

STATE OF MICHIGAN
COURT OF APPEALS

BRIANNA CURRY, a Minor, and NEDRA
CURRY, a Minor, by their Next Friend,
DELONDA ADAMS,

UNPUBLISHED
August 6, 2002

Plaintiffs-Appellants,

v

AUBURN HILLS SCHOOL DISTRICT,
AVONDALE SCHOOL DISTRICT, JAMES L.
BIRD, ANTHONY MARASCO, LOIS BYRNE,
and JOHN DOE,

No. 231719
Oakland Circuit Court
LC No. 2000-022366-NZ

Defendants-Appellees.

Before: Fitzgerald, P.J., and Holbrook, Jr. and Griffin, JJ.

MEMORANDUM.

Plaintiffs appeal as of right the order dismissing their complaint with prejudice. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court's finding that plaintiffs violated the signature requirements of MCR 2.114(D)(2) by signing the complaint containing a knowingly false allegation is not clearly erroneous. *Jackson Hog Producers v Consumers Power Co*, 234 Mich App 72, 91; 592 NW2d 112 (1999). Further, the trial court did not abuse its discretion by imposing sanctions under MCR 2.114(E) in the amount of \$2,000 for plaintiffs' violation of MCR 2.114(D)(2). Last, the trial court did not abuse its discretion by dismissing plaintiffs' cause of action with prejudice pursuant to MCR 2.504(B)(1) for plaintiffs' failure to comply with the court's order to pay the sanctions "within 14 days of October 18, 2000." The trial court properly considered the circumstances of the case before imposing the sanction of dismissal. *Zantop Int'l Airlines, Inc v Eastern Airlines*, 200 Mich App 344, 360; 503 NW2d 915 (1993).

Affirmed.

/s/ E. Thomas Fitzgerald
/s/ Donald E. Holbrook, Jr.
/s/ Richard Allen Griffin