STATE OF MICHIGAN

COURT OF CLAIMS

DAWN MARIE HOEKWATER,

Plaintiff,

v

Case No. 25-000190-MZ

KYLEIGH RAE HUTTENGA, THE MICHIGAN STATE POLICE DEPARTMENT, and THE STATE OF MICHIGAN,

Hon. James Robert Redford

Defendants.
_____/

OPINION AND ORDER GRANTING DEFENDANTS' 1/23/26 MOTION FOR SUMMARY DISPOSITION

Plaintiff was injured in a motor vehicle accident on September 13, 2024. Because plaintiff's claims are for personal injuries and property damage, she was required to file a claim or notice of intent (NOI) within six months of the claim's accrual, or by March 13, 2024, under MCL 600.6431(1) and (4) of the Court of Claims Act (COCA). The NOI or claim filed within six months of the claim's accrual was required to be signed "by the claimant before an officer authorized to administer oaths." MCL 600.6431(2)(d); MCL 600.6434(2).

Plaintiff filed two NOIs on November 22, 2024, which were marked as received on December 2, 2024. Although filed within six months of the claim's accrual, these NOIs were not signed by the claimant, let alone signed before an officer authorized to administer oaths. Plaintiff then filed her complaint on December 12, 2025. This complaint also was not signed by the claimant before an officer authorized to administer oaths. Plaintiff ultimately filed a properly

verified NOI on December 15, 2025, and a properly verified complaint on December 16, 2025, more than 15 months after her claim accrued.

Defendants moved for summary disposition on January 23, 2026, under MCR 2.116(C)(7) based on plaintiff's failure to comply with the notice and verification requirements of the COCA. Plaintiff did not respond within 14 days as required by Court of Claims Local Court Rule 2.119(C)(2).

The requirements of the COCA are conditions precedent to "successfully expose the defendant state agencies to liability," *Fairley v Dep't of Corrections*, 497 Mich 290, 298; 871 NW2d 129 (2015), and the failure to comply with the notice and verification requirements mandates dismissal of the case, *Elia Cos, LLC v Univ of Mich Regents*, 511 Mich 66, 68; 993 NW2d 392 (2023). Plaintiff did not file a COCA-compliant notice or claim within six months of accrual. Accordingly, plaintiff did not properly invoke this Court's jurisdiction to hear her claim.

The Court GRANTS defendants' motion for summary disposition and DISMISSES plaintiff's complaint with prejudice. This is a final order resolving all issues in this case.

Date: February 12, 2026

James Robert Redford
Judge, Court of Claims