

STATE OF MICHIGAN  
COURT OF APPEALS

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KIRK R. VERCNOCKE and DEBORAH  
VERCNOCKE,

UNPUBLISHED  
June 15, 2004

Plaintiffs/Counterdefendants-  
Appellants/Cross-Appellees,

v

RANDALL STUBBS and LORRAINE STUBBS,

Defendants/Counterplaintiffs-  
Appellees/Cross-Appellants.

No. 245422  
Oakland Circuit Court  
LC No. 02-038296-CH

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Before: Fitzgerald, P.J., and Jansen and Talbot, JJ.

JANSEN, J. (*concurring*).

I concur with the majority opinion. But I write separately to note that I believe this Court's opinion in *Timmons v DeVoll*, unpublished opinion per curiam of the Court of Appeals, issued February 24, 2004 (Docket Nos. 241507, 249015) provides a better analysis and rationale for this outcome than the cases cited by the majority. I view the *Timmons* case as particularly persuasive, because of the limited case law on point, but note that unpublished opinions are not binding under the rules of stare decisis. MCR 7.215(C)(1).

/s/ Kathleen Jansen