

STATE OF MICHIGAN
COURT OF APPEALS

BORGESS MEDICAL CENTER,

Plaintiff-Appellee,

v

JUAN RESTO,

Defendant,

and

SOUTHERN MICHIGAN INSURANCE CO.,

Defendant-Appellant.

FOR PUBLICATION

January 9, 2007

9:05 a.m.

No. 270773

Allegan Circuit Court

LC No. 04-036235-NF

Official Reported Version

Before: O'Connell, P.J., and White and Markey, JJ.

WHITE, J. (*concurring*).

I write separately simply to state that I do not rely on a statutory distinction between "a person suffering accidental bodily injury" and a claimant under MCL 500.3114(4). Defendant indisputably insured the owner of the occupied vehicle, and no insurer in a higher priority was identified.

/s/ Helene N. White