

**Court of Appeals, State of Michigan**

**ORDER**

Frederick Ingersoll v Jason Nagy

Docket No. 273939

LC No. 05-008864-NO

Donald S. Owens  
Presiding Judge

William C. Whitbeck, CJ

Alton T. Davis  
Judges

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The Court orders that in lieu of granting leave to appeal and pursuant to MCR 7.205(D)(2), the Kalkaska Circuit Court's September 18, 2006 order denying defendant's motion for summary disposition is REVERSED IN PART. Plaintiff's status, as a matter of law, was that of a licensee, not a business invitee. *Stitt v Holland Abundant Life Fellowship*, 462 Mich 591; 614 NW2d 88 (2000). As to defendant's remaining notice issue, the application for leave to appeal is DENIED for failure to persuade the Court of the need for immediate appellate review. This matter is REMANDED to the trial court for further proceedings consistent with this order.

We retain no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 18 2007

Date

*Sandra Schultz Mengel*  
Chief Clerk