

STATE OF MICHIGAN
COURT OF APPEALS

CYNTHIA WALKER, Personal Representative of
the Estate of RYAN HEATH WALKER, Deceased,

UNPUBLISHED
April 21, 2000

Plaintiff-Appellant,

v

No. 211897
Wayne Circuit Court
LC No. 97-700907-NI

CONTINENTAL CONTRACTORS and JOHN
RAYMOND SNYDER,

Defendants-Appellees,

and

ENZO EVANGELISTA, MICHAEL DEGREGORY,
and DAVID DEGREGORY,

Defendants.

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

MEMORANDUM.

Plaintiff appeals as of right from the trial court's order granting defendants' motion for summary disposition. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendants were hired by the State of Michigan to paint lane marking on highways. Decedent was killed when the car he was driving entered a ramp and struck the rear end of defendants' truck. The car decedent was driving had been leased from Enterprise Car Rental, Inc. by decedent's brother's girlfriend. Plaintiff filed suit alleging negligence, gross negligence and reckless and wanton conduct, and breach of contract. The trial court granted defendants' motion for summary disposition pursuant to MCR 2.116(C)(10) on the grounds that decedent had no permission to drive the car, that the lease agreement for the car had expired, and that the decedent was driving a stolen car without a license.

We review a trial court's decision on a motion for summary disposition de novo. *Harrison v Olde Financial Corp*, 225 Mich App 601, 605; 572 NW2d 679 (1997). Plaintiff argues that the trial

court erred by granting defendants' motion for summary disposition. We disagree and affirm. In the trial court, plaintiff did not establish, by affidavit or otherwise, that a genuine issue of fact existed as to whether decedent had permission to drive the car or whether the lease had expired. MCR 2.116(G)(4). On appeal, plaintiff continues to argue that defendants negligently failed to post adequate signs and warning signals. However, the trial court did not base its ruling on this issue. Plaintiff refers to but does not specifically address the basis on which the trial court granted defendants' motion for summary disposition, as required. See *Joerger v Gordon Food Service, Inc*, 224 Mich App 167, 175; 568 NW2d 365 (1997). Plaintiff cites no pertinent authority to support her position that the trial court erred. "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).

Affirmed.

/s/ Jeffrey G. Collins

/s/ Janet T. Neff

/s/ Michael R. Smolenski