

STATE OF MICHIGAN
COURT OF APPEALS

DAMON KEITH LAPSLEY,

Plaintiff-Appellant,

v

R.U.M. SEGUIN, C/O DEZELSKI,
C/O LYONS, LT. MICKELSON,
C/O GARVER, C/O STRANGE,
R.U.O. HUBBARD, C/O MILLER,
and WARDEN GENE BORGERT,

Defendants-Appellees.

UNPUBLISHED

May 25, 1999

No. 196070

Grand Traverse Circuit Court

LC No. 95-013795 NZ

Before: Griffin, P.J., and Cavanagh and Fitzgerald, JJ.

MEMORANDUM.

Plaintiff appeals by right from the trial court's order granting defendants' motion for summary disposition in this gross negligence/constitutional tort action. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court correctly granted summary disposition pursuant to MCR 2.116(C)(10) based upon plaintiff's failure to present verifying medical evidence to establish that the delay in medical treatment had any detrimental effect upon plaintiff's injury. E.g., *Crowley v Hedgepeth*, 109 F3d 500, 502 (CA 8, 1997); *Beyerbach v Sears*, 49 F3d 1324, 1326-1327 (CA 8, 1995); *Hill v Dekalb Regional Youth Detention Ctr*, 40 F3d 1176, 1188-1190 (CA 11, 1994).

Affirmed.

/s/ Richard Allen Griffin

/s/ Mark J. Cavanagh

/s/ E. Thomas Fitzgerald