

STATE OF MICHIGAN
COURT OF APPEALS

SHARON KROLICKI,

UNPUBLISHED

Plaintiff-Appellant,

v

No. 176370

Macomb Circuit Court

LC No. 92004835 NO

R.P. CONSTRUCTION COMPANY, RALPH
PATTI, PAP PROPERTIES, DANNY PATRONA,
LAWRENCE ARNONE and JAMES PATRONA,

Defendants-Appellees,

and

AUDIO SENTRY CORPORATION and
CLINTON TOWNSHIP,

Not participating.

Before: Marilyn Kelly, P.J., and Wahls and M.R. Knoblock,* JJ.

M.R. KNOBLOCK, J. (concurring in part and dissenting in part).

I concur with parts I through V of the majority opinion. However, I disagree with the majority's conclusion in Parts VI and VII. The ordinance requiring the erection of the wall and the cutting of the weeds was not shown to be intended to protect against the injury suffered. Moreover, the criminal act was not a foreseeable result of defendant P.A.P.'s negligence in maintaining the property.

/s/ M. Richard Knoblock

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