STATE OF MICHIGAN

COURT OF CLAIMS

ERIC ANDREW GARDNER,

Plaintiff,

v

Case No. 26-000079-MP

MICHIGAN DEPARTMENT OF CORRECTIONS,

Hon. James Robert Redford

Defendant.
_____/

ORDER TO SHOW CAUSE

On the Court's own motion, the Court orders plaintiffs to show cause why this matter should not be dismissed for lack of a verified claim or notice of intention to file a claim under MCL 600.6431(2)(d) of the Court of Claims Act.

The requirements of the Court of Claims Act 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 notice of intention to file a claim in accordance with the Court of Claims Act. And the April 16, 2026 complaint does not contain "[a] signature and verification by the claimant before an officer authorized to administer oaths" as required by MCL 600.6431(2)(d) and MCL 600.6434(2). Accordingly,

IT IS ORDERED:

1. Plaintiff is directed to show cause no later than 14 days from date of entry of the order, why this Court should not dismiss this matter.

2. Should plaintiff fail to respond by the deadline, or fail to comply with the notice and verification requirements in MCL 600.6431(2)(d) of the Court of Claims Act, this matter will be dismissed.

3. To remedy this defect, plaintiff may file an amended complaint with the following statement at the conclusion: "I declare under penalty of perjury that this Complaint has been examined by me and that its contents are true to the best of my information, knowledge, and belief." This statement must be signed before a licensed notary.

Date: April 28, 2026

Hon. James Robert Redford
Judge, Court of Claims