

STATE OF MICHIGAN
COURT OF APPEALS

NATHANIEL JENKINS and CHERYL JENKINS,

Plaintiff-Appellants,

v

CLYDE PETERSON,

Defendant-Appellee.

UNPUBLISHED

July 28, 2005

No. 260622

Wayne Circuit Court

LC No. 03-331370-NI

Before: Neff, P.J., and Smolenski and Talbot, JJ.

NEFF, P.J. (*concurring in part and dissenting in part*).

I agree with the majority opinion in all but its conclusion that plaintiff has failed to raise a genuine issue of material fact as to whether he meets the statutory requirement and *Kreiner* standard that the course of his life was affected by the injuries he sustained in the accident. The trial court's opinion concludes that "[P]laintiff was totally disabled from work for a total of approximately seven months." I would find this alone to provide sufficient grounds to submit this case to the fact-finder. I would reverse.

/s/ Janet T. Neff