

**Court of Appeals, State of Michigan**

**ORDER**

Christian Sturm v Gilberto E Granados

Docket No. 286313

LC No. 06-000552-NI

Brian K. Zahra  
Presiding Judge

Michael J. Talbot

Kurtis T. Wilder  
Judges

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The Court orders that the motion for immediate consideration is GRANTED.

In lieu of granting the application, the Court orders, pursuant to MCR 7.205(D)(2), that the June 11, 2008, order of the Ingham Circuit Court granting partial summary disposition to plaintiff hereby is VACATED. A review of the record reveals an outcome-determinative factual dispute with regard to the nature and extent of plaintiff's injuries. Thus, the trial court was precluded from ruling as a matter of law that plaintiff had suffered a serious impairment of body function. MCL 500.3135(2)(a). The case is REMANDED to the circuit court for a trial as to whether plaintiff has sustained a serious impairment of body function under the threshold enunciated in *Kreiner v Fischer*, 471 Mich 109; 683 NW2d 611 (2004).

This order is to have immediate effect, MCR 7.215(F)(2).

The Court retains no further jurisdiction.



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

**AUG 11 2008**

Date

*Sandra Schultz Mengel*  
Chief Clerk