

STATE OF MICHIGAN
COURT OF APPEALS

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, as assignee to the
ASSIGNED CLAIMS FACILITY,

UNPUBLISHED
June 12, 1998

Plaintiff- Appellee,

v

No. 201291
Livingston Circuit Court
LC No. 96-015133 NI

AMERICAN FELLOWSHIP MUTUAL
INSURANCE COMPANY,

Defendant-Appellant,

and

AUTO CLUB INSURANCE COMPANY,

Defendant.

Before: Wahls, P.J., and Jansen and Gage, JJ.

MEMORANDUM.

Defendant American Fellowship appeals as of right from a judgment requiring it to reimburse plaintiff State Farm for no-fault benefits paid by State Farm to Jason Ference, the son of American Fellowship's named insured under a no-fault automobile insurance policy. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

In light of *American Fellowship Mutual Ins Co v Diana L. Ference*, unpublished opinion per curiam of the Court of Appeals, decided February 3, 1998 (Docket No. 190910), were we to revisit our resolution of the issues raised in that appeal and reach a contrary resolution of those issues, we would be permitting, in effect, American Fellowship to escape the underlying obligation imposed on American Fellowship by the judgment upheld in *American Fellowship, supra*. This we cannot do. *Brachman v Hyman*, 298 Mich 344, 349; 299 NW 101 (1941); *Northern Ohio Bank v KET Assoc, Inc*, 74 Mich App 286, 289; 253 NW2d 734 (1977).

Affirmed.

/s/ Myron H. Wahls

/s/ Kathleen Jansen

/s/ Hilda R. Gage