

MAY 17 1987

S T A T E O F M I C H I G A N
C O U R T O F A P P E A L S

CARL DAVIS,

Plaintiff

MAR 19 1987

and

KENNETH DAVIS,

Docket No. 88464

Plaintiff-Appellant,

v

JAMES R. GIBSON and COURTESY DODGE-CHRYSLER, INC.,

Defendants-Appellees,

BEFORE: Shepherd, P.J., and Hood and G. S. Allen, Jr.*, JJ.

PER CURIAM

Plaintiff appeals from an October 9, 1985 order of the Wayne County Circuit Court denying defendants' motion for summary disposition. The trial court ruled that plaintiff's injuries did not meet the threshold for serious impairment of body function under Michigan's no-fault law, MCL 500.3135; MSA 24.13135. Dennis Tomes' consortium claim was also disposed of summarily. Plaintiff appeals of right.

The court below reviewed this matter under the rules of Cassidy v McGovern, 415 Mich 483; 330 NW2d 22 (1982), reh den 417 Mich 1104 (1983). On December 23, 1986, our Supreme Court issued its opinion in DiFranco v Pickard, _____ Mich _____ (No. 74692, decided December 23, 1986). We vacate the orders denying summary