

BIENNIAL REPORT
of the
ATTORNEY GENERAL

of the
STATE OF MICHIGAN

for the

BIENNIAL PERIOD ENDING DECEMBER 31, 2008

MICHAEL A. COX
ATTORNEY GENERAL

AUTHORITY

LETTER OF TRANSMITTAL

To the Honorable Legislature of the State of Michigan:

In accordance with the provisions of MCL 14.30, I submit the Report of the Attorney General for the biennial period of January 1, 2007, through December 31, 2008.

MICHAEL A. COX
Attorney General



MICHAEL A. COX

Attorney General

Born in 1961, Cox entered the Marines after graduation from Catholic Central High School in Detroit and went on to graduate from the University of Michigan Law School in 1989. Cox went to work for the Wayne County Prosecutor's Office in Detroit where he prosecuted organized crime cases ranging from public corruption to drug and gang-related homicides. He tried more than 125 jury trials, in addition to hundreds of bench trials, with a conviction rate in excess of 90 percent. In 2000, Cox was appointed the Director of the Wayne County Prosecutor's Homicide Unit, which prosecuted approximately two-thirds of all homicides in Michigan. He and his wife, Laura, a former federal agent, have four children. Cox was sworn in as Attorney General of Michigan, January 1, 2003.



CAROL L. ISAACS

Chief Deputy Attorney General

East Lansing, Michigan. Received Bachelor of Science degree from Michigan State University and Juris Doctorate degree from Thomas M. Cooley Law School, Lansing, Michigan. Admitted to practice law in 1993. First Woman Chief Deputy. Appointed Chief Deputy Attorney General January 2003 to April 2005. Reappointed September 2006.

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ATTORNEYS GENERAL OF THE STATE OF MICHIGAN

APPOINTED

DANIEL LEROY	July 18, 1836-1837
PETER MOREY	March 21, 1837-1841
ZEPHANIAH PLATT	March 4, 1841-1843
ELON FARNSWORTH	March 9, 1843-1845
HENRY N. WALKER	March 24, 1845-1847
EDWARD MUNDY	March 12, 1847-1848
GEORGE V. N. LOTHROP	April 3, 1848-1850

ELECTED

WILLIAM HALE	1851-1854
JACOB M. HOWARD	1855-1860
CHARLES UPSON	1861-1862
ALBERT WILLIAMS	1863-1866
WILLIAM L. STOUGHTON	1867-1868
DWIGHT MAY	1869-1872
BYRON B. BALL ¹	1873-1874
ISAAC MARSTON	April 1, 1874-1874
ANDREW J. SMITH	1875-1876
OTTO KIRCHER	1877-1880
JACOB J. VAN RIPER	1881-1884
MOSES TAGGERT	1885-1888
STEPHEN V. R. TROWBRIDGE ²	1889-1890
BENJAMIN W. HOUSTON	March 25, 1890-1890
ADOLPHUS A. ELLIS	1891-1894
FRED A. MAYNARD	1895-1898
HORACE M. OREN	1899-1902
CHARLES A. BLAIR	1903-1904
JOHN E. BIRD ³	1905-1910
FRANZ C. KUHN ⁴	June 7, 1910-1912
ROGER I. WYKES	September 6, 1912-1912
GRANT FELLOWS	1913-1916
ALEX J. GROESBECK	1917-1920
MERLIN WILEY ⁵	1921-1922
ANDREW B. DOUGHERTY ⁶	1923-1926
CLARE RETAN	1926-1926
W. W. POTTER ⁷	1927-1928
WILBUR M. BRUCKER	1928-1930
PAUL W. VOORHIES	1931-1932
PATRICK H. O'BRIEN	1933-1934
HARRY S. TOY ⁸	October 24, 1935-1935

¹ Resigned April 1, 1874. Isaac Marston appointed to fill vacancy.

² Resigned March 25, 1890. Benjamin W. Houston appointed to fill vacancy.

³ Resigned June 6, 1910. Franz C. Kuhn appointed to fill vacancy.

⁴ Resigned September 6, 1912. Roger I. Wykes appointed to fill vacancy.

⁵ Resigned January 9, 1923. Andrew B. Dougherty appointed to fill vacancy.

⁶ Resigned October 27, 1926. Clare Retan appointed to fill vacancy.

⁷ Resigned February 16, 1928. Wilbur M. Brucker appointed to fill vacancy.

⁸ Resigned October 14, 1935. David H. Crowley appointed to fill vacancy.

DAVID H. CROWLEY	1935-1936
RAYMOND W. STARR	1937-1938
THOMAS READ	1939-1940
HERBERT J. RUSHTON.....	1941-1944
JOHN J. DETHMERS ⁹	1945-1946
FOSS O. ELDRED.....	September 9, 1946-1946
EUGENE F. BLACK.....	1947-1948
STEPHEN J. ROTH.....	1949-1950
FRANK G. MILLARD.....	1951-1954
THOMAS M. KAVANAGH ¹⁰	1955-1957
PAUL L. ADAMS ¹¹	1958-1961
FRANK J. KELLEY ¹²	1962-1998
JENNIFER M. GRANHOLM.....	1999-2002
MICHAEL A. COX.....	2003-

⁹ Resigned September 9, 1946. Foss O. Eldred appointed to fill vacancy.

¹⁰ Resigned December 31, 1957. Paul L. Adams appointed to fill vacancy.

¹¹ Resigned December 31, 1961. Frank J. Kelley appointed to fill vacancy.

¹² Appointed December 28, 1961. In 1966 first attorney general elected to 4-year term.

**REGISTER OF
DEPARTMENT OF ATTORNEY GENERAL**

2007-2008

Attorney General	MICHAEL A. COX
Chief Deputy Attorney General	CAROL L. ISAACS
Chief Administration Officer	MICHAEL J. GARAVAGLIA
Senior Advisor	STUART M. SANDLER
Solicitor General	THOMAS L. CASEY ¹³
Child and Family Services Bureau Chief	WANDA M. STOKES
Consumer and Environmental Protection Bureau Chief	A. MICHAEL LEFFLER
Criminal Justice Bureau Chief	THOMAS C. CAMERON
Governmental Affairs Bureau Chief	FRANK J. MONTICELLO ¹⁴
Solicitor General Bureau Chief	B. ERIC RESTUCCIA ¹⁵
Assistant Attorney General for Law	SUSAN I. LEFFLER
Assistant in Charge of Detroit Office	RON D. ROBINSON
Director of Office for Governmental Affairs	CHRISTOPHER J. HACKBARTH
Director of Communications	GERALD J. HILLS
Deputy Director of Communications	JOHN B. SELLEK
Director of Legislative Relations	RACHEL S. HURLEY

During this biennial period John D. Dakmak served as Director of Legislative Affairs from November 9, 2007 until June 6, 2008.

¹³ Mr. Casey served as Solicitor General from July 1992 until he retired July 25, 2008. B. Eric Restuccia was appointed to fill vacancy.

¹⁴ During this biennial period Deborah Anne Devine served as Bureau Chief of the former Economic Development and Oversight Bureau until she retired on May 30, 2008.

¹⁵ The Solicitor General Bureau was created on July 27, 2008.

OPINION REVIEW BOARD

Susan I. Leffler, Chairperson
Thomas L. Casey
Robert Ianni
Patrick F. Isom
Russell E Prins
Thomas F. Schimpf
Lucille Taylor¹⁶

¹⁶ Special Assistant Attorney General appointed 6/9/2004.

PROFESSIONAL RESPONSIBILITY, EDUCATION, AND POLICY BOARD

Robert Ianni, Chairperson
Frank Monticello, Vice Chairperson, Department Ethics Officer
Wanda Stokes
Mike Leffler
Tom Cameron
David Tanay
Leo Freidman
Daphne Johnson
Doug Bramble, ex-officio member
Valerie Schmidt, Department Training Coordinator

In March 2006, Attorney General Mike Cox created the Professional Responsibility, Education, and Policy (PREP) Board to replace the Litigation Advisory Board (LAB). The PREP Board is charged with the responsibility of encouraging the professional growth of Attorney General staff through innovative and cost-efficient training, to assume responsibility for the development and dissemination of Department policy, and to assist the Department Ethics Officer in the application of the Rules of Professional Responsibility and the formation of sound ethical practices. Concomitant with the creation of the PREP Board, the Attorney General appointed Frank Monticello as the Department Ethics Officer and gave him the principal responsibility for providing ethics training and coordinating ethics policy in the department. In 2007-2008, the PREP Board recommended the adoption of 12 new department policies and created an interactive electronic policy directory to allow employees to easily search and access all Department policies. In 2007-2008, the PREP Board, in conjunction with the Department Training Officer, identified and presented 118 different staff training courses. A highlight during 2007-2008 was the Managers for Tomorrow Initiative directed at identifying and training future Department leaders. Six live and three on-line leadership and management related courses were offered. An average of 61 staff attended each course. The PREP Board also created an audio-visual training library to allow staff to individually secure training based on past department training events and relevant national seminars purchased from a variety of sources.

ASSISTANT ATTORNEYS GENERAL

STEPHANIE A. ACHENBACH
RICHARD M.C. ADAMS
TODD B. ADAMS
SYED S. AHMED
TONATZIN M. ALFARO-MAIZ
DANIELLE R. ALLISON-YOKOM
CYNTHIA A. ARCARO
COREY A. ARENDT
ROSENDO ASEVEDO, JR.
ANDREA D. BAILEY
SUSAN K. BALKEMA
CORI E. BARKMAN
PATRICIA S. BARONE
KATHARYN A. BARRON
MARGARET A. BARTINDALE
DENISE C. BARTON
H. DANIEL BEATON, JR.
BRAD H. BEAVER
JULIA R. BELL
MICHAEL R. BELL
ROSS H. BISHOP
PHILIP L. BLADEN
E. JOHN BLANCHARD
JACK A. BLUMENKOPF
DANIEL P. BOCK
HENRY J. BOYNTON
ROBERT L. BRACKENBURY
CHRISTOPHER W. BRAVERMAN
SARAH K. BRENNER
DAVID D. BRICKEY
MARVIN L. BROMLEY¹⁷
BARBARA J. BROWN
LARRY F. BRYA
STEVEN M. CABADAS
JOHN M. CAHILL¹⁸
CHRISTINE MIKRUT CAMPBELL
WILLIAM C. CAMPBELL
DAVID C. CANNON
SONIA M. CANNON¹⁹
RAY W. CARDEW, JR.
KELLY A. CARTER
TIFFANY N. CARTWRIGHT²⁰
KATHLEEN L. CAVANAUGH
WILLIAM A. CHENOWETH
ANDREA M. CHRISTENSEN
SUANN D. COCHRAN
TODD H. COHAN
LAURA A. COOK
FELICIA M. COURTRIGHT
JAMES C. COWARD, JR.²¹
RICHARD L. CUNNINGHAM

JULIUS O. CURLING
JOHN D. DAKMAK
JESSICA A. DANOU
ERROL R. DARGIN²²
MARK F. DAVIDSON
MICHAEL R. DEAN
JON M. DEHORN
JAMES P. DELANEY
WILLIAM F. DENNER
BRIAN D. DEVLIN
DARNELLE DICKERSON
MARIBETH A. DICKERSON²³
ROBERT A. DIETZEL²⁴
ROBIN L. DILLARD
SUZANNE R. DILLMAN
HEATHER L. DONALD²⁵
NORMAN W. DONKER²⁶
MARK E. DONNELLY
JONATHAN E. DUCKWORTH
HEATHER M. DURIAN
YASMIN J. ELIAS
KELLY K. ELIZONDO
GEORGE M. ELWORTH
RONALD W. EMERY
DONALD E. ERICKSON
STACY L. ERWIN-OAKES
JASON R. EVANS
ANGIE A. FADLY²⁷
RONALD H. FARNUM
JAMES T. FARRELL
MICHAEL P. FARRELL
JOHN G. FEDYNSKY
ELAINE D. FISCHHOFF
JENNIFER FITZGERALD
KATHLEEN P. FITZGERALD
PATRICK M. FITZGERALD
STEVEN B. FLANCHER
DARRIN F. FOWLER
PHILLIP I. FRAME
KEVIN L. FRANCCART

¹⁷ RETIRED 10/31/2007

¹⁸ RETIRED 6/16/2008

¹⁹ RESIGNED 5/30/2008

²⁰ RESIGNED 6/4/2007

²¹ RESIGNED 6/15/2007

²² RETIRED 10/31/2008

²³ RESIGNED 7/17/2008

²⁴ RESIGNED 1/14/2008

²⁵ RESIGNED 6/29/2007

²⁶ RESIGNED 5/30/2008

²⁷ RESIGNED 5/30/2008

JESSICA L. FRAZIER²⁸
 MICHAEL G. FREZZA
 LEO H. FRIEDMAN
 LUANN C. FROST
 ALISON A. FURTAW
 THOMAS P. FURTAW²⁹
 DEBRA M. GAGLIARDI
 BRIAN S. GALIN
 KATHLEEN A. GARDINER
 TIMOTHY T. GARDNER, JR.³⁰
 RICHARD P. GARTNER³¹
 JASON A. GEISSLER
 CELESTE R. GILL
 CARLO P. GINOTTI
 KATHLEEN A. GLEESON
 JAMES W. GLENNIE
 HOWARD E. GOLDBERG
 DAVID H. GOODKIN
 PAUL D. GOODRICH
 JENNIFER L. GORDON
 NEIL D. GORDON
 A. PETER GOVORCHIN
 TERRENCE P. GRADY
 BRIAN G. GREEN
 PULVINDER K. GREWAL
 ERIK A. GRILL
 JOSHUA W. GUBKIN³²
 SOCORRO GUERRERO
 CHARLES D. HACKNEY
 LISA C. HAGAN³³
 FELEPE H. HALL
 LINDA K. HANDRIN
 STEVEN A. HANEY³⁴
 CHRISTINA M. HARRIS³⁵
 KIM G. HARRIS³⁶
 EDITH C. HARSH³⁷
 WALLACE T. HART
 SUZANNE HASSAN
 JASON D. HAWKINS
 TIMOTHY J. HAYNES
 JAMES W. HEATH
 KEVIN R. HIMEBAUGH
 JESSICA L. HODGSON
 ALAN F. HOFFMAN
 ROSE A. HOUK³⁸
 PEGGY A. HOUSNER
 RAYMOND O. HOWD
 JAMES C. HOWELL
 STEVEN D. HUGHEY
 SHANNON N. HUSBAND
 ROLAND HWANG
 ROBERT IANNI
 PATRICK F. ISOM

