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.
_____/

ORDER DENYING 2/13/26 MOTION FOR RECONSIDERATION

On February 12, 2026, the Court summarily dismissed plaintiff's complaint for failure to timely comply with the notice and verification requirements of the Court of Claims Act. These requirements are precursors to invoking this Court's jurisdiction over state defendants.

To support a motion for reconsideration under MCR 2.119(F)(3), "The moving party must demonstrate a palpable error by which the court and the parties have been misled and show that a different disposition of the motion must result from correction of the error." A "palpable error" is one that is "easily perceptible, plain, obvious, readily visible, noticeable, patent, distinct, manifest." *Estate of Luckow v Luckow*, 291 Mich App 417, 426; 805 NW2d 453 (2011) (cleaned up).

Plaintiff has not demonstrated a palpable error by which the Court or the parties were misled. As recognized by plaintiff, strict compliance with the notice and verification provisions

is required. Plaintiff's reliance on *Mays v Snyder*, 323 Mich App 1; 916 NW2d 227 (2018), is misplaced. In that case, arising from the Flint Water Crisis, compliance with the statutory notice and verification period would have required filing suit long before even the state knew of the claim's accrual. Given the extreme nature of the harm and the hidden nature of the cause of that harm in *Mays*, the Court extended an exception to strict compliance in that case.

The harm in this case is not akin to the Flint Water Crisis. Plaintiff was aware of all claims she could potentially have against the state and could have timely filed a verified notice or claim. The Court DENIES plaintiff's motion for reconsideration.

Date: February 18, 2026

James Robert Redford
Judge, Court of Claims