

Order

Michigan Supreme Court
Lansing, Michigan

June 1, 2011

Robert P. Young, Jr.,
Chief Justice

142436

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

KIMETA JAKUPOVIC, a/k/a KIIMETA
JAKUPOVIC,
Plaintiff-Appellee,

v

SC: 142436
COA: 293715
Wayne CC: 08-019096-NO

CITY OF HAMTRAMCK,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the December 7, 2010 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals and we REMAND this case to the Wayne Circuit Court for entry of an order granting summary disposition to the defendant. The Court of Appeals recognized that the plaintiff had stated the wrong address in giving notice to the defendant of an alleged defect in a sidewalk. The Court of Appeals erred by excusing this error, rather than enforcing the notice requirement found at MCL 692.1404(1) as written. *Rowland v Washtenaw Co Rd Comm*, 477 Mich 197, 219 (2007). The statute requires notice of “the exact location” of the defect, and in this case, the plaintiff failed to specify the correct address where the defect was allegedly located.

MARILYN KELLY and HATHAWAY, JJ., would grant leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 1, 2011

Corbin R. Davis

Clerk