

STATE OF MICHIGAN  
COURT OF APPEALS

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BYRON A. SAVAGE,

Plaintiff-Appellant,

V

FARM BUREAU LIFE INSURANCE  
COMPANY,

Defendant-Appellee,

and

THOMAS A. CARTER and DANIEL R.  
BOWMAN,

Defendants.

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UNPUBLISHED

April 19, 2002

No. 228112

Bay Circuit Court

LC No. 99-003342-CZ

Before: Gage, P.J., and Griffin and Buth\*, JJ.

MEMORANDUM.

Plaintiff appeals as of right the order granting defendant summary disposition under MCR 2.116(C)(10). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Plaintiff brought this action on defendant's failure to issue a life insurance policy. Although plaintiff only identified one policy in his complaint, three other policy applications submitted by plaintiff and his son were addressed by the court. Defendant presented evidence that the first policy was not issued because plaintiff failed to complete a required document. The second policy listed plaintiff as an additional insured, and lapsed for nonpayment of the premium. The third policy excluded plaintiff based on his medical condition. The fourth policy was never issued because the required premium was not paid.

In response to the motion, plaintiff was required to present evidence showing that there was a genuine issue of material fact for trial. MCR 2.116(G)(4); *Maiden v Rozwood*, 461 Mich 109, 120; 597 NW2d 817 (1999). Plaintiff failed to present any evidence showing that defendant

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\* Circuit judge, sitting on the Court of Appeals by assignment.

was responsible for the insurance policies not being maintained. The trial court properly granted summary disposition to defendant.

Affirmed.

/s/ Hilda R. Gage  
/s/ Richard Allen Griffin  
/s/ George S. Buth