DAWN C.M. JACK
 JENNIFER M. JACKSON
 MOLLY M. JASON
 ROBERT J. JENKINS
 JULIE M. JENSEN
 TONYA C. JETER
 BRUCE C. JOHNSON
 DAPHNE M. JOHNSON
 THOMAS C. JOHNSON
 HEIDI L. JOHNSON-MEHNEY
 CHARLES L. JONES³⁹
 PAUL W. JONES⁴⁰
 JASON S. JULIAN
 KATHERINE A. KAKISH
 RICHARD M. KAROUB
 SERENE KATRANJI-ZENI
 VICTORIA A. KEATING⁴¹
 MATTHEW C. KECK
 RHONDI B. KELLER
 COLLEEN M. KELLY
 SEAN D. KERMAN
 CHRISTOPHER L. KERR
 MICHAEL O. KING, JR.
 MORRIS J. KLAU
 RICHARD L. KOENIGSKNECHT⁴²
 TIMOTHY F. KONIECZNY
 RAINA I. KORBAKIS
 PETER T. KOTULA
 KAREN K. KUCHEK
 THOMAS A. KULICK
 ALAN J. LAMBERT
 H. STEVEN LANGSCHWAGER
 ANDREW J. LEMKE
 MELINDA A. LEONARD
 JOHN F. LEONE
 VINCENT J. LEONE
 JESSICA E. LEPINE

²⁸ RESIGNED 6/22/2007

²⁹ DECEASED 8/15/2008

³⁰ RESIGNED 8/22/2008

³¹ RETIRED 2/29/2008

³² RESIGNED 2/26/2007

³³ RESIGNED 1/4/2008

³⁴ RESIGNED 8/3/2007

³⁵ RESIGNED 12/28/2007

³⁶ DECEASED 2/4/2007

³⁷ RETIRED 5/31/2007

³⁸ RETIRED 1/31/2008

³⁹ RETIRED 12/30/2008

⁴⁰ RESIGNED 4/4/2008

⁴¹ RETIRED 3/30/2007

⁴² RETIRED 5/31/2007

LUTTRELL D. LEVINGSTON⁴³
 DANIEL M. LEVY⁴⁴
 LARRY W. LEWIS
 MARY ELIZABETH LIPPITT
 JOHN R. LISKEY
 SHERYL L. LITTLE-FLETCHER⁴⁵
 MICHAEL A. LOCKMAN
 JAMES E. LONG
 IRIS M. LOPEZ
 JONATHAN S. LUDWIG
 JOHN P. MACK
 S. PETER MANNING
 JOHN B. MANOS⁴⁶
 HOWARD C. MARDEROSIAN⁴⁷
 MARY KATHLEEN MARKMAN
 THOMAS S. MARKS
 HAROLD J. MARTIN
 ROBERT J. MARTIN
 MARK W. MATUS
 JACQUELYN A. McCLINTON
 KELLY J. McDONIEL⁴⁸
 LINDA P. McDOWELL
 PATRICK McELMURRY
 DONALD S. MCGEHEE
 JOEL D. MCGORMLEY
 KELLEY T. McLEAN
 JULIE A. McMURTRY
 HEATHER S. MEINGAST
 MARK A. MEYER⁴⁹
 GERALD C. MILLER
 ROBERT L. MOL
 WILLIAM E. MOLNER
 LAURA L. MOODY
 MICHAEL E. MOODY
 LAMAR D. MORELAND
 WILLIAM R. MORRIS
 BRADLEY K. MORTON
 SHENIQUE A. MOSS
 MICHAEL F. MURPHY
 BRIAN O. NEILL
 MARGARET A. NELSON
 MICHAEL S. NEWELL
 MICHAEL A. NICKERSON
 CYNTHIA M. NUNEZ⁵⁰
 PATRICK J. O'BRIEN
 EMMANUEL B. ODUNLAMI⁵¹
 LINDA M. OLIVIERI
 MICHAEL J. ORRIS
 DEE J. PASCOE
 AMY M. PATTERSON
 ORONDE C. PATTERSON
 DONNA L. PENDERGAST
 SANTE J. PERRELLI

WILLIAM F. PETTIT
 DENNIS J. PHENEY, JR.
 JONATHAN C. PIERCE
 LINDA M. PIETROSKI
 JAMES R. PIGGUSH⁵²
 NANCY A. PIGGUSH⁵³
 THOMAS S. PIOTROWSKI⁵⁴
 JOSEPH P. PITTEL
 JOSEPH E. POTCHEN
 DOUGLAS J. POWE
 ANDREW T. PRINS
 RUSSELL E. PRINS
 SUSAN PRZEKOP-SHAW
 C. ADAM PURNELL
 THOMAS QUASARANO
 RONALD E. QUICK⁵⁵
 PATRICIA TERRELL QUINN
 DENNIS J. RATERINK
 VICTORIA A. REARDON
 ROBERT P. REICHEL
 MICHAEL J. REILLY
 LOUIS B. REINWASSER
 MATTHEW H. RICK⁵⁶
 STEPHEN M. RIDEOUT
 JAMES E. RILEY
 SANTIAGO RIOS
 JUANDISHA H. ROBINSON
 WILLIAM A. ROLLSTIN
 KANDY C. RONAYNE
 AMY L. ROSENBERG⁵⁷
 MERRY A. ROSENBERG
 SCOTT R. ROTHERMEL
 JUDITH BLINN RUDMAN⁵⁸
 ADAM S. RUBIN
 DEREK G. RUSSAW
 MARK G. SANDS

⁴³ TRANSFERRED 5/11/2007

⁴⁴ TRANSFERRED 3/23/2007

⁴⁵ RESIGNED 11/28/2007

⁴⁶ TRANSFERRED 4/5/2007

⁴⁷ RETIRED 12/28/2007

⁴⁸ RESIGNED 6/13/2007

⁴⁹ TRANSFERRED 10/19/2007

⁵⁰ RESIGNED 6/2/2007

⁵¹ RESIGNED 3/28/2008

⁵² RETIRED 8/29/2008

⁵³ RETIRED 8/29/2008

⁵⁴ RESIGNED 7/2/2007

⁵⁵ RETIRED 5/31/2007

⁵⁶ RESIGNED 5/2/2008

⁵⁷ TRANSFERRED 8/15/2008

⁵⁸ RETIRED 1/1/2007

SUZAN M. SANFORD
SPENCER A. SATTLER
THOMAS P. SCALLEN
BETHANY L. SCHEIB
JOHN C. SCHERBARTH
CHARLES C. SCHETTLER, JR.
THOMAS F. SCHIMPF
BARBARA A. SCHMIDT
CLIFTON B. SCHNEIDER
MARK V. SCHOEN
LAURYL A. SCOTT
MARIE SHAMRAJ
JAMES C. SHELL
ANN M. SHERMAN
PATRICIA L. SHERROD
ANDREW L. SHIRVELL
DAVID W. SILVER
DIANE M. SMITH⁵⁹
JARROD T. SMITH
JOSHUA S. SMITH
KEVIN T. SMITH
KRISTIN M. SMITH
NICHOLE M. SOMA⁶⁰
SUZANNE D. SONNEBORN⁶¹
TRACY A. SONNEBORN
DANIEL E. SONNEVELDT
ALLAN J. SOROS
GEORGE N. STEVENSON
PAMELA J. STEVENSON
RODNEY D. STEWART
JAMES L. STROPKAI⁶²
RONALD J. STYKA
CHESTER S. SUGIERSKI, JR.⁶³
POLLY A. SYNK
JOHN F. SZCZUBELEK
DAVID E. TANAY
DREW M. TAYLOR

SCOTT L. TETER
KEVIN M. THOM
JOHN L. THURBER
VIRGINIA H. TRZASKOMA
BRENDA E. TURNER
GENEVIEVE D. TUSA⁶⁴
ANNE M. UITVLUGT
ELIZABETH L. VALENTINE
JANET A. VANCLEVE⁶⁵
REBEKAH VISCONTI-MASON
MARTIN J. VITTANDS
DAVID A. VOGES⁶⁶
MICHELE M. WAGNER-GUTKOWSKI
DEBORAH BENEDICT WALDMEIR
THOMAS D. WARREN
DONNA K. WELCH
ROBERT S. WELLIVER⁶⁷
GERALD A. WHALEN
JANE A. WILENSKY⁶⁸
MITCHELL J. WOOD
JOSEPH L. YANOSCHIK⁶⁹
MICHAEL A. YOUNG
MONA M. YOUSSEF⁷⁰
MORRISON R. ZACK

⁵⁹ RETIRED 2/28/2007

⁶⁰ RESIGNED 8/4/2008

⁶¹ TRANSFERRED 9/21/2007

⁶² RETIRED 7/11/2008

⁶³ RETIRED 7/27/2007

⁶⁴ RESIGNED 1/26/2007

⁶⁵ RETIRED 6/29/2007

⁶⁶ RETIRED 6/27/2008

⁶⁷ RETIRED 11/30/2007

⁶⁸ RETIRED 6/30/2008

⁶⁹ RESIGNED 4/6/2007

⁷⁰ RESIGNED 9/28/2007

SENIOR EXECUTIVE MANAGEMENT ASSISTANTS

CYNTHIA L. ARMSTRONG
CYNTHIA A. AVEN
ALICIA K. KIRKEY

MAXINE R. RECK⁷¹
DIANE E. VANDERMOERE⁷²
MARY F. ZISCHKE

SECRETARIES AND CLERICAL STAFF

LISA S. ALBRO
STEPHANIE ANDREADIS
LINDA S. ANDREAS
DEBORAH S. ANDREWS
CHERYL L. ANTHONY
JODIE L. ARNETT
JANICE K. ATKINS
BARBARA J. BAILEY⁷³
BOBBI J. BALLINGER
BRENDA L. BARTON
HARRIET A. BASS⁷⁴
DENISE A. BEECHLER
JACQUELYN BEESON⁷⁵
SUSAN J. BERTRAM
VIRGINIA K. BEURKENS
TINA L. BIBBS
JENNIFER A. BIELECKI⁷⁶
ALYSSA R. BOS
VIVIAN R. BOYD⁷⁷
SONYA G. BRADLEY
PATRICIA J. BRAITHWAITE
SCHERYL S. BROOKS
IRENE D. BROWN
DENISE J. BRUCKMAN
DANIELLE M. BUCCI
MARY C. BURKE-GIANINO
WENDY J. CADWELL
JANIS L. CAMERON
SAMANTHA CARDENAS-CHAMBERS⁷⁸
JENNIFER A. CARLSON⁷⁹
ROBBIN S. CLICKNER
RHONDA M. COLE
LOUISE A. CONNOR⁸⁰
KATHLEEN M. COTTER
MICHELLE M. CURTIS-CATALINE
ADONIS T. DAVIS
KIMBERLY S. DELASHMIT⁸¹
SHEILA L. DIAMOND⁸²
CRISTINA R. DOWKER
KATHRYN T. ELLIS⁸³
SHEILA V. FANDRICK⁸⁴
SHELENE K. FASNAUGH
CHERYL S. FERRY

MARGARET M. FILIATRAULT
RHONDA G. FLOYD
KATHERINE E. FOX-APPLEBEE
PATRICIA A. GAME
BETTY A. GAUTHIER
MARY E. GEE
JULIE A. GERSZEWSKI
IDA M. GLASSBROOK⁸⁵
NICHOLAS E. GOBBO
JANET A. GODEW⁸⁶
CHERYL A. GOFF
AMY A. GONEA
MARNI J. GOODWIN⁸⁷
STEPHANIE L. GRACE
RASHADA D. GRIFFIN⁸⁸
HOLLY L. GUSTAFSON
SARA B. HAASE
ERIKA L. HAMILTON
DIANA M. HANKS
CAROLYN A. HARRIS
NANCY E. HART
KATHY A. HAVEN
DARLENE K. HEILNER
ALISA S. HILL

⁷¹ RETIRED 8/29/2008

⁷² TRANSFERRED 8/8/2008

⁷³ RETIRED 4/27/2007

⁷⁴ TRANSFERRED 2/8/2008

⁷⁵ RESIGNED 6/15/2008

⁷⁶ RESIGNED 7/1/2008

⁷⁷ RETIRED 1/31/2008

⁷⁸ APPOINTMENT EXPIRED 4/20/2007

⁷⁹ DECEASED 9/6/2007

⁸⁰ RESIGNED 8/31/2007

⁸¹ TRANSFERRED 4/4/2008

⁸² RETIRED 1/31/2007

⁸³ RESIGNED 7/23/2008

⁸⁴ LAID OFF 4/20/2007

⁸⁵ LAID OFF 3/23/2007

⁸⁶ TRANSFERRED 3/23/2007

⁸⁷ RESIGNED 1/4/2008

⁸⁸ LAID OFF 4/20/2007

STACI J. HILLARD
 MICHAEL J. HOLCOMB
 LOIS J. HOPKINS
 KARYN B. HOWD
 LYNNE L. HUBER
 JACKIE M. ISAAC
 STARKEMA T. JACKSON
 CYNTHIA A. JAKUS
 TRACIE L. JAMES
 TRACY A. JANOUSEK⁸⁹
 RANDALYN G. JEGLA
 MELISSA M. JENSON
 ANN J. JONES
 LORI L. JOSEPH
 LAUREL E. KIENITZ
 MARCIEL E. KIHN
 JUDY G. KILDUFF
 ANGELA K. KILVINGTON
 PATRICIA A. KLEIN
 ANN T. LANTZY
 REBEKAH A. LAPAN
 MICHELE L. LEMMON
 TRACY A. LEWIS
 KAREN E. LOCKWOOD
 SYLVIA MACGREGOR
 SUSAN E. MACIAS
 BERTHA L. MATHIS
 MARY E. MCGINNIS⁹⁰
 JOLEEN A. MCQUISTON
 VICKIE A. MINER
 LAUREN J. MORRISH
 ANNETTE L. MURPHY
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⁸⁹ LAID OFF 4/20/2007

