

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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JACOB MARION, by Guardian and Next Friend,  
MONICA MARION,

Plaintiff-Appellant,

v

GRAND TRUNK WESTERN RAILROAD  
COMPANY, STEVEN GOLOMBESKI, and JESSIE  
WILSON,

Defendants-Appellees.

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FOR PUBLICATION  
March 10, 2022

No. 352355  
Wayne Circuit Court  
LC No. 18-005516-NO

Before: GLEICHER, P.J., and CAVANAGH and LETICA, JJ.

LETICA, J. (*concurring*).

The trial court misconstrued critical facts and common-law legal principles before it concluded that there were no genuine issues of material fact. For this reason, I concur in the majority’s disposition.<sup>1</sup>

/s/ Anica Letica

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<sup>1</sup> Plaintiff does not challenge the trial court’s order to the extent it granted defendants’ summary disposition regarding allegations pertaining to the train’s excessive speed, the railroad’s duty to fence, or attractive nuisance.