

STATE OF MICHIGAN
COURT OF APPEALS

BEATRICE WOODS, Personal Representative of
the Estate of HOWARD WOODS, Deceased,

Plaintiff-Appellant,

v

DIETECH TOOL and MANUFACTURING,
INC., and RICHARD MARTZ,

Defendants-Appellees.

UNPUBLISHED
May 24, 2002

No. 230629
Wayne Circuit Court
LC No. 99-903673-NI

Before: Smolenski, P.J., and Neff and White, JJ.

PER CURIAM.

Plaintiff appeals as of right the trial court's grant of summary disposition in favor of defendants and the imposition of sanctions and court costs. We affirm.

I

Plaintiff sought damages on claims of negligence under the no-fault act, MCL 500.3135, and wrongful death following an automobile accident involving plaintiff's decedent and defendant Richard Martz, an employee of defendant Dietech Tool and Manufacturing, Inc. Defendants moved for summary disposition on the ground that plaintiff had failed to show that the automobile accident caused or contributed to her decedent's alleged serious impairment of body function or his death and that all evidence was to the contrary. Defendants also filed an emergency motion to adjourn trial until after the hearing on their motion for summary disposition. The court granted the motion for adjournment.

One day before the hearing on defendants' motion, plaintiff responded to the summary disposition motion with the affidavit of an alleged treating physician, whom plaintiff had not previously named as a witness, averring that the decedent's injuries and death were causally related to the automobile accident. The trial court imposed sanctions of \$5,000 in court costs against plaintiff and her counsel for belatedly noticing the existence of expert medical testimony after the court had adjourned the trial. The court conditionally granted summary disposition pending payment of the sanctions and thereafter granted defendants' motion for summary disposition pursuant to MCR 2.116(C)(10).

II

This Court reviews de novo a trial court's grant of summary disposition pursuant to MCR 2.116(C)(10). *Spiek v Dep't of Transportation*, 456 Mich 331, 337; 572 NW2d 201 (1998). Summary disposition is proper where the proffered evidence fails to establish a genuine issue of material fact, and the moving party is entitled to judgment as a matter of law. *Smith v Globe Life Ins Co*, 460 Mich 446, 454; 597 NW2d 28 (1999).

This Court reviews a trial court's imposition of discovery sanctions for an abuse of discretion. *Bass v Combs*, 238 Mich App 16, 26; 604 NW2d 727 (1999). Whether a trial court has the authority to impose particular sanctions is a question of law subject to review de novo. *Persichini v William Beaumont Hosp*, 238 Mich App 626, 637; 607 NW2d 100 (1999).

III

Plaintiff presents seven issues on appeal, all of which address variations of the basic issue on appeal, whether the trial court erred in imposing sanctions of \$5,000 and conditionally granting summary disposition in favor of defendants. Because plaintiff fails to cite supporting authority to merit consideration of the issues raised on appeal, we deem them abandoned. "Insufficiently briefed issues are deemed abandoned on appeal." *Etefia v Credit Technologies, Inc*, 245 Mich App 466, 471; 628 NW2d 577 (2001). "A party may not leave it to this Court to search for authority to support its position." *McPeak v McPeak (On Remand)*, 233 Mich App 483, 495-496; 593 NW2d 180 (1999).

Even considering the merits of plaintiff's arguments on appeal, we find no abuse of discretion in the trial court's imposition of sanctions. *Persichini, supra* at 639-640; *Traxler v Ford Motor Co*, 227 Mich App 276, 280-281; 576 NW2d 398 (1998). Plaintiff failed to timely produce any evidence of causation or timely notice or produce any expert medical testimony to support her claims against defendants. Thus, the trial court did not err in granting summary disposition pursuant to MCR 2.116(C)(10).

Affirmed.

/s/ Michael R. Smolenski
/s/ Janet T. Neff