

STATE OF MICHIGAN
COURT OF APPEALS

FRANCISCO VILLANUEVA GARCES,

Plaintiff-Appellant,

v

LA PROVIDENCIA, L.L.C.,

Defendant-Appellee.

UNPUBLISHED
November 6, 2012

No. 304332
Ottawa Circuit Court
LC No. 10-002004-NO

Before: BECKERING, P.J., and OWENS and RONAYNE KRAUSE, JJ.

BECKERING, P.J. (*concurring*).

In light of the Michigan Supreme Court's recent ruling in *Hoffner v Lanctoe*, 492 Mich 450; ___ NW2d ___ (2012), issued July 31, 2012 (Docket No. 142267), wherein the Court defined the scope of what constitutes an "effectively unavoidable" condition, I am compelled to concur in result only.

/s/ Jane M. Beckering