

STATE OF MICHIGAN
COURT OF APPEALS

VIRGINIA L. BAKER,

DEC 3 1986

Plaintiff-Appellant,

-v-

No. 87553

JANINE M. PICKERING and JAMES M.
PICKERING, jointly and severally,

Defendants-Appellees.

BEFORE: R.S. Gribbs, P.J., and S.J. Bronson and C.D. Stephens*,
JJ.

PER CURIAM

Plaintiff Virginia Baker appeals from the trial court's grant of summary disposition on behalf of the defendants. The issue before us is whether the trial court erred in concluding that plaintiff had suffered no serious impairment of body function and was thus precluded from suit by the no-fault act. MCL 500.3135; MSA 24.13135.

To meet the serious impairment threshold of the act, three criteria must be met: (1) the body function impaired must be an important one; (2) the impairment must be serious; and (3) the injuries must be objectively manifested. Cassidy v McGovern, 415 Mich 483, 502-505; 330 NW2d 22 (1982), Williams v Payne, 131 Mich App 403, 409; 346 NW2d 564 (1984). When there is no factual dispute regarding the extent of a plaintiff's injuries, the trial court is to decide as to a matter of law whether there is a serious impairment. Cassidy, supra, at 488.

Although plaintiff in the instant case maintains that the pain from her back injury causes her inconvenience at home and at work, she was never hospitalized for her injuries, continues to work 40 hours per week, and continues to perform her household chores. While plaintiff's pain is unfortunate, her injury has not affected her mode of living in any significant

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

way. Under the circumstances, summary disposition for the defendants was proper. McDonald v Oberlin, 127 Mich App 73; 338 NW2d 725 (1983).

Accordingly, the trial court is AFFIRMED.

/s/ Roman S. Gribbs

/s/ Cynthia D. Stephens

Judge Bronson not participating.