiff provided admissible evidence establishing that defendant knew that an unreasonable risk of harm created by a dangerous condition existed on the premises, *Hampton v Waste Management of Michigan, Inc*, 236 Mich App 598, 603-604; 601 NW2d 172 (1999), or that defendant's employees created the condition. The record presented to this Court does not contain any such evidence, leading me to conclude that the trial court likely erred in denying defendant's motion for summary disposition.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN 18 2009
Date

Sandra Schultz Mengel
Chief Clerk