STATE OF MICHIGAN

COURT OF CLAIMS

LINDSAY ANN DUNESKI as next friend of CINAMON CHARMAINE RIGMAIDEN,

Plaintiff,

v

Case No. 26-000203-MB

THIRD JUDICIAL CIRCUIT COURT, JUDGE TRACY E. GREEN, CHIEF JUDGE EDWARD EWELL, JR., and WAYNE COUNTY DETAINING AUTHORITIES,

Hon. Sima G. Patel

Defendants.
_____ /

ORDER TO SHOW CAUSE AND PARTIAL DISMISSAL

Plaintiff has filed suit against the Third Judicial Circuit Court and two circuit court judges, but also against "Wayne County Detaining Authorities." The jurisdiction of the Court of Claims is limited to claims "against the state or any of its departments or officers." MCL 600.6419(1)(a). County officials are not "the state or any of its departments or officers" and this Court lacks jurisdiction to consider claims against them. Accordingly, the Court DISMISSES plaintiff's against "Wayne County Detaining Authorities" without prejudice to plaintiff filing suit against that party in the circuit court.

Moreover, the Court orders plaintiff to show cause why this matter should not be dismissed as to the remaining defendants 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 (COCA).

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).

A plaintiff can comply with the notice and verification requirements of the COCA by (1) timely filing a notice of intent to file suit with the clerk of this Court, or (2) timely filing a complaint. MCL 600.6431. Plaintiff did not file a notice of intent to file suit with the clerk of this Court. The September 25, 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's claims against Wayne County Detaining Authorities are dismissed without prejudice to plaintiff filing her suit in the circuit court.

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

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

4. To remedy this defect, plaintiff may file an amended complaint (**not** a notice of intent at this stage of the proceedings) 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*. Plaintiff shall serve defendants with any amended complaint.

Date: September 28, 2026

Hon. Sima G. Patel
Judge, Court of Claims