

STATE OF MICHIGAN
COURT OF APPEALS

RONALD MOSELY, a/k/a RONALD MOSLEY,

Plaintiff-Appellant,

v

DETROIT CHIEF OF POLICE,

Defendant-Appellee.

UNPUBLISHED

March 18, 2003

No. 239486

Wayne Circuit Court

LC No. 01-135261-CZ

Before: Griffin, P.J., and Neff and Gage, JJ.

MEMORANDUM.

Plaintiff appeals as of right from a circuit court order granting defendant's motion for summary disposition. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Plaintiff's cousin has been known to use plaintiff's name as an alias. Plaintiff filed this action seeking an injunction to compel defendant to remove his name from his cousin's records. The trial court dismissed the case upon presentation of evidence that a warrant had been issued for the arrest of Ronald Mosley.¹ We review the trial court's ruling on a motion for summary disposition de novo on appeal. *Kefgen v Davidson*, 241 Mich App 611, 616; 617 NW2d 351 (2000).

A complaint must plead a cause of action which arguably entitles the plaintiff to judicial relief. *Sheremet v Chrysler Corp*, 372 Mich 626, 632; 127 NW2d 313 (1964); *Emerick v Saginaw Twp*, 104 Mich App 243, 247; 304 NW2d 356 (1981). There is no legal remedy for any act not designated a wrong in the law, *Atkinson v John E. Doherty & Co*, 121 Mich 372, 382; 80 NW 285 (1899), and thus a complaint may be dismissed for failure to state a claim if it does not allege any equitably or legally cognizable wrong for which there is any equitable or legal remedy. *Sheremet, supra*; MCR 2.116(C)(8).

An injunction may issue when justice requires, when the plaintiff does not have an adequate remedy at law, and when the plaintiff is in real and imminent danger of irreparable

¹ The warrant was issued by the Wayne Circuit Court for violation of probation. Given that plaintiff does not have any criminal convictions, it does not appear that the warrant pertains to him.

harm. *Charter Twp of Bloomfield v Oakland Co Clerk*, 253 Mich App 1, 15; 654 NW2d 610 (2002). In order to obtain such relief, plaintiff must identify some wrong committed by the defendant that causes him irreparable harm. Cf. *Treasurer of the Committee to Elect Gerald D Lostracco v Fox*, 150 Mich App 617, 621; 389 NW2d 446 (1986); *Detroit Newspaper Publishers Ass'n v Detroit Typographical Union No. 18*, 471 F2d 872, 876 (CA 6, 1972). Plaintiff did not allege that defendant's conduct in recording and maintaining his cousin's known aliases constituted a violation of any constitutional, statutory, or common law and thus failed to state a claim on which relief can be granted. This Court will not reverse where the trial court reached the right result for the wrong reason. *Taylor v Laban*, 241 Mich App 449, 458; 616 NW2d 229 (2000).

Affirmed.

/s/ Richard Allen Griffin
/s/ Janet T. Neff
/s/ Hilda R. Gage