

STATE OF MICHIGAN
COURT OF APPEALS

MICHAEL D. KELLEY,

Plaintiff-Appellee,

v

MICHIGAN STATE POLICE and ACCIDENT
FUND OF MICHIGAN,

Defendants-Appellants.

UNPUBLISHED

May 31, 1996

No. 178757

LC No. 93-000876

Before: Sawyer, P.J., and Griffin, M. G. Harrison,* JJ.

MEMORANDUM.

Defendants appeal by leave granted an order of the Worker's Compensation Appellate Commission. In a 2 to 1 decision, the WCAC affirmed an award of benefits to plaintiff for physical and emotional disability arising out of a shooting incident that occurred at plaintiff's home.

The WCAC order was issued over the well-reasoned and articulate dissent of Commissioner Jurgen Skoppek. We find the WCAC dissenting opinion to be persuasive and hereby adopt it as our own. For the reasons stated in the WCAC dissenting opinion, the order of the WCAC is hereby reversed.

Reversed.

/s/ David H. Sawyer

/s/ Richard Allen Griffin

/s/ Michael G. Harrison

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