

MICHIGAN COURT OF APPEALS

Donna Davis v. Ronald Scott Baldini

Davis v. Baldini · No. 373696 · Decided March 10, 2026

SUMMARY

The Michigan Court of Appeals reverses a summary-disposition order dismissing Donna Davis’s claim for noneconomic damages arising from a motor-vehicle collision. The court holds that a genuine issue of material fact existed regarding whether Davis constructively owned the vehicle under Michigan’s no-fault statute, despite her use of the vehicle as an excluded driver under the insurance policy. The case is remanded for further proceedings, including consideration of whether Davis established a threshold injury.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                             |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Michigan Court of Appeals                                                                                                                                                                                                                                                   |
| WRITING FOR THE COURT | M. J. Kelly, J.; Allie Greenleaf Maldonado, P.J.; Christopher M. Trebilcock, J.                                                                                                                                                                                             |
| JURISDICTION          | Michigan Court of Appeals                                                                                                                                                                                                                                                   |
| DECIDED               | March 10, 2026                                                                                                                                                                                                                                                              |
| DOCKET                | 373696                                                                                                                                                                                                                                                                      |
| DISPOSITION           | reversed_and_remanded                                                                                                                                                                                                                                                       |
| PROCEDURAL POSTURE    | Plaintiff appealed as of right from an order granting defendant summary disposition on her negligence claim for noneconomic damages.                                                                                                                                        |
| STANDARD OF REVIEW    | The Michigan Court of Appeals reviews a trial court's decision on a motion for summary disposition de novo. On a motion under MCR 2.116(C)(10), the court must consider all evidence submitted by the parties in the light most favorable to the party opposing the motion. |
| PRECEDENTIAL VALUE    | Published; precedential Michigan Court of Appeals opinion                                                                                                                                                                                                                   |
| PARTIES               | Donna Davis v. Ronald Scott Baldini                                                                                                                                                                                                                                         |

TOPICS

- summary judgment
- negligence
- insurance
- statutory interpretation
- appellate procedure

## PRACTICE AREAS

Torts

Automobile insurance

Civil procedure

## QUESTIONS PRESENTED

1. Whether Davis's use of her daughter's vehicle created a genuine issue of material fact regarding whether she was an owner under MCL 500.3101(3)(l)(i).
2. Whether summary disposition was proper on Davis's claim for noneconomic damages under MCL 500.3135(2)(c).

## HOLDINGS

1. A validly excluded driver's operation of the insured vehicle renders the vehicle uninsured as to that driver, so the driver's ability to recover noneconomic damages under MCL 500.3135(2)(c) turns on whether the driver was an owner of the vehicle.
2. Summary disposition was improper because, viewing the evidence in Davis's favor, a genuine issue of material fact existed regarding whether her use of the vehicle was proprietary or possessory and therefore constituted constructive ownership under MCL 500.3101(3)(l)(i).
3. The threshold-injury issue was not before the Court because the trial court did not reach it after granting summary disposition on ownership grounds.

## KEY QUOTATIONS

*"The provision does not equate ownership with any and all uses for thirty days, but rather equates ownership with "having the use" of a vehicle for that period."* (at 4)

*"In sum, we conclude that, viewing Davis's deposition testimony in the light most favorable to her, there is a genuine issue of material fact regarding whether Davis's use of the vehicle was proprietary or possessory so as to constitute constructive ownership under MCL 500.3101(3)(l)(i)."* (at 5)

## FACTUAL BACKGROUND

Davis was driving her daughter's vehicle through a Detroit intersection when Baldini ran a red light and struck the driver's side of Davis's vehicle. Davis was listed as an excluded driver under the no-fault insurance policy covering the vehicle. For several months, Davis used the vehicle primarily to drop her daughter at work and pick her up, retained the vehicle's only set of keys while her daughter worked, and did not need to request permission, but testified that she did not use it for personal errands or other purposes.

## PROCEDURAL HISTORY

Davis sued Baldini after a motor vehicle collision, seeking economic and noneconomic damages. The Wayne Circuit Court granted Baldini summary disposition under MCR 2.116(C)(8) and (10), concluding that Davis was a constructive owner of the vehicle, which was uninsured as to her because she was an excluded driver, and therefore could not recover noneconomic damages under MCL 500.3135(2)(c). The court denied Davis's motion for reconsideration, and Davis appealed.

## DISPOSITION

reversed\_and\_remanded

## REMAND INSTRUCTIONS

The trial court must conduct further proceedings consistent with the opinion and consider whether Davis's claim is barred because she failed to establish a threshold injury under MCL 500.3135(1). The court should not reconsider the economic-damages ruling, which Davis did not challenge.

## CASES CITED

- Barnard Mfg Co, Inc v Gates Performance Engineering, Inc, 285 Mich App 362, 369; 775 NW2d 618 (2009)
- El-Khalil v Oakwood Healthcare Inc, 504 Mich 152, 159; 934 NW2d 665 (2019)
- Bronson Health Care Group, Inc v State Auto Prop & Cas Ins Co, 330 Mich App 338, 348; 948 NW2d 115 (2019)
- Botsford Gen Hosp v Citizens Ins Co, 195 Mich App 127, 133; 489 NW2d 137 (1992)
- Ardt v Titan Ins Co, 233 Mich App 685, 690-691; 593 NW2d 215 (1999)
- Chop v Zielinski, 244 Mich App 677, 681-682; 624 NW2d 539 (2001)
- Yachcik v Yachcik, 319 Mich App 24, 42; 900 NW2d 113 (2017)
- Churchman v Rickerson, 240 Mich App 223, 233; 611 NW2d 333 (2000)