⁹⁰ TRANSFERRED 12/26/2008

⁹¹ LAID OFF 4/20/2007

⁹² RETIRED 11/26/2007

⁹³ TRANSFERRED 7/25/2008

⁹⁴ TRANSFERRED 2/22/2008

⁹⁵ TRANSFERRED 7/11/2008

⁹⁶ RETIRED 8/29/2008

⁹⁷ TRANSFERRED 4/28/2008

⁹⁸ RESIGNED 8/31/2007

⁹⁹ TRANSFERRED 5/2/2008

¹⁰⁰ LAID OFF 4/20/2007

¹⁰¹ LAID OFF 4/20/2007

¹⁰² RESIGNED 5/23/2008

¹⁰³ APPOINTMENT EXPIRED 2/22/2008

¹⁰⁴ RETIRED 4/27/2007

¹⁰⁵ LAID OFF 4/20/2007

¹⁰⁶ TRANSFERRED 12/14/2007

¹⁰⁷ TRANSFERRED 11/18/2007

¹⁰⁸ RESIGNED 2/23/2007

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¹⁰⁹ RESIGNED 8/28/2007

¹¹⁰ TRANSFERRED 10/31/2008

¹¹¹ DECEASED 7/3/2008

¹¹² TRANSFERRED 9/5/2008

¹¹³ RESIGNED 12/14/2007

¹¹⁴ RESIGNED 10/5/2007

¹¹⁵ TRANSFERRED 5/16/2009

¹¹⁶ SEPARATED 3/23/2007

¹¹⁷ RESIGNED 5/31/2007

¹¹⁸ RESIGNED 7/9/2008

¹¹⁹ TRANSFERRED 5/30/2008

¹²⁰ RETIRED 7/13/2007

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¹²¹ LAID OFF 3/30/2007

¹²² LAID OFF 1/12/2007

¹²³ RESIGNED 7/18/2008

¹²⁴ RESIGNED 6/20/2008

¹²⁵ RETIRED 12/19/2008

¹²⁶ RESIGNED 4/14/2008

¹²⁷ RESIGNED 5/23/2008

¹²⁸ RETIRED 12/28/2007

¹²⁹ TRANSFERRED 10/3/2008

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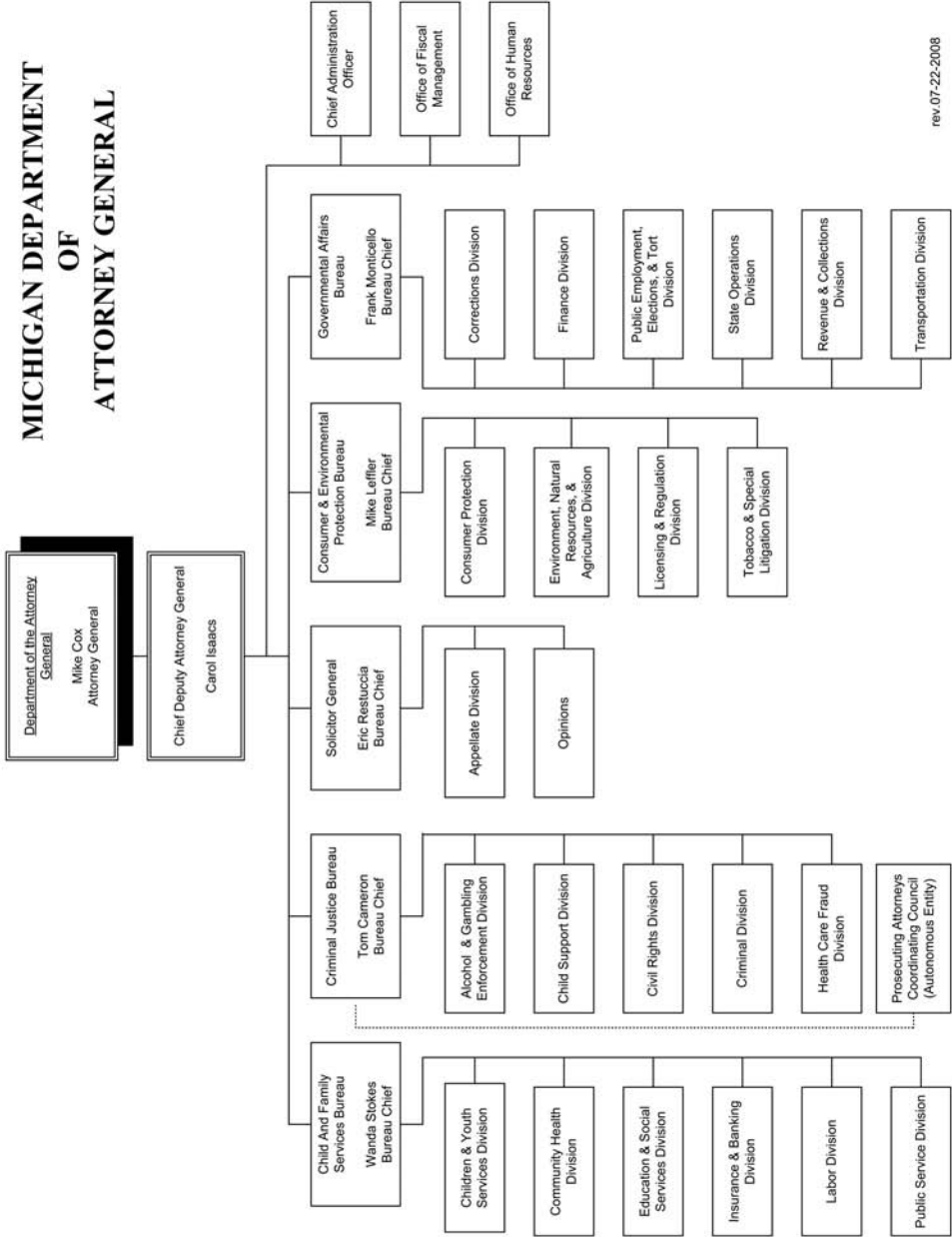
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OPINION POLICY

Michigan law¹³² provides that it shall be the duty of the Attorney General, when required, to give his opinion on questions of law submitted to him by members of the Legislature,¹³³ Governor, Auditor General, Treasurer, or any other state officer.¹³⁴ Michigan's Supreme Court has recognized that one of the "primary missions" of the Attorney General is to give legal advice to members of the Legislature, and to departments and agencies of state government.¹³⁵ County prosecutors may also submit opinion requests provided that they are accompanied by a memorandum of law analyzing the legal question.

Consistent with his primary mission, the Attorney General prioritizes opinion requests that affect the operation of state government. Because the Legislature has authorized local units of government to employ their own legal counsel to provide guidance on matters of local concern, the Attorney General typically does not issue opinions concerning the interpretation of local charters, local ordinances, locally negotiated collective bargaining agreements, and other uniquely local issues.

Upon receipt, all opinion requests are referred to the Assistant Attorney General for Law. Opinion requests are initially evaluated to determine whether to grant the request. Typical reasons for declining a request are: 1) the requester is not a person authorized to request an opinion under the applicable law; 2) the request seeks an interpretation of proposed legislation that may never become law; 3) the question asked is currently pending before a court or administrative tribunal; 4) the request involves the operation of the judicial branch of government or a local unit of government; or 5) the request seeks legal advice on behalf of, or involves disputes between, private persons or entities.

If the request is granted, it is then determined whether the response should be classified as a formal opinion, letter opinion, or informational letter. Formal opinions address questions significant to the State's jurisprudence that warrant publication. Letter opinions involve questions that are appropriately addressed by the Attorney General but are of more limited impact and do not warrant publication. Informational letters address questions that have relatively clear, well-established answers or are narrow in scope. Copies of all pending requests are provided to the Governor's Legal Counsel and to the Senate and House Majority and Minority Counsel, thereby affording notice that the question is under review and the opportunity for input. On request, any person is permitted to present information regarding pending requests.

If the opinion request is granted, it is assigned to an assistant attorney general having recognized expertise in the relevant area of the law. This attorney is expected to prepare a thoroughly researched and well-written draft. The Assistant Attorney General for Law then reviews the draft to assure it is legally sound and performs any editing that may be needed. The draft also may be circulated to other attorneys within the Department of Attorney General for additional substantive review.

¹³² MCL 14.32.

¹³³ The Attorney General has historically interpreted this to include individual legislators.

¹³⁴ *LaFountain v Attorney General*, 200 Mich App 262, 264; 503 NW2d 739 (1993).

¹³⁵ *East Grand Rapids School Dist v Kent County Tax Allocation Bd*, 415 Mich 381, 394; 330 NW2d 7 (1982).

All informational letters, and most letter opinions, are submitted directly to the Chief Deputy Attorney General for review and approval. If the draft does not require further editing, it is submitted to the Attorney General; or, in the case of informational letters, the draft is signed and issued by the Chief Deputy Attorney General. Drafts of most formal opinions and some letter opinions are first submitted for consideration and approval by the Attorney General's Opinion Review Board (ORB).

The ORB, which meets weekly to review draft opinions, consists of assistant attorneys general appointed by the Attorney General who have many years of experience and who specialize in diverse subject areas. The ORB reviews draft opinions to assure they are cogently written based upon settled principles of law that will withstand possible legal challenge in the courts. In considering a draft, the ORB may receive input from the drafter as well as other persons outside the department, revise the draft, direct that revisions be made by others, or request that a counter draft be submitted by either the original drafter or by another person.

Upon final ORB approval, draft opinions are submitted to the Chief Deputy Attorney General for review and, if approved, to the Attorney General for his further review, approval, and signature or other appropriate action.

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FORMAL OPINIONS

INSURANCE CODE OF 1956: Authority of Commissioner of the Office of Financial and Insurance Services to share confidential information with regulatory agencies of foreign countries

OFFICE OF FINANCIAL AND INSURANCE SERVICES:

Section 222(7)(b) of the Insurance Code, MCL 500.222(7)(b), authorizes the Commissioner of the Office of Financial and Insurance Services to share confidential documents and information regarding insurance companies with "any relevant regulatory agency" of another country, provided the Commissioner is given assurances that the information will be kept confidential.

Opinion No. 7197

January 24, 2007

Ms. Linda A. Watters
Commissioner
Office of Financial and Insurance Services
Department of Labor and Economic Growth
P.O. Box 30220
Lansing, Michigan 48909

You have asked if section 222(7)(b) of the Insurance Code authorizes the Commissioner of the Office of Financial and Insurance Services to share confidential documents and information regarding insurance companies with relevant regulatory agencies of other countries.

The Insurance Code of 1956, 1956 PA 218, MCL 500.100 *et seq.*, broadly authorizes the Insurance Commissioner¹ to examine the affairs of any insurance company at any time after it has been authorized to do business in Michigan. MCL 500.222. This includes "domestic," "foreign," and "alien" insurance companies as defined in section 110 of the Insurance Code, MCL 500.110. Domestic insurance companies are formed under Michigan law. MCL 500.110(1). Foreign insurers are formed under the laws of the District of Columbia or any other state, commonwealth, territory, or possession of the United States. MCL 500.110(2). Alien insurance companies are formed under the laws of any country other than the United States or any state, district, commonwealth, territory, or possession of the United States. MCL 500.110(3). A domestic, foreign, or alien insurer "shall not be authorized" to do business in this State or continue to be so authorized if the insurer is not or does not continue to be "safe, reliable, and entitled to public confidence." MCL 500.403.

Section 222(7) of the Insurance Code, MCL 500.222(7), declares that most information and documents generated in the course of an insurance company examination are confidential. It requires the Commissioner to withhold any examination report from public inspection until the report is final and filed with the Commissioner. Even then, the Commissioner may continue to withhold an examination report from

¹ Executive Order 2000-4 transferred all of the authority, powers, duties, functions, and responsibilities of the Insurance Bureau and of the Commissioner of Insurance to the Office of Financial and Insurance Services and the Commissioner of the Office of Financial and Insurance Services effective April 3, 2000.

public inspection "for such time as he or she may consider proper." In any event, section 222(7) mandates that documents and information connected to an examination report or an investigation shall be confidential and shall not be disclosed except as specifically allowed in that section.

Section 222(7) explicitly authorizes the Commissioner to share confidential information with certain interested persons, such as the Governor, the Attorney General, and other regulatory agencies, if they agree to keep the information confidential:

If assurances are provided that the information will be kept confidential, the commissioner may disclose confidential work papers, correspondence, memoranda, reports, records, or other information as follows:

- (a) To the governor or the attorney general.
- (b) To any relevant regulatory agency, including regulatory agencies of other states or the federal government.
- (c) In connection with an enforcement action brought pursuant to this or another applicable act.
- (d) To law enforcement officials.
- (e) To persons authorized by the Ingham county circuit court to receive the information.
- (f) To persons entitled to receive such information in order to discharge duties specifically provided for in this act. [MCL 500.222(7).]

