

STATE OF MICHIGAN
COURT OF APPEALS

ANNIE MILES,

Plaintiff-Appellant,

v

COUNTY OF WAYNE and WAYNE COUNTY
YOUTH HOME,

Defendants-Appellees.

UNPUBLISHED

September 19, 1997

No. 195409

Wayne Circuit Court

LC No. 95-523738-NO

Before: Markey, P.J., and Neff and Smolenski, JJ.

MEMORANDUM.

In this slip and fall case, plaintiff appeals by right summary disposition in favor of defendants, contending that her claim for tort liability comes within the public building exception to governmental immunity. This case is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

According to the photograph attached to plaintiff's brief as Appendix C, plaintiff suffered her injury on the walkway leading to the entrance of the building in question. We agree with the trial court that the walkway is not covered by the public building exception to governmental immunity. See *Henkey v City of Grand Rapids*, 440 Mich 867; 485 NW2d 487 (1992), reversing *Henkey v City of Grand Rapids*, 185 Mich App 56, 57; 460 NW2d 271 (1990), and reinstating the trial court's finding that the public building exception does not apply to injuries suffered on the sidewalk immediately adjacent to the entryway of a public building.

Alternatively, even accepting, *arguendo*, plaintiff's characterization of her claim as being that she fell right in the entranceway, her claim involves a failure to attend to an accumulation of ice and snow. That is a claim for improper maintenance or janitorial care, not for a defect in the public building, and is likewise outside the scope of the public building exception. *Reardon v Department of Mental Health*, 430 Mich 398; 424 NW2d 248 (1988).

Affirmed.

/s/ Jane E. Markey

/s/ Janet T. Neff

/s/ Michael R. Smolenski