

STATE OF MICHIGAN
COURT OF APPEALS

JACQUELYN ROBBINS,

Plaintiff-Appellant,

v

VILLAGE CREST CONDOMINIUM
ASSOCIATION

Defendant-Appellee.

UNPUBLISHED
February 7, 2012

No. 300842
Oakland Circuit Court
LC No. 2009-106178-NO

Before: SAAD, P.J., and STEPHENS and KRAUSE, JJ.

SAAD, P.J. (*dissenting*).

I respectfully dissent. Because the conditions on the day in question were open and obvious, I would affirm the trial court's grant of summary disposition.

I would also affirm the trial court's grant of summary disposition because plaintiff failed to introduce any evidence of the reason for her fall. That is, she speculated that she fell because of black ice, but admitted that she did not know, nor did she see ice before or after her fall. Accordingly, because causation is purely speculative, I would affirm the trial court's grant of summary disposition on this alternative ground.

/s/ Henry William Saad