Under section 226 of the Insurance Code, MCL 500.226, it is a misdemeanor to disclose confidential examination or investigation information except as authorized by section 222(7).

Whether the Commissioner may share confidential examination or investigation information and documents with relevant regulatory agencies of other countries turns on the meaning of section 222(7)(b) of the Insurance Code. If assurances are provided that the information will be kept confidential, the Commissioner may disclose confidential information and documents: "(b) To any relevant regulatory agency, including regulatory agencies of other states or the federal government." It may be argued that section 222(7)(b) encompasses regulatory agencies of another country because the words "to any relevant regulatory agency" are expansive. (Emphasis added.) Or it might be argued that the words "including regulatory agencies of other states or the federal government" are words of limitation, implicitly meant to exclude regulatory agencies of other countries.

The most basic rule of statutory construction is to determine the Legislature's intent by first looking to the words of a statute themselves. "The words of a statute provide 'the most reliable evidence of its intent.'" *Sun Valley Foods Co v Ward*, 460 Mich 230, 236; 596 NW2d 119 (1999), quoting *United States v Turkette*, 452 US 576, 593; 101 S Ct 2524; 69 L Ed 2d 246 (1981). Every word must be given meaning and statutes should not be construed to make any word superfluous. *Koontz v Ameritech Services*, 466 Mich 304, 312; 645 NW2d 34 (2002).

The word "including" in a statutory definition commonly has two possible meanings. The general rule is that "including" introduces one or more merely illus-

trative examples. "When 'include' is utilized, it is generally improper to conclude that entities not specifically enumerated are excluded." 2A Singer, Sutherland Statutory Construction (6th ed), § 47.23, p 316. The Michigan Supreme Court noted this interpretation in *Michigan Bell Telephone Co v Treasury Dep't*, 445 Mich 470, 479; 518 NW2d 808 (1994):

[A]s one authority has explained, where a term is defined by declaring what it "includes," it is susceptible to extension of meaning by construction. 2A Singer, Sutherland Statutory Construction (5th ed), § 47.07, pp 151-156. When used in a statutory definition, the word "includes" is a term of enlargement, not of limitation. It "conveys the conclusion that there are other items includable, though not specifically enumerated . . ." *Id.*, p 152. Such a definition suggests, if not requires, a construction broad enough to encompass other items not explicitly mentioned.

Applying this rule, the Court concluded that the statutory definition of property subject to taxation by 1905 PA 282 encompassed tangible as well as intangible property, even though intangible property was not specifically listed in the examples following the word "include" in the statute. *Id.*

Alternatively, the word "including" may introduce a list that restricts a more general preceding term. For example, in *Frame v Nehls*, 452 Mich 171, 178-179; 550 NW2d 739 (1996), the Court noted: "When used in the text of a statute, the word 'includes' can be used as a term of enlargement or of limitation, and the word in and of itself is not determinative of how it is intended to be used." In that case, the Court concluded that "includes" was used as a term of limitation, which introduced an exclusive list of those child custody disputes that would allow grandparents to petition for an order of visitation with their grandchildren.

As noted above, the Legislature authorized disclosure to "any relevant regulatory agency." MCL 500.222(7)(b). (Emphasis added.) The word "any" must be given meaning. The Michigan Supreme Court has held that "any" is all-inclusive. "The word 'any' means just what it says. It includes 'each' and 'every.'" *Sifers v Horen*, 385 Mich 195, 199, n 2; 188 NW2d 623 (1971).

Resolving the intent of the Legislature and the significance of the words "including" and "any" requires that the words of the statute be read together to harmonize their meanings, giving effect to the act as a whole. *Sweatt v Dep't of Corrections*, 468 Mich 172, 180 n 4; 661 NW2d 201 (2003). To the extent that there is any ambiguity in a statute, the courts seek "to effectuate the Legislature's intent through a reasonable construction, considering the purpose of the statute and the object sought to be accomplished." *Macomb County Prosecuting Attorney v Murphy*, 464 Mich 149, 158; 627 NW2d 247 (2001).

The courts have long held that because the business of insurance is of great public interest, insurance laws are to be liberally construed to protect the public, policyholders, and creditors. *Attorney General ex rel Ins Comm'r v Michigan Surety Co*, 364 Mich 299, 325; 110 NW2d 677 (1961); *Szabo v Ins Comm'r*, 99 Mich App 596, 599; 299 NW2d 364 (1980).

As you advise in your letter, the business of insurance has become global. Because Michigan's largest life insurer is owned by an insurer domiciled in the United Kingdom and the financial strength of each bears on the strength of the other, you explain that the insurance regulator of each jurisdiction has an interest in the

financial condition of both insurers. In your view, access to such information protects Michigan citizens. "Information is critical to assessing the risk to a Michigan company operating within a multinational holding company supervised by a foreign regulator. The accurate assessment of risk better protects Michigan consumers." Your staff further advises that in order for Michigan to obtain the information it needs from other regulatory agencies, it must be willing to reciprocate that service by sharing information with them.

Michigan courts have made it clear that "powers necessary to a full effectuation of authority expressly granted will be recognized as properly appertaining to the agency." *In re Quality of Service Standards for Regulated Telecommunication Services*, 204 Mich App 607, 613; 516 NW2d 142 (1994). As discussed earlier, MCL 500.222 authorizes the Commissioner to examine the affairs of any insurance company at any time after it has been authorized to do business in Michigan, and no domestic, foreign, or alien insurer may continue to be authorized to do business in this State if the insurer does not continue to be "safe, reliable, and entitled to public confidence." MCL 500.403. Moreover, MCL 500.222(7) expressly grants the Commissioner the power to share confidential information with a "relevant regulatory agency" if the agency provides assurances the information will be kept confidential. Where, as indicated in your letter, the financial strength of an insurer regulated by an agency in a foreign country bears upon the financial condition of a particular insurer doing business in Michigan, the need to share information between the regulatory agencies to fully effectuate the Commissioner's duties is apparent. Under these circumstances, the regulatory agency in the foreign country clearly qualifies as a "relevant" regulatory agency.

The history of this provision, which reveals a legislative intent to expand the scope of the Commissioner's powers to share information, provides further support for a broad construction. Before it was amended by 1992 PA 182, what was then section 222(4) only authorized the Commissioner to share confidential information with the insurance commissioners of other states.

In any event, all insurance bureau materials related to an examination report shall be withheld from public inspection and shall be confidential. This subsection shall not be construed as prohibiting the commissioner from releasing *to another state's insurance commissioner* information relating to the examination of an insurer if the commissioner from the other state provides assurances that the information will be kept confidential. [1956 PA 218, section 222(4), MCL 500.222(4), as amended by 1989 PA 302; emphasis added.]

1992 PA 182 expanded the range of persons with whom the Commissioner may share confidential information. That Act amended then section 222(4) to authorize the Commissioner to share confidential information not just with the insurance commissioner of another state, but with, among others, "any relevant regulatory agency, including regulatory agencies of other states or the federal government."²

It is noteworthy that the Legislature chose expansive, rather than restrictive, language. Had the Legislature intended to limit MCL 500.222(7)(b) to regulatory agen-

² 1994 PA 443 subsequently renumbered section 222(4) as section 222(7) with no further changes made to the language under review here.

cies in the United States, it could easily have done so by providing, for example, that disclosure was authorized: "To relevant regulatory agencies of this state, other states, or the federal government."³ This would have excluded regulatory agencies outside the United States under the maxim *expressio unius est exclusio alterius*. See, e.g., *Sebewaing Industries, Inc, v Village of Sebewaing*, 337 Mich 530, 545; 60 NW2d 444 (1953) ("Express mention in a statute of one thing implies the exclusion of other similar things").

All of these factors convey a legislative intent to facilitate the Commissioner's sharing of information with "any relevant regulatory agency," without geographic limitation, insofar as that sharing is consistent with fulfilling her responsibilities under the Insurance Code, if assurances are provided that the information will be kept confidential.⁴

It is my opinion, therefore, that section 222(7)(b) of the Insurance Code, MCL 500.222(7)(b), authorizes the Commissioner of the Office of Financial and Insurance Services to share confidential documents and information regarding insurance companies with "any relevant regulatory agency" of another country, provided the Commissioner is given assurances that the information will be kept confidential.

MIKE COX
Attorney General

³ *Cf.*, MCL 500.222(8) (providing that the confidentiality requirements of MCL 500.222(7) do not apply in any proceeding or action brought against or by the insurer under this act or any other applicable act "of this state, any other state, or the United States").

⁴ MCL 500.222(7) does not dictate the procedure for sharing such information. The agency has discretion to determine how best to arrange for the disclosure. *Cf.*, *Coffman v State Bd of Examiners in Optometry*, 331 Mich 582, 590; 50 NW2d 322 (1951) (agencies have incidental power necessary to carry out the purpose of the Legislature, especially in matters of internal administration). What is essential is that the Commissioner be provided with reliable assurances that the information will be kept confidential by the recipient regulatory agency.

INCOMPATIBILITY: Incompatibility of offices of deputy county treasurer and township treasurer

PUBLIC OFFICES & OFFICERS:

The offices of deputy county treasurer and treasurer of a township within the same county are incompatible.

Opinion No. 7198

January 29, 2007

Honorable Kevin A. Elsenheimer
State Representative
State Capitol
Lansing, MI 48909

You have asked whether the offices of deputy county treasurer and treasurer of a township within the same county are incompatible.

The Incompatible Public Offices Act, 1978 PA 566 (Act), MCL 15.181 *et seq.*, addresses the simultaneous holding of two or more public offices. Section 2 of the Act, MCL 15.182, prohibits public officers and employees from holding two or more "incompatible offices" at the same time.

The Act defines "incompatible offices" as:

[P]ublic offices held by a public official which, when the official is performing the duties of any of the public offices held by the official, results in any of the following with respect to those offices held:

- (i) The subordination of 1 public office to another.
- (ii) The supervision of 1 public office by another.
- (iii) A breach of duty of public office. [MCL 15.181(b).]

The Act comprehends within its prohibitions not only public officers, but also public employees. *Macomb County Prosecuting Attorney v Murphy*, 464 Mich 149; 627 NW 247 (2001). Each of the positions about which you inquire are public offices, the holders of which are public officers.

The position of county treasurer is an elective county office whose duties and powers are provided by law. Const 1963, art 7, § 4. A county treasurer's statutory duties include receiving and accounting for all county funds. MCL 48.40. Each county treasurer "shall appoint a deputy [county treasurer]," who in case of the absence or disability of the county treasurer, or in cases of a vacancy, performs all of the duties of the county treasurer.¹ MCL 48.37. In exercising deputed powers, the deputy, like the county treasurer, is a county official.

The position of township treasurer is an elective township office whose powers and duties are provided by law. Const 1963, art 7, § 18. These duties include receiv-

¹ In counties having a population in excess of 50,000, deputies may be appointed, each of whom "may perform all the official acts" which county treasurers "might legally" do. MCL 45.41. In counties having a population in excess of 500,000, a chief deputy treasurer may be appointed. MCL 45.51.

ing and accounting for all money belonging to the township. MCL 41.76. In addition, the township treasurer is responsible for collecting and accounting for all ad valorem property taxes assessed against taxable property in the township for state, county, township, and other public entities under the General Property Tax Act, 1893 PA 206, MCL 211.1 *et seq.* This act details the respective duties and responsibilities of county and township offices, including their treasurers, with respect to the imposition and collection of ad valorem property taxes for county, state, and township purposes. Your question may be answered by examining provisions of the General Property Tax Act that are material to the interaction of these officers to determine whether one of the offices is subordinate to the other or supervises the other.

The process of assessing, collecting, and enforcing property taxes is an annual one. The township clerk, on or before September 30, delivers to the township supervisor and county clerk a statement of the aggregate amount of all taxes to be raised in the township for township, school, highway, drain, and all other purposes. The statement and supporting papers are submitted by the county clerk to the county board of commissioners. MCL 211.36.

Under section 37 of the General Property Tax Act, the county board of commissioners at its annual meeting held in October: 1) determines the amount of money to be raised for county purposes and apportions that amount among the townships; 2) examines each township's statement and certification of taxes to be raised in the township for township, school, highway, drain, and other purposes and entertains objections and authorizes and requires defects and omissions to be "corrected" or "supplied"; and 3) "direct[s] that the money proposed to be raised for township, school, highway, drain, and all other purposes as authorized by law, shall be spread upon the assessment roll of the proper townships." MCL 211.37. Section 37 further provides:

This action and direction shall be entered in full upon the records of the proceedings of the board, and shall be final as to the levy and assessment of all the taxes, except if there is a change made in the equalization of any county by the state tax commission upon appeal in the manner provided by law. The direction for spread of taxes shall be expressed in terms of millages to be spread against the taxable values of properties and shall not direct the raising of any specific amount of money. [MCL 211.37.]

The clerk of the board of commissioners, immediately after the board's apportionment actions, issues certificates to the county treasurer and to each township's supervisor "showing the millages apportioned to each township for state, county and the various township purposes, each tax being kept distinct." MCL 211.38.

The township assessing officer then completes the assessment roll. The appropriate assessing officer in each local tax collecting unit "shall assess the taxes apportioned to that local tax collecting unit according to the taxable values entered in the assessment roll of that local tax collecting unit for the year." MCL 211.39. Before the supervisor or assessing officer delivers the roll to the township treasurer, "he or she shall carefully foot [total] the several columns of valuation and taxes, and make a detailed statement, which he or she shall give the clerk of his or her township . . . and the clerk shall immediately charge the amount of taxes to the township treasurer." MCL 211.41.

