

Order

Michigan Supreme Court
Lansing, Michigan

November 4, 2015

149815 & (67)

BARBARA ZWIERS,
Plaintiff-Appellee,

v

DR. SEAN GROWNEY and MICHIGAN
PAIN CONSULTANTS, P.C.,
Defendants-Appellants.

Robert P. Young, Jr.,
Chief Justice

Stephen J. Markman
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

SC: 149815
COA: 312133
Kent CC: 08-002009-NO

On order of the Court, the motion for peremptory reversal and the application for leave to appeal the June 24, 2014 judgment of the Court of Appeals are considered. The motion for peremptory reversal is GRANTED. Pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals and REINSTATE the August 6, 2012 order of the Kent Circuit Court granting summary disposition to the defendants on the basis of *Driver v Naini*, 490 Mich 239 (2011). See *Furr v McLeod*, 498 Mich 68 (2015). A medical malpractice complaint filed before the expiration of the 182-day notice period is ineffective to toll the statute of limitations. We REMAND this case to the Court of Appeals for consideration of the issues raised by the plaintiff but not addressed by that court during its initial review of this case.



d1028

I, Larry S. Royster, 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.

November 4, 2015


Clerk