

STATE OF MICHIGAN
COURT OF APPEALS

MOLLY BROWN and TURNER-BROWN, INC,

Plaintiffs-Appellees,

v

KIMBERLY TURNER,

Defendant-Appellant,

and

BROWN-TURNER, INC,

Defendant.

UNPUBLISHED

December 14, 2006

No. 264382

Ingham Circuit Court

LC No. 03-001569-CZ

Before: Meter, P.J., and O'Connell and Davis, JJ.

MEMORANDUM.

Defendant Turner appeals as of right the order dismissing all claims against defendants and distributing the proceeds from a sale of corporate assets and stock. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Turner argues that the trial court improperly allowed evidence of plaintiff Molly Brown's expenses and unpaid wages to be introduced at a hearing because it constituted undue surprise, and that the trial court should have required an accounting and held a full hearing regarding defendants' allegations that Brown mismanaged the corporation or misappropriated corporate assets. However, Turner cites no relevant legal authority to support her assertions. When an appellant fails to support her theories with authority, the issues are deemed abandoned. *Prince v MacDonald*, 237 Mich App 186, 197; 602 NW2d 834 (1999). A party cannot leave it to this Court to find supporting authority for the party's assertions. *Schellenberg v Rochester Elks*, 228 Mich App 20, 4; 577 NW2d 163 (1998).

Although a party cannot unfairly surprise another party, see *Woodruff v USS Great Lakes Fleet, Inc*, 210 Mich App 255, 260; 533 NW2d 356 (1995), Turner does not explain why introduction of the evidence constituted unfair surprise at the hearing on plaintiffs' motion for expenses and unpaid wages. Turner also fails to explain why the trial court should have demanded an accounting when defendants did not bring any claims against plaintiffs. After the stock was sold, plaintiffs' dissolution claim became moot, and plaintiffs moved to dismiss all remaining claims against defendants. There were no remaining claims that required an

accounting or a trial. Turner fails to explain why the trial court erred when it then divided the proceeds of the stock and real estate sale equally between equal shareholders. Turner is not entitled to relief.

Affirmed.

/s/ Patrick M. Meter
/s/ Peter D. O'Connell
/s/ Alton T. Davis