Section 42 of the General Property Tax Act further specifies the duties of the township treasurer. The township supervisor "shall prepare a tax roll, with the taxes

levied as provided in this act, and annex to the roll a warrant signed by him or her, commanding the township . . . treasurer" to: 1) collect the several sums mentioned in the last column of the roll; 2) retain the amount receivable by law into the township treasury for the purposes therein specified; 3) pay over as provided in section 43 to the county treasurer the amounts that are collected for state and county purposes; and 4) account in full for all money received on or before the next following March 1. MCL 211.42.

Section 43(2) requires that the township treasurer be properly bonded with sufficient sureties approved by the county treasurer:

The treasurer . . . on or before the third day immediately preceding the day the taxes to be collected become a lien, shall give to the county treasurer a bond running to the county in the actual amount of state, county, and school taxes . . . with sufficient sureties to be approved by the supervisor of the township and the county treasurer, conditioned that he or she will pay over to the county treasurer as required by law all state and county taxes, pay over to the respective school treasurers all school taxes that he or she collects during each year of his or her term of office, and duly and faithfully perform all the other duties of the office of treasurer. [MCL 211.43(2).]

Upon receipt of the tax roll, the township treasurer shall proceed to collect the taxes. MCL 211.44. All taxes are to be collected before the first day of March each year. MCL 211.45.

Section 43 of the General Property Tax Act details the respective duties of county and township treasurers with respect to the collection of taxes paid timely or returned delinquent, and the accounting each local treasurer must make to the county treasurer, among others. Subsection 43(3)(a) and (b) provides:

(a) Within 10 business days after the first and fifteenth day of each month, the township or city treasurer shall account for and deliver to the county treasurer the total amount of state and county tax collections on hand on the first and fifteenth day of each month; to the school district treasurers the total amount of school tax collections on hand on the first and fifteenth day of each month; and to the public transportation authorities the total amount of public transportation authority tax collections on hand the first and fifteenth day of each month. If the intermediate school district and community college district provide for direct payment pursuant to subsection (9), the township or city treasurer shall also account for and deliver to the intermediate school district and the community college district the total respective amounts of school tax collections on hand the first and fifteenth day of each month. This subdivision shall not apply to the month of March.

(b) Within 10 business days after the last day of February, the township or city treasurer shall account for and deliver to the county treasurer at least 90% of the total amount of state and county tax collections on hand on the last day of February; to the school district treasurers at least 90% of the total amount of school tax collections on hand on the last day of February; and to the public transportation authorities at least 90% of the total amount of public transportation authority tax collections on hand on the last day of February. If the intermediate school district and community college district provide for direct payment pursuant to subsection (9), the township or city treasurer shall also account for and deliver to the intermediate school district and community college district

at least 90% of the total respective amounts of school tax collections on hand on the last day of February. [MCL 211.43(3)(a) and (b).]

Section 54 of the General Property Tax Act requires township treasurers to pay the county treasurer the state and county taxes collected and account for unpaid taxes:

Within 20 calendar days after the time specified in his warrant, the township treasurer or other collecting officer shall pay to the county treasurer all state and county taxes collected, and within the same time shall make his statement of unpaid taxes upon real and personal property as required in section 55. [MCL 211.54.]

If taxes are not paid by February 15, they are "returned delinquent" from the township to the county. Payment of the "returned" delinquent taxes is, therefore, made to the county treasurer. The county treasurer must assure himself or herself that a township treasurer has properly accounted for all sums collected on property subject to ad valorem taxes and properly reported all property taxes remaining delinquent. MCL 211.55. With respect to the return of delinquent taxes made by the township treasurer to the county treasurer, section 55 provides in part:

The county treasurer shall immediately compare the affidavits of the tax collecting officer with regard to the taxes collected and taxes remaining unpaid with the tax roll. [MCL 211.55.]

Only if the returns are correct are the township treasurer and the treasurer's sureties released from their bond. MCL 211.56.

Each treasurer collects taxes on behalf of the county as well as all local taxing units within the township. Under the statutory provisions detailed above, each treasurer has a fiduciary responsibility to each of those taxing units.

The activities and relationships discussed above make the township treasurer subordinate to the county treasurer in collecting county and state taxes; the county treasurer is given specified supervisory responsibilities over the township treasurer's performance of tax collecting duties.

In OAG, 1987-1988, No 6418, p 15 (January 13, 1987), the Attorney General addressed the incompatibility of the offices of county commissioner and city treasurer, under the same provisions of the General Property Tax Act:

It is the responsibility of the city treasurer each year to collect all taxes on real and personal property located in the city which are due to the county. MCL 211.54; MSA 7.98, provides:

"Within 20 calendar days after the time specified in his warrant, the township treasurer or other collecting officer shall pay to the county treasurer all state and county taxes collected, and within the same time shall make his statement of unpaid taxes upon real and personal property as required in section 55."

The city treasurer is required to post a bond satisfactory to the county treasurer. MCL 211.43(2); MSA 7.84(2). If the city treasurer fails to pay to the county all taxes collected which are due to the county, the city may be held liable for the deficiency. *Ottawa County v City of Holland*, 269 Mich 192; 256 NW 851 (1934). The supervisory relationship between the city treasurer and the county treasurer on the annual settlement day is summarized in VerBurg, *Managing the*

Modern Michigan Township (MSU, 1981), p 83. While that summary refers only to township treasurers, it is equally applicable to city treasurers in view of MCL 211.87 and 211.107(1); MSA 7.141 and 7.161(1). VerBurg states:

"Settlement day is the time when township treasurers deliver a final report of collections for the season. The day is supposed to occur between March 1 and March 30, although it sometimes extends beyond that date. The process is largely one in which the township and county treasurers determine the balance owed to the county at that time. Generally, this will include the final distribution of regular collections and those received after March 1. The settlement will also involve a review of taxes being returned delinquent. The county treasurer then assumes responsibility for collecting taxes on real property.

"Township treasurers may be somewhat intimidated with the matter of settlement; in effect, it is a kind of review of one's work by an outsider."

Thus, the city treasurer is, in effect, the county's agent in collecting the county's taxes on property located in the city, subject to the supervision of the county through the county treasurer and generally through the county board of commissioners. The overall responsibility of the county board of commissioners as to county business is set forth in MCL 46.11(p); MSA 5.331(p), which empowers the board to represent the county and to have the care and management of the property and business of the county if other provisions are not made. The supervision by the county of the city treasurer's collection activities is necessary to verify that all applicable county taxes are collected by the city treasurer and are transferred to the county.

It is my opinion, therefore, that county supervision of the city treasurer pertaining to the collection of county taxes by the city treasurer necessitates the conclusion that simultaneous holding of the offices of city treasurer and member of the county board of commissioners would be contrary to the prohibition against occupying incompatible offices in MCL 15.182; MSA 15.1120(122).

While the offices of county treasurer and township treasurer are clearly incompatible, the question here is whether that incompatibility extends to the office of deputy county treasurer.

MCL 48.37 requires that each county treasurer shall appoint "a" deputy who, in the absence of the treasurer from the office, is competent to perform all the duties of the office of treasurer. A person unable to perform all the duties of the office due to holding what would be an incompatible office would not be qualified for the appointment.

The collection of taxes assessed under the GPTA is a continuous activity. At all times, the county and township are involved in the collection of both delinquent and non-delinquent taxes. That activity extends beyond the activities discussed above through the ultimate forfeiture and foreclosure of properties for which taxes have not been paid. In most counties, the county treasurer is the foreclosing governmental unit. MCL 211.78. No month goes by that does not call for an accounting between each unit. The deputy county treasurer is required by law to be included in the tax collection process when the county treasurer is not available to perform the duties of

the treasurer and, in general, assists the county treasurer in discharging all of the duties of that office. OAG, 1975-1976, No 4971, pp 411, 413 (April 20, 1976), recognized that a deputy county treasurer is subject to the same legislation as is applicable to the county treasurer. Accordingly, the incompatibility of the offices of county treasurer and township treasurer extends as well to the deputy county treasurer as well as to the county treasurer.

It is my opinion, therefore, that the offices of deputy county treasurer and treasurer of a township within the same county are incompatible.

MIKE COX
Attorney General

CITIES: Legality of ordinance allowing use of unmanned traffic monitoring device to support citation for civil infraction

HOME RULE CITY ACT:

MICHIGAN VEHICLE CODE:

TRAFFIC RULES AND REGULATIONS:

An ordinance adopted by a city pursuant to its authority under the Home Rule City Act, 1909 PA 279, MCL 117.1 *et seq.*, that allows the city to issue citations for civil infractions for disobeying a traffic control signal based on the photograph or video produced by an unmanned traffic monitoring device at a location other than a railroad grade crossing conflicts with the Michigan Vehicle Code, 1949 PA 300, MCL 257.1 *et seq.*, and, thus, is invalid.

Opinion No. 7199

January 30, 2007

Honorable Barbara A. Farrah
State Representative
The Capitol
Lansing, MI 48909

You ask if an ordinance adopted by a city, pursuant to its authority under the Home Rule City Act, 1909 PA 279, MCL 117.1 *et seq.* (Act), to allow the city to issue citations for civil infractions for disobeying a traffic control signal (red light) based on the photograph or video produced by an unmanned traffic monitoring device is valid.

The Constitution reserves to local units of government the authority to exercise reasonable control over streets and highways. Const 1963, art 7, § 29 provides in pertinent part:

Except as otherwise provided in this constitution the right of all counties, townships, cities and villages to the reasonable control of their highways, streets, alleys and public places is hereby reserved to such local units of government.¹¹

Thus, the authority reserved to local units of government to exercise reasonable control over streets and highways is expressly made subject to other provisions of the Constitution. One such provision is Const 1963, art 7, § 22 in which cities and villages enjoy broad powers to adopt ordinances relating to municipal concerns, "subject to the constitution and law." *AFSCME v Detroit*, 468 Mich 388, 410; 662 NW2d 695 (2003).

Similarly, section 4j(3) of the Act, MCL 117.4j(3), authorizes home rule cities to adopt ordinances relating to their municipal concerns subject to the Constitution and law:

Each city may in its charter provide:

[F]or any act to advance the interests of the city, the good government and prosperity of the municipality and its inhabitants and through its regularly constituted authority to pass all laws and ordinances relating to its municipal concerns subject to the constitution and general laws of this state.

Although home rule cities may adopt a code by passing an ordinance under their general police powers, a municipality is precluded from enacting an ordinance if the ordinance directly conflicts with the state statutory scheme addressing that subject or if the state statutory scheme pre-empts the ordinance by occupying the field of regulation which the municipality seeks to enter, to the exclusion of the ordinance, even where there is no direct conflict between the two schemes of regulation. *People v Llewellyn*, 401 Mich 314, 322; 257 NW2d 902 (1977).

Section 4l(1) of the Act, MCL 117.4l(1), provides in pertinent part:

Consistent with any of the following statutes and whether or not authorized by the city charter, the legislative body of a city may adopt an ordinance that designates a violation of the ordinance as a civil infraction and provides a civil fine for that violation:

(a) The Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

In similar vein, the Revised Judicature Act, 1961 PA 236, MCL 600.101 *et seq*, provides in section 113, MCL 600.113:

(1) As used in this act:

(a) "Civil infraction" means an act or omission that is prohibited by a law and is not a crime under that law or that is prohibited by an ordinance and is not a crime under that ordinance, and for which civil sanctions may be ordered. Civil infraction includes, but is not limited to, the following:

¹ See also MCL 117.4h(1), which provides that each city may in its charter provide "[f]or the use, regulation, improvement and control of the surface of its streets, alleys and public ways, and of the space above and beneath them."

(i) A violation of the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws, designated as a civil infraction.

(ii) A violation of a city, township, or village ordinance substantially corresponding to a provision of Act No. 300 of the Public Acts of 1949, if the ordinance designates the violation as a civil infraction.

Accordingly, a city operating under the Home Rule City Act may enact ordinances that are consistent with the Michigan Vehicle Code (the Code), 1949 PA 300, MCL 257.1 *et seq.*

The city in question has adopted an ordinance that allows a police officer or person appointed by a local district judge to issue a citation for a civil infraction for driving into an intersection after the traffic signal has turned red based on a review of photographic evidence obtained by an unmanned camera. Section 741 of the Michigan Vehicle Code, MCL 257.741, provides:

A civil infraction action is a civil action in which the defendant is alleged to be responsible for a civil infraction. A civil infraction action is commenced upon the issuance and service of a citation as provided in section 742.

Section 742 of the Code, MCL 257.742, provides for the issuance of citations for civil infractions:

(1) A police officer who witnesses a person violating this act or a local ordinance substantially corresponding to this act, which violation is a civil infraction, may stop the person, detain the person temporarily for purposes of making a record of vehicle check, and prepare and subscribe, as soon as possible and as completely as possible, an original and 3 copies of a written citation, which shall be a notice to appear in court for 1 or more civil infractions. If a police officer of a village, city, township, or county, or a police officer who is an authorized agent of a county road commission, witnesses a person violating this act or a local ordinance substantially corresponding to this act within that village, city, township, or county and that violation is a civil infraction, that police officer may pursue, stop, and detain the person outside the village, city, township, or county where the violation occurred for the purpose of exercising the authority and performing the duties prescribed in this section and section 749, as applicable.

* * *

(3) A police officer may issue a citation to a person who is a driver of a motor vehicle involved in an accident when, based upon personal investigation, the officer has reasonable cause to believe that the person is responsible for a civil infraction in connection with the accident. A police officer may issue a citation to a person who is a driver of a motor vehicle when, based upon personal investigation by the police officer of a complaint by someone who witnessed the person violating this act or a local ordinance substantially corresponding to this act, which violation is a civil infraction, the officer has reasonable cause to believe that the person is responsible for a civil infraction and if the prosecuting attorney or attorney for the political subdivision approves in writing the issuance of the citation.

* * *

(5) The officer shall inform the person of the alleged civil infraction or infractions and shall deliver the third copy of the citation to the alleged offender.

