

STATE OF MICHIGAN
COURT OF APPEALS

SUSAN ARMSTRONG,

Plaintiff-Appellant,

v

FRANDORSON PROPERTIES,

Defendant-Appellee.

UNPUBLISHED

January 13, 1998

No. 200630

Ingham Circuit Court

LC No. 96-083069 NO

Before: Griffin, P.J., and Markman and Whitbeck, JJ.

MEMORANDUM.

Plaintiff appeals as of right from the summary dismissal of her premises liability action. MCR 2.116(C)(10). We affirm. We decide this appeal without oral argument pursuant to MCR 7.214(E).

Plaintiff alleges she was injured when she tripped on a stone located on a handicapped ramp in a parking lot owned by defendant. We have reviewed the documentation in the record, and we conclude that plaintiff has failed to provide any evidence from which it can be inferred that defendant or its employees placed the stone on the ramp or had actual notice of the presence of the stone. Plaintiff has also failed to submit any documentary evidence from which it can be inferred that the stone was on the ramp for a sufficient length of time that defendant should have discovered its existence. There being no genuine issue of material fact, summary disposition was properly entered. MCR 2.116(G)(4).

An invitor may be liable to a business invitee for injury resulting from an unsafe condition on the premises only if the unsafe condition is known to the invitor or should be known to the invitor. *Bertrand v Alan Ford, Inc*, 449 Mich 606, 609; 537 NW2d 185 (1995).

Affirmed. Defendant, being the prevailing party, may tax costs pursuant to MCR 7.219.

/s/ Richard Allen Griffin

/s/ Stephen J. Markman

/s/ William C. Whitbeck