

Court of Appeals, State of Michigan

ORDER

Sonja Lockhart v Euclia Williams

Docket No. 284970

LC No. 06-634304-NI

Michael J. Talbot
Presiding Judge

Helene N. White

Brian K. Zahra
Judges

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

The motion to waive the requirements of MCR 7.209 is GRANTED.

In lieu of granting the application, the Court orders, pursuant to MCR 7.205(D)(2), that the March 31, 2008, order of the Wayne Circuit Court denying summary disposition to defendant hereby is REVERSED. Plaintiff did not make her claim for uninsured motorist benefits within one year of the accident date and thus failed to comply with the policy terms. Plaintiff's lawsuit for first-party no-fault benefits was insufficient notice to defendant of her claim for uninsured motorist benefits. See *Morley v Automobile Club of Michigan*, 458 Mich 459, 467-468, 581 NW2d 237 (1998); *McGraw v Farm Bureau General Ins Co*, 274 Mich App 298, 305-306; 731 NW2d 805 (2007). The case is REMANDED to the circuit court for further proceedings consistent with this order.

The motion for stay is DENIED AS MOOT.

This order is to have immediate effect, MCR 7.215(F)(2).

The Court retains no further jurisdiction.



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

MAY 22 2008

Date

Sandra Schultz Mengel
Chief Clerk