(6) In a civil infraction action involving the parking or standing of a motor vehicle, a copy of the citation need not be served personally upon the defendant but may be served upon the registered owner by attaching the copy to the vehicle.

Section 605 of the Code, MCL 257.605, requires uniformity throughout the State for obedience to, the effects of, and the penalties for violating the traffic laws:

(1) [Chapter VI^[2]] and chapter VIII^[3] apply uniformly throughout this state and in all political subdivisions and municipalities in the state. A local authority shall not adopt, enact, or enforce a local law that provides lesser penalties or that is otherwise in conflict with this chapter or chapter VIII.

(2) A local law or portion of a local law that imposes a criminal penalty for an act or omission that is a civil infraction under this act, or that imposes a criminal penalty or civil sanction in excess of that prescribed in this act, is in conflict with this act and is void to the extent of the conflict.

Those requirements are in contrast to section 667a of the Code, MCL 257.667a, which provides for the installation and use of unmanned traffic monitoring devices at railroad grade crossings, the use of a sworn statement of a police officer based upon inspection of photographs or videotape images produced by an unmanned traffic monitoring device, and service of the citation by first-class mail on the owner of the vehicle:

(1) The . . . local authority having jurisdiction over a highway or street may authorize the installation and use of unmanned traffic monitoring devices at a railroad grade crossing with flashing signals and gates on a highway or street under their respective jurisdictions. . . .

(2) Beginning 31 days after the installation of an unmanned traffic monitoring device at a railroad grade crossing described in subsection (1), a person is responsible for a civil infraction as provided in section 667 if the person violates a provision of that section on the basis of evidence obtained from an unmanned traffic monitoring device. . . .

(3) A sworn statement of a police officer from the state or local authority having jurisdiction over the highway or street upon which the railroad grade crossing described in subsection (1) is located, based upon inspection of photographs, microphotographs, videotape, or other recorded images produced by an unmanned traffic monitoring device, shall be prima facie evidence of the facts contained therein. . . .

* * *

² Chapter VI addresses obedience to and effect of traffic laws and includes MCL 257.605.

³ Chapter VIII addresses the penalties provided in the Code.

(5) Notwithstanding section 742, a citation for a violation of section 667 on the basis of evidence obtained from an unmanned traffic monitoring device may be executed by mailing by first-class mail a copy to the address of the owner of the vehicle as shown on the records of the secretary of state.

It is a well-established canon of legislative construction that the expression of one thing implies the exclusion of others not expressed – "*expressio unius est exclusio alterius*." *Taylor v Michigan Public Utilities Comm*, 217 Mich 400, 402-403; 186 NW 485 (1922); *Sebewaing Industries Inc v Village of Sebewaing*, 337 Mich 530, 548; 60 NW2d 444 (1953).

It is my opinion, therefore, that an ordinance adopted by a city pursuant to its authority under the Home Rule City Act, 1909 PA 279, MCL 117.1 *et seq*, that allows the city to issue citations for civil infractions for disobeying a traffic control signal based on the photograph or video produced by an unmanned traffic monitoring device at a location other than a railroad grade crossing conflicts with the Michigan Vehicle Code, 1949 PA 300, MCL 257.1 *et seq*, and, thus, is invalid.

MIKE COX
Attorney General

GOVERNOR: Length of term of office of Executive Director of Michigan Gaming Control Board and manner of appointment to office

APPOINTMENTS:

MICHIGAN GAMING CONTROL AND REVENUE ACT:

PUBLIC OFFICERS AND EMPLOYEES:

LEGISLATURE:

ADVICE AND CONSENT:

The Governor is authorized to appoint the Executive Director of the Michigan Gaming Control Board to serve a six-year term under section 4(8) of the Michigan Gaming Control and Revenue Act, MCL 432.204(8).

An individual appointed by the Governor as Executive Director of the Michigan Gaming Control Board under MCL 432.204(8) may not assume the duties of the office immediately upon executing the oath of office required by Const 1963, art 11, § 1 but rather must wait to assume the duties of the office until after the appointment is approved by the Senate by a record roll call vote.

Honorable Jennifer M. Granholm
Governor
The Capitol
Lansing, MI

You have asked two questions concerning the office of Executive Director of the Michigan Gaming Control Board. Your questions pertain to the length of the Executive Director's term of office and the process by which appointment to this office is approved by the Senate.

You first ask whether the Governor is authorized to appoint the Executive Director of the Michigan Gaming Control Board to the six-year term provided for in the applicable statute or is limited by Const 1963, art 5, § 3 and OAG, 2005-2006, No 7178, p 44 (August 2, 2005), to appointing the Executive Director to a four-year term. Your letter indicates that you intend to fill a current vacancy in this office soon. This response, accordingly, has been prepared on an expedited basis.

The Michigan Gaming Control and Revenue Act (Act), MCL 432.201 *et seq.*, is an initiated law that took effect on December 5, 1996. The Legislature substantially amended the Act in 1997 with the requisite supermajority vote by enacting 1997 PA 69. Section 4(1) of the Act establishes the Michigan Gaming Control Board, and section 4(2) describes its membership: "The board shall consist of 5 members . . . to be appointed by the governor with the advice and consent of the Senate" MCL 432.204(1) and (2). Under section 4(3): "The members shall be appointed for terms of 4 years." MCL 432.204(3). The Act also dictates that one member "shall be designated by the governor to be chairperson." MCL 432.204(2).

A different subsection of section 4 of the Act, MCL 432.204(8), establishes the position of Executive Director of the Board, a gubernatorial appointee who serves a six-year term of office and performs those duties assigned by the Board:

The governor shall appoint the executive director of the board *to serve a 6-year term*. After the effective date of the act that added this subsection, the appointment of the executive director shall require the approval of the senate by a record roll call vote. The executive director shall perform any and all duties that the board shall assign him or her. The executive director shall be reimbursed for all actual and necessary expenses incurred by him or her in discharge of his or her official duties. The executive director shall keep records of all proceedings of the board and shall preserve all records, books, documents, and other papers belonging to the board or entrusted to its care. The executive director shall devote his or her full time to the duties of the office and shall not hold any other office or employment. A vacancy in the position of executive director shall be filled as provided in this subsection for a new 6-year term. [Emphasis added.]

Your first inquiry seeks to resolve whether the six-year term of office for the Executive Director established in MCL 432.204(8) violates the four-year limitation on "[t]erms of office of any board or commission" created or enlarged after the effective date of the 1963 Constitution stated in Const 1963, art 5, § 3. That section provides, in its entirety:

The head of each principal department shall be in a single executive unless otherwise provided in this constitution or by law. The single executives heading principal departments shall include a secretary of state, a state treasurer and an attorney general. When a single executive is the head of a principal department, unless elected or appointed as otherwise provided in this constitution, he shall

be appointed by the governor by and with the advice and consent of the senate and he shall serve at the pleasure of the governor.

When a board or commission is at the head of a principal department, unless elected or appointed as otherwise provided in this constitution, the members thereof shall be appointed by the governor by and with the advice and consent of the senate. The term of office and procedure for removal of such members shall be as prescribed in this constitution or by law.

Terms of office of any board or commission created or enlarged after the effective date of this constitution shall not exceed four years except as otherwise authorized in this constitution. The terms of office of existing boards and commissions which are longer than four years shall not be further extended except as provided in this constitution. [Emphasis added.]

OAG No 7178 examined art 5, § 3 and determined that the above-italicized language in the third paragraph of art 5, § 3 applied to limit to four years the statutorily prescribed six-year terms of office of members of the Michigan Historical Commission, whose membership was enlarged after the effective date of Const 1963. Because the Michigan Gaming Control Board was created after the effective date of Const 1963, its members may likewise serve terms of no longer than four years.¹ The question then becomes whether, under the Michigan Gaming Control and Revenue Act, the Executive Director is a member of the Michigan Gaming Control Board. If the Executive Director *is* a member of the Board, his or her term of office may extend no longer than four years, and the six-year term provided for under the Act may not be constitutionally realized, but if the Executive Director is *not* a member of the Board, then appointment to this office is for the six-year term.

A review of all the provisions of the Act leads to the conclusion that the Executive Director is not a member of the Board and, therefore, may lawfully serve the six-year term established by the Act. The membership of the Board is established in a different subsection of the Act than is used to establish the office of Executive Director. The Executive Director is appointed for a six-year term, whereas members of the Board are appointed to a four-year term. The Executive Director's appointment requires approval of the Senate by a record roll call vote, whereas a board member's appointment requires the advice and consent of the Senate. The Board is given responsibility for the implementation of the Act, including the authority to decide casino license applications, promulgate rules, and provide for the levying and collection of fines and penalties for violations of the Act, MCL 432.204(17), whereas the Executive Director performs the duties that the Board assigns him or her. MCL 432.204(8). Moreover, other provisions of the Act refer to board members and the Executive Director as separate officers in the same sentence, providing further textual evidence that board members and the Executive Director serve in distinct positions. See e.g., MCL 432.204(11) and (13), and MCL 432.204d(22).² All these distinctions

¹ As stated above, MCL 432.204(3) establishes a four-year term for members of the Board and is thus consistent with the mandate of art 5, § 3.

² MCL 432.204(11) requires the filing of financial disclosure statements by "[e]ach member of the board, the executive director, and each key employee as determined by the board." MCL 432.204(13) prohibits "[a] member of the board, executive director, or key employee" from holding certain interests and taking certain other actions. Under MCL 432.204d(22), the chairperson of the board must report certain actions he or she has taken or plans to take, after which "the board may direct the executive director to take additional or different action." The Michigan Gaming Control Board's administrative rules also distinguish between board members and the Executive Director. See, e.g., 1998 MR 6, R 432.1215.

reflect that the Legislature did not intend the Executive Director of the Board to serve as a "member" of the Board.

Complete analysis of your first question, however, requires consideration of one additional issue. It must be observed that the third paragraph of art 5, § 3 is worded in such a way that, technically speaking, the four-year term-of-office limitation applies to "any board or commission" created or enlarged after Const 1963 took effect, and not to the "the members of" any such board or commission.³ Even though it is not a board or commission itself but rather its members who, logically, may serve a term of office, this could raise a question whether the third paragraph of art 5, § 3 is meant to apply to more than a board's or commission's members alone.

When interpreting a constitutional provision, the task is to give effect to the common understanding of the text:

"A constitution is made for the people and by the people. *The interpretation that should be given it is that which reasonable minds, the great mass of the people themselves, would give it.* 'For as the Constitution does not derive its force from the convention which framed, but from the people who ratified it, *the intent to be arrived at is that of the people*, and it is not to be supposed that they have looked for any dark or abstruse meaning in the words employed, *but rather that they have accepted them in the sense most obvious to the common understanding*, and ratified the instrument in the belief that that was the sense designed to be conveyed.' (Cooley's Const Lim 81)." *Traverse City School Dist v Attorney General*, 384 Mich 390, 405; 185 NW2d 9 (1971). [*Lapeer County Clerk v Lapeer Circuit Court*, 469 Mich 146, 155; 665 NW2d 452 (2003); brackets omitted.]

Courts usually examine the plain meaning of the provision's terms to derive the common understanding. *Wayne County v Hathcock*, 471 Mich 445, 468-469; 684 NW2d 765 (2004). While the intent of the people must be inferred from the language used, it is not the meaning of the particular words in the abstract or their strictly grammatical construction that governs. The words are to be applied to the subject matter and to the general scope of the provision, and they are to be considered in light of the general purpose sought to be accomplished by the provision. *White v Ann Arbor*, 406 Mich 554, 562; 281 NW2d 283 (1979) (citation omitted). In applying the rule of common understanding, the task is to search for "contextual clues" about a provision's meaning. *People v Nutt*, 469 Mich 565, 574 n 7; 677 NW2d 1 (2004). A provision's meaning may also be clarified by considering the circumstances surrounding the provision's adoption and its intended purpose. *Federated Publications, Inc v Michigan State Univ Bd of Trustees*, 460 Mich 75, 85; 594 NW2d 491 (1999). But if the meaning of a provision is apparent from the plain language of its text, it is unnecessary to consider its history and the circumstances surrounding its adoption. *County Rd Ass'n of Michigan v Governor*, 474 Mich 11, 17; 705 NW2d 680 (2005).

Reading art 5, § 3 as a whole demonstrates that the phrase "[t]erms of office of any board or commission" refers to the terms of office of any board's or commission's constituent members. The first paragraph of art 5, § 3 refers to single executives serving as heads of principal departments. The second paragraph addresses boards or commissions that serve as heads of principal departments. That paragraph also specifically addresses members of those boards or commissions: they must be

³ Again, the pertinent text reads: "Terms of office of any board or commission created or enlarged after the effective date of this constitution shall not exceed four years." Const 1963, art 5, § 3.

appointed by the Governor and their terms of office and procedure for their removal must be as prescribed in the constitution or by law.

Paragraph three then begins by placing the four-year limitation on the terms of office of any board or commission created after the effective date of the constitution. Given that the sentence immediately preceding this limitation addresses the terms of office and procedure for removal of *members* of boards and commissions, the interpretation that paragraph three also addresses members effectuates the sense best regarded as "most obvious to the common understanding." *Lapeer County Clerk*, 469 Mich at 155 (italics omitted). A "board" is comprised of its members, and any other interpretation would improperly assign a strained and "abstruse" meaning to the words of the provision. *Id.* Thus, art 5, § 3's reference to the term of office of the board means the term of office of its members.

While the meaning of this provision is apparent from the language of its text when read in context, its history and the circumstances surrounding its adoption add further support to the conclusion that paragraph three of art 5, § 3 was directed solely at members of a board or commission. *County Rd Ass'n of Michigan*, 474 Mich at 17. Although not conclusive, the debates at the Constitutional Convention are the "most instructive tool for discerning the circumstances surrounding the adoption of [a] provision." *House Speaker v Governor*, 443 Mich 560, 580-581; 506 NW2d 190 (1993).

