STATE OF MICHIGAN

COURT OF CLAIMS

JOHN BUZO,

Plaintiff,

v

Case No. 25-000139-MZ

MICHIGAN DEPARTMENT OF CORRECTIONS,

Hon. James Robert Redford

Defendant.
_____ /

OPINION AND ORDER GRANTING DEFENDANT'S 10/8/25 MOTION FOR SUMMARY DISPOSITION

In response to the Court's August 25, 2025 order to show cause, plaintiff filed a verified first amended complaint signed by plaintiff's counsel rather than by plaintiff himself. In lieu of an answer, defendant moved for summary disposition under MCR 2.116(C)(4), contending that the Court lacks jurisdiction to hear plaintiff's claim as it was not filed in conformance with the Court of Claims Act (COCA), MCL 600.6431(2)(d). Specifically, the claim was insufficient because it was not signed by the claimant himself. The Court GRANTS defendant's motion and DISMISSES plaintiff's action without prejudice.

MCL 600.6431(1) provides that "a claim may not be maintained against this state unless the claimant, within 1 year after the claim has accrued, files in the office of the clerk of the court of claims either a written claim or a written notice of intention to file a claim . . . ." MCL 600.6431(2)(d) requires that that the claim or notice of intent "must contain . . . [a] signature and

verification *by the claimant* before an officer authorized to administer oaths." (Emphasis added.) The Michigan Supreme Court has held that to invoke the jurisdiction of the Court of Claims, a claimant must comply with these statutory requirements: "Plainly, then, unless a claimant's notice is 'signed and verified by the claimant before an officer authorized to administer oaths,' a claim cannot proceed against the state." *Fairley v Dep't of Corrections*, 497 Mich 290, 293; 871 NW2d 129 (2015). The claimant must personally sign and verify the notice and complaint; verification cannot be effectuated by an attorney signing before a notary on the claimant's behalf. *Id*. at 299.

The original and first amended complaint were not signed and verified by the claimant personally. Although an attorney's signature may suffice in other situations, the Michigan Supreme Court has held that according to the plain language of MCL 600.6431, it is insufficient under the COCA. Accordingly,

1. The Court GRANTS defendant's motion for summary disposition.
2. The Court DISMISSES plaintiff's action in full without prejudice.
3. This is a final order resolving all issues in this case.

Date: November 4, 2025

James Robert Redford
Judge, Court of Claims