The Official Record indicates that the third paragraph of art 5, § 3 originated as part of a larger amendment to Committee Proposal 71. As initially introduced, the pertinent part of the amendment stated:

"Approval of the governor [of an appointment made by a board or commission] shall not be required with respect to the chief executive officer of an appointed board or commission heading a principal department.

No member of any board or commission created or enlarged after adoption of this constitution shall have a term longer than 4 years. The terms of members of existing boards and commissions, other than as provided in this constitution, which are greater than 4 years shall not be further extended." [2 Official Record, Constitutional Convention 1961, p 1871.]

Without doubt, those who introduced the amendment intended that it would apply only to members of boards or commissions.

The impact of this amendment was discussed at length in the Official Record. The first paragraph of the amendment, some delegates claimed, was directed primarily at the state board of education. *Id.*, at 1871 (statement by Delegate Durst). The second paragraph of the amendment more broadly applied to any new or enlarged board or commission and was aimed at giving the Governor some control over boards and commissions:

Now, if they have terms of more than 4 years, they may very well be in a position where they can act contrary to the policy or the philosophy of the governor, and we feel that where boards are heading principal departments, it is preferable that he have the appointive power over them, and that they be, in a sense, responsive to his general overall supervision; which would be much more difficult if the terms of the commissioners or board members exceed a 4 year period. [*Id.*, at 1871-1872 (statement by Delegate Hatch).]

Delegate Hatch later added,

Now, where you have boards and commissions which the legislature may establish and give a term, we feel that they should not have a term longer than the term of the governor himself. The idea is to strengthen the position of the governor with respect to the boards and commissions in the executive branch. [*Id.*, at 1874.]

When this amendment first came to a vote, a majority of the delegates rejected it. *Id.*, at 1883. The following slightly different form of the amendment was later passed:

"No member of any board or commission created or enlarged after adoption of this constitution shall have a term longer than 4 years. The terms of members of existing boards and commissions, other than as provided in this constitution, which are greater than 4 years shall not be further extended." [*Id.*, at 2205, 2206-2207.]

Thereafter, the provision was referred to the committee on style and drafting, which suggested the changes that removed the references to "members" in the provision. *Id.*, at 2742-2744.

In eventually adopting the change of "terms of office of *members*" to "terms of office of *boards or commissions*," it appears that the delegates did not perceive the shift in language as broadening the scope of the provision. (Emphasis added.) See *Id.*, at 1871 (statements of Delegate Durst and Delegate Hatch), 1874 (statement of Delegate Hatch), 1876 (statement of Delegate Martin), 1879 (statement of Delegate Faxon), and 2205 (statement of Delegate Durst) (all using "terms of office of members" and "terms of office of boards" interchangeably).⁴

Because the phrase "[t]erms of office of any board or commission" in art 5, § 3 applies only to board members, it does not encompass the office of the Executive Director of the Michigan Gaming Control Board and has no effect on the statutorily prescribed six-year term of the Executive Director of the Michigan Gaming Control Board.

It is my opinion, therefore, in answer to your first question, that the Governor is authorized to appoint the Executive Director of the Michigan Gaming Control Board to serve a six-year term under section 4(8) of the Michigan Gaming Control and Revenue Act, MCL 432.204(8).

Your second question asks whether an individual appointed by the Governor as Executive Director of the Michigan Gaming Control Board may assume the duties of the office immediately upon executing the oath of office mandated by Const 1963, art 11, § 1⁵ or must wait to assume the duties of the office until after the appointment is approved by the Senate by a record roll call vote.

⁴ Moreover, at least one publication made available before the vote on the proposed constitution informed the ratifiers that this provision referred to "members." The Citizens Research Council of Michigan, in its publication "An Analysis of the Proposed Constitution" (December 27, 1962), described this provision: "The term of office for any statutory board or commission 'created or enlarged' under the proposed constitution would be a maximum of four years, however. This feature would increase the governor's power to appoint *members* of such boards during his four-year term." *Id.*, at 3-4 (emphasis added).

⁵ This provision requires all legislative, executive, and judicial officers, before entering upon the duties of their offices, to take and subscribe an oath to support the Constitution of the United States and this State and to faithfully discharge the duties of their offices according to the best of their abilities.

Your question presents circumstances that arise after the effective date of 1997 PA 69, the act that added subsection 8 of section 4 to the Michigan Gaming Control and Revenue Act. It therefore requires examination of the following controlling provision of the Act: "After the effective date of the act that added this subsection, the appointment of the executive director shall require the approval of the senate by a record roll call vote." MCL 432.204(8). This phraseology for describing Senate approval of a gubernatorial appointment appears to be unique to the Michigan Gaming Control and Revenue Act. Its interpretation presents an issue of first impression.

The fundamental rule of statutory construction is to give effect to the Legislature's intent. "If the intent is clear, and the statute is unambiguous, the statute must be read as the Legislature wrote it." *Dewan v Houry*, 477 Mich 888, 889; 722 NW2d 215 (2006), citing *Weakland v Toledo Engineering Co, Inc*, 467 Mich 344, 347; 656 NW2d 175 (2003). Words and phrases must be read in context, and a statute must be read in its entirety. *Sweatt v Dept of Corrections*, 468 Mich 172, 179; 661 NW2d 201 (2003).

The words "approval of the senate" applicable to the appointment of the Executive Director are plain in stating a requirement that an appointment must be approved by the Senate, but this does not alone resolve the issue of timing at the heart of your question. When these words are read in full context, however, it is instructive to observe that they stand in contrast to the language used by the Legislature concerning appointment to membership on the Michigan Gaming Control Board, which requires "the advice and consent of the senate." Compare MCL 432.204(8) with MCL 432.204(2).

Const 1963, art 5, § 6 provides a constitutional definition of "appointment by and with the advice and consent of the senate":

Appointment by and with the advice and consent of the senate when used in this constitution or laws in effect or hereafter enacted means appointment subject to disapproval by a majority vote of the members elected to and serving in the senate if such action is taken within 60 session days after the date of such appointment. Any appointment not disapproved within such period shall stand confirmed.

As explained in the Address to the People: "This procedure provides ample opportunity for the senate to render a negative judgment on appointees. At the same time, it permits appointments to become effective unless the senate is willing to go on record as rejecting the appointees. It prevents withholding of confirmation simply by failure to act on appointments." 2 Official Record, Constitutional Convention 1961, p 3379.

Thus, as discussed in numerous Attorney General opinions, the constitutional definition of "appointment by and with the advice and consent of the senate" squarely addresses the timing by which an appointee whose appointment is subject to advice and consent may assume the duties of office. Upon filing the oath of office, a person whose appointment to office by the Governor requires the advice and consent of the Senate may assume the duties of the office immediately and may continue to hold office unless within 60 session days following submission of the appointment to the Senate, the Senate rejects the appointment. See, e.g., OAG, 1983-1984, No 6120, pp 7, 9 (January 13, 1983), citing OAG, 1965-1966, No 4531, p 393 (December 27, 1966).

This approach represents a change from the practice that prevailed under the 1908 Constitution, under which an appointment requiring advice and consent of the Senate made by the Governor while the Senate was in session was not effective until confirmed, as explained in OAG, 1939-1940, pp 141, 142-143 (July 7, 1939). That opinion described the principle as "well established" that, "where the law requires the approval or confirmation of an appointment by a governing legislative body, the appointment is not complete until such approval or confirmation is made." *Id.*, at 142 (citations omitted). See also OAG No 4531 at 401-405. This former practice is similar to that followed by the President of the United States pursuant to the appointing power conferred on him under the federal constitution, under which an appointment was more in the nature of a nomination and approval by the Senate was a condition precedent to the complete investiture of the office. OAG No 4531 at 401-402.

Under this former practice, preventing the appointee from taking office until after the Senate had affirmatively granted approval created the potential for disruptive delays or, if the Senate chose not to act at all, the office remained vacant. The Attorney General noted in OAG No 4531 the "painstaking care with which the drafters of the Constitution of 1963 undertook to define the function of advice and consent of the senate" to reflect their concern over the "unsatisfactory practice in this regard which had developed under the Constitution of 1908." *Id.*, at 405-406. The delegates to the Constitutional Convention cited preventing this delay as one reason for including the definition of advice and consent now found in art 5, § 6 of the 1963 Constitution. *Id.*, at 397-399, 405-406.

The question then becomes whether, by requiring the "approval" of the Senate in connection with the appointment of the Executive Director under MCL 432.204(8) instead of the "advice and consent" of the Senate, the Legislature meant for a different practice – and different timing – to apply than would have been required if the "advice and consent" words of art 5, § 6 had been used.⁶ In construing statutes, it is presumed that the Legislature uses each word for a purpose. *Niles Twp v Berrien County Bd of Comm'rs*, 261 Mich App 308, 315; 683 NW2d 148 (2004). Similarly, it cannot be assumed "that the Legislature inadvertently made use of one word or phrase instead of another." *Id.*, quoting *Robinson v Detroit*, 462 Mich 439, 459; 613 NW2d 307 (2000).

In the case of MCL 432.204(8), the Legislature's purposeful selection of the statutory text under review is confirmed upon examining the relevant legislative history. Tracking the progress of the bill that became 1997 PA 69 through the legislative process reveals that the Legislature considered an amendment that would have required approval of the appointment of the Executive Director by advice and consent of the Senate (as with Board members) rather than by the approval of the Senate by roll call vote and that the amendment was rejected by a vote of 35 (yeas) to 71 (nays). See 1997 Journal of the House 1527-1528. Having rejected language that would have permitted the Executive Director appointee to take office immediately upon filing the constitutional oath, without a vote of approval by the Senate, and instead requiring an affirmative vote of Senate approval by record roll call vote, the

⁶ Your request does not ask, and this opinion does not address, the constitutionality of a statutory requirement for legislative approval of an executive appointment in a manner involving other than "the advice and consent of the Senate." See Const 1963, art 5, § 6 and Const 1963, art 4, 38. It is axiomatic that statutes are entitled to a presumption of constitutionality. *Rohan v Detroit Racing Ass'n*, 314 Mich 326, 341-342; 22 NW2d 433 (1946).

words selected convey the intent of the Legislature and must be effectuated as written.

Moreover, because MCL 432.204(8) provides that "the *appointment* of the executive director shall require" the Senate's approval, the Legislature has indicated that, consistent with the rule that shaped practice under the 1908 Constitution in which "appointment by and with the advice and consent of the senate" was *not* defined, the appointee must first receive Senate approval by roll call vote as a condition precedent to the appointment becoming complete and effective. (Emphasis added.) The appointee cannot take office before the appointment is complete and, therefore, cannot take office until after having received the Senate's approval. While this represents a break from traditional practice, and carries with it the potential for the problems and delays the framers sought to prevent by adoption of art 5, § 6 in the 1963 Constitution, it is nevertheless the result that most faithfully enforces the plain text of MCL 432.204(8).⁷

It is my opinion, therefore, that an individual appointed by the Governor as Executive Director of the Michigan Gaming Control Board may not assume the duties of the office immediately upon executing the oath of office required by Const 1963, art 11, § 1 but rather must wait to assume the duties of the office until after the appointment is approved by the Senate by a record roll call vote.

MIKE COX
Attorney General

⁷ This office is advised that, from the time the vacancy in the office of Executive Director first arose to the present, the duties of the office have been performed by other employees or staff members of the Board and that all necessary operations have continued. It is presumed that this status quo or an equivalent status that assures the continued operations of the Board will be maintained until such time as the vacancy in this office is filled.

ZONING: Compliance with Michigan Zoning Enabling Act**MICHIGAN ZONING ENABLING ACT:**

The requirement in section 601(3) of the Michigan Zoning Enabling Act, MCL 125.3601(3), that a member of the zoning or planning commission be appointed to the zoning board of appeals does not require that a current member of the zoning board be removed to create a vacancy that may then be filled to satisfy the requirement. The city or village council may amend its zoning ordinance to increase the number of members on the zoning board of appeals either temporarily or permanently and fill the newly created position with the required zoning or planning commission member.

A member of a city or village zoning board of appeals who also serves as a member of the local unit's planning or zoning commission must abstain from voting on a matter being considered by the zoning board of appeals that he or she voted on as a member of the zoning or planning commission where the facts and circumstances associated with the particular decision under review make abstention necessary to satisfy the due process requirement of impartial decision making.

A city or village council may appoint a successor to the zoning board of appeals after the expiration of a member's term notwithstanding the passing of the one-month deadline imposed by section 601(9) of the Michigan Zoning Enabling Act, MCL 125.3601(9), but the council should complete the appointment process as soon as practicable thereafter. Where a city or village council fails to timely appoint a successor to the zoning board of appeals after the expiration of a member's term under MCL 125.3601(9), that member may continue to serve beyond the expiration of his or her term as a holdover member until a successor is appointed and qualified.

The requirement in section 601(9) of the Michigan Zoning Enabling Act, MCL 125.3601(9), for appointment of a successor on the zoning board of appeals within one month after the term of the preceding member has expired has no application to the filling of a mid-term vacancy by appointment to the zoning board of appeals by the city or village.

In order to comply with the 30-day deadline for appealing to the circuit court from a decision of a zoning board of appeals set forth in section 606(3) of the Michigan Zoning Enabling Act, MCL 125.3606(3), a party must file the appeal within 30 days of the date on which the zoning board of appeals certifies its decision in writing or the date on which it approves the minutes of the meeting at which its decision was made, whichever is earlier.

Appeals to the Court of Appeals from decisions by a circuit court on review of a decision of the zoning board of appeals may only be taken by application for leave to appeal to that court in accordance with MCR 7.203 and not as a matter of right.

The provisions as to the effective date of a zoning ordinance and for the publication of notice of its adoption set forth in section 401(6) and (7) of the Michigan

Zoning Enabling Act, MCL 125.3401(6) and (7), will control over different requirements for the effective date of a city ordinance or for the publication of notice of its adoption set forth in a city charter.

A municipality may comply with the requirements in section 103(2) of the Michigan Zoning Enabling Act, MCL 125.3103(2), for giving notice to the occupants of structures within 300 feet of a property subject to certain zoning actions for which this type of notice is required, by either delivering a written notice in person to an occupant of each unit in such a structure, or by mailing a letter to one or more occupants of each unit in such a structure by name if known or addressed to the "occupant" if the name of an occupant is not known.

Opinion No. 7201

March 21, 2007

Honorable Gilda Z. Jacobs
State Senator
The Capitol
Lansing, MI 48909

Honorable Aldo Vagnozzi
State Representative
The Capitol
Lansing, MI 48909

You have asked eight questions concerning the new Michigan Zoning Enabling Act (MZEA), MCL 125.3101 *et seq.*, which was adopted by the Legislature in 2006 PA 110, effective July 1, 2006. This act repealed the prior City and Village Zoning Act, the Township Zoning Act, and the County Zoning Act, and merged into one act these laws enabling counties, cities, villages, and townships to regulate land use and development.

Your first question may be restated as follows:

Does the requirement in section 601(3) of the MZEA that members of the planning commission be appointed to the zoning board of appeals require a current member of the zoning board of appeals to be removed in order to make room for this newly mandated appointment of a member of the planning commission on the zoning board of appeals?

Section 601(3), MCL 125.3601(3), states:

In appointing a zoning board of appeals, membership of that board shall be composed of not fewer than 5 members if the local unit of government has a population of 5,000 or more and not fewer than 3 members if the local unit of government has a population of less than 5,000. The number of members of the zoning board of appeals shall be specified in the zoning ordinance. One of the regular members of the zoning board of appeals shall be a member of the zoning commission or of the planning commission if the duties and responsibilities of the zoning commission have been transferred to the planning commission.

This section sets a minimum number of members of the zoning board of appeals to be appointed by the local unit of government, "not fewer than 5" or "not fewer than 3," depending on the local unit's population. Section 601(3) gives discretion to the city or village council to specify the number of members of the zoning board of appeals "in the zoning ordinance." If there are no current vacancies on the zoning board of appeals, a city or village council may comply with this requirement by amending its ordinance establishing its zoning board of appeals to enlarge the board's membership by one or more additional seats and by filling one of these new seats

with the requisite member of the local unit's zoning or planning commission.¹ In addition, if the city or village council would prefer to keep the zoning board of appeals at its current size in the future, the council could provide for a temporary expansion in the membership of the zoning board of appeals to add a member of the planning or zoning commission without removing any current members.²

It is my opinion, therefore, in answer to your first question, that the requirement in section 601(3) of the Michigan Zoning Enabling Act, MCL 125.3601(3), that a member of the zoning or planning commission be appointed to the zoning board of appeals does not require that a current member of the zoning board be removed to create a vacancy that may then be filled to satisfy the requirement. The city or village council may amend its zoning ordinance to increase the number of members on the zoning board of appeals, on a temporary or permanent basis, and fill the newly created position with the required zoning or planning commission member.

Your second question may be restated as follows:

Is a member of a zoning board of appeals who is also a member of a planning or zoning commission required to abstain from voting on a matter being considered by the zoning board of appeals that he or she has already voted on as a member of a planning or zoning commission?

Your question recognizes that, in the case of adjudications by local bodies whose members may hold other offices, a conflict of duties that violates due process may arise. In OAG, 1991-1992, No 6742, p 203 (December 4, 1992), this issue was addressed with respect to a similar requirement for counties that have zoning ordinances. OAG No 6742 concluded that due process requires that a member of a county zoning commission serving as the statutorily required member of a county zoning board of appeals refrain from participating in the review of any decision in which the member has previously participated as a member of the county zoning commission.

The opinion first noted that since membership was explicitly required by the statute there was no question to be raised about the incompatibility of the offices. The opinion then went on to explain that the right to an impartial decision maker is a required part of due process that must be afforded in administrative hearings, citing *Crompton v Dep't of State*, 395 Mich 347; 235 NW2d 352 (1975). See also *Milk Marketing Bd v Johnson*, 295 Mich 644; 295 NW 346 (1940). In *Crompton*, the Court surveyed a number of United States Supreme Court opinions in which decision makers were disqualified without a showing of actual bias where, based on the particular facts and circumstances present, "experience teaches that the probability of actual bias on the part of the judge or decision maker is too high to be constitutionally tolerable." *Id.*, at 351. Among the situations identified as presenting that risk is where the decision maker might have prejudged the case because of prior participation as an initial decision maker. See *Withrow v Larkin*, 421 US 35, 58; 95 S Ct 1456; 43 L Ed 2d 712 (1975). None of the cases surveyed in *Crompton* addressed the particular scenario presented in your question, however, nor has research disclosed any subsequent court cases directly on point.

¹ Throughout this opinion, references to "planning commission" apply only to planning commissions to which the duties and responsibilities of the zoning commission have been transferred. See MCL 125.3601(3).

² As one example, the municipality could amend its ordinance to provide that membership is increased by one until such time as a vacancy occurs due to death or resignation.

Like the county zoning boards of appeals under review in OAG No 6742, city zoning boards of appeals, if authorized to do so by the city's zoning ordinance, may hear appeals from land use decisions made by the zoning or planning commission as to site plans, special land uses, and planned unit developments under sections 501 to 503 of the MZEA, MCL 125.3501-125.3503. Accordingly, to the extent review of an initial decision is mandated, a member of a city zoning or planning commission serving as the statutorily required member of a city zoning board of appeals may be called upon to participate in the review of a decision in which the member has previously participated as a member of the city zoning or planning commission. In the absence of details concerning a particular decision or action and the level of participation on either end of the decision making process, it is difficult to definitively assess whether a court would find the risk of unfairness in participating in the review of the initial decision constitutionally intolerable. The prudent course to follow under these circumstances, however, is to refrain from all participation in the review of the initial decision in order to assure the impartiality of the administrative process.

It is my opinion, therefore, in answer to your second question, that a member of a city or village zoning board of appeals who also serves as a member of the local unit's planning or zoning commission must abstain from voting on a matter being considered by the zoning board of appeals that he or she voted on as a member of the zoning or planning commission where the facts and circumstances associated with the particular decision under review make abstention necessary to satisfy the due process requirement of impartial decision making.

Your third question may be restated as follows:

What are the consequences of failing to appoint a successor to a seat on the zoning board of appeals if the appointment is not made within one month of that member's term expiring as required by section 601(9) of the MZEA?

Section 601(9) of the MZEA, MCL 125.3601(9), provides:

A successor shall be appointed not more than 1 month after the term of the preceding member [of a zoning board of appeals] has expired.

While section 601(9) of the MZEA, MCL 125.3601(9), provides that appointment of a successor on the zoning board of appeals "shall" occur within one month after the term of the preceding member has expired, the MZEA is silent as to the consequences that result if such an appointment is not made within the required time limit. The expectation, of course, is that an appointment resulting from the expiration of a term will be made within the one-month deadline, since it is presumed that public officials will discharge their statutory duties by acting in accordance with the law. *West Shore Community College v Manistee County Bd of Comm'rs*, 389 Mich 287, 302; 205 NW2d 441, 449 (1973).

But, in the absence of language that expressly precludes performance of an official duty after the specified time for performance has elapsed, the fundamental rules of statutory construction generally favor construing the time limit as directory rather than mandatory. *People v Yarema*, 208 Mich App 54, 57; 527 NW2d 27 (1994), citing 3 *Sutherland, Statutory Construction* (5th ed), § 57.19, pp 47-48. No such preclusive language is present in the MZEA. Thus, while every effort should be made to comply with the statutory timetable, where circumstances make compliance impossible, an appointment may still be made after expiration of the one-month period. Of course, in the good faith discharge of public duties, the appointment should be made in as close a period of time as is practicable.

Moreover, it is perhaps worth observing as a practical matter that, in the absence of any legislative direction to the contrary, if a successor has not been appointed within the one-month deadline, the preceding member, if available and willing to serve, could continue membership on the board as a holdover until a successor is appointed and qualified. This conclusion is consistent with OAG, 1979-1980, No 5606, p 493 (December 13, 1979), which determined that, in the absence of a statutory provision to the contrary, a public officer holding over may continue to serve until a successor is appointed and qualified. Citing the decision of an evenly divided Court in *Attorney General ex rel McKenzie v Warner*, 299 Mich 172, 192; 300 NW 63 (1941), a Letter Opinion of the Attorney General explained the policy underlying this rule:

The general rule is based upon the ground of public convenience and necessity to prevent an hiatus in the government pending the time of the appointment and qualification of a successor. It has also been held that, in the absence of any statutory provisions to the contrary, the public interest requires that public offices should be filled at all times, without interruption. [Letter Opinion of Attorney General Frank J. Kelley to Senator John M. Engler, dated June 3, 1985; citations omitted.]

Also supporting this conclusion is the statement in *Messenger v Teagan*, 106 Mich 654, 656; 64 NW 499 (1895) that "[w]hile there is some conflict in the decisions, the better doctrine is that, where the law does not expressly or by necessary implication prohibit, officers hold over until their successors are duly elected and qualified."

It is my opinion, therefore, in answer to your third question, that a city or village council may appoint a successor to the zoning board of appeals after the expiration of a member's term notwithstanding the passing of the one-month deadline imposed by section 601(9) of the Michigan Zoning Enabling Act, MCL 125.3601(9), but the council should complete the appointment process as soon as practicable thereafter. Where a city or village council fails to timely appoint a successor to the zoning board of appeals after the expiration of a member's term under MCL 125.3601(9), that member may continue to serve beyond the expiration of his or her term as a holdover member until a successor is appointed and qualified.

Your fourth question asks whether section 601(9) of the MZEA mandates the same one-month deadline for a city council to fill a vacated seat on a zoning board of appeals for the remainder of the member's term when a vacancy occurs prior to the expiration of a term.

Generally, section 601(9) of the MZEA, MCL 125.3601(9), specifies that terms of membership on a zoning board of appeals are for three years. This section does not specify a deadline for the filling of a mid-term vacancy, but it does state that "[v]acancies for unexpired terms shall be filled for the remainder of the term." If a statute's language is clear and unambiguous, it is assumed that the Legislature intended its plain meaning, and the statute is enforced as written. *People v Stone*, 463 Mich 558, 562; 621 NW2d 702 (2001). Given the language of the statute, there is no basis for implying a 30-day deadline for the filling of mid-term vacancies when the language of section 601(9) of the MZEA, MCL 125.3601(9) does not set forth a deadline for the filling of such vacancies.

It is my opinion, therefore, in answer to your fourth question, that the requirement in section 601(9) of the Michigan Zoning Enabling Act, MCL 125.3601(9), for appointment of a successor on the zoning board of appeals within one month after the

term of the preceding member has expired has no application to the filling of a mid-term vacancy by appointment to the zoning board of appeals by a city or village council.

Your fifth question asks whether the 30-day deadline for filing an appeal of a decision of the zoning board of appeals to the circuit court runs from the date the zoning board of appeals certifies its decision in writing or from the date when the zoning board of appeals certifies the minutes of the meeting at which its decision was made.

Section 606(3) of the MZEA, MCL 125.3606(3), states the following regarding appeals to the circuit court from decisions of a zoning board of appeals:

An appeal under this section shall be filed within 30 days after the zoning board of appeals certifies its decision in writing or approves the minutes of its decision.

The plain language of the statute provides that the 30-day time period for filing an appeal begins to run when either of two events occurs: 1) certification of the decision; or 2) approval of the minutes recording the decision. Depending on local practice, a zoning board of appeals may or may not certify its decision in writing, but it is required to review and approve the minutes of its meetings. See section 9 of the Open Meetings Act, MCL 15.269. Accordingly, the 30-day time period for filing an appeal begins to run from the date on which the zoning board of appeals certifies its decision in writing or approves the minutes of the meeting at which it made the decision, whichever comes first.

This construction of the statute is consistent with the general rules of administrative law. Appeals of administrative decisions to the circuit court are governed by MCR 7.101 and MCR 7.103. See MCR 7.104. With regard to the time period for filing a claim of appeal, the Michigan Supreme Court has held that the period begins to run on the date of actual entry of the order. *General Electric Credit Corp v Northcoast Marine, Inc.*, 402 Mich 297, 300; 262 NW2d 660 (1978), *superseded on other grounds*. MCR 2.602(A) provides that the "date of signing of an order or judgment is the date of entry." Approval of the minutes of a meeting at which a final administrative decision is made can serve as the date of entry of the order for purposes of MCR 7.101 and MCR 2.602(A). *Davenport v City of Grosse Pointe Farms Bd of Zoning Appeals*, 210 Mich App 400, 405; 534 NW2d 143 (1995). In the case of an appeal from a decision of the zoning board of appeals, MCL 125.3606(3) provides that the 30-day appeal period begins to run with the certification of the board's written decision or upon approval of the minutes of its decision. Thus, either the certification of the written decision or approval of the minutes constitutes the entry of an order and begins the 30-day statutory appellate period.

It is my opinion, therefore, in answer to your fifth question, that, in order to comply with the 30-day deadline for appealing to the circuit court from a decision of a zoning board of appeals set forth in section 606(3) of the Michigan Zoning Enabling Act, MCL 125.3606(3), a party must file the appeal within 30 days of the date on which the zoning board of appeals certifies its decision in writing or the date on which it approves the minutes of the meeting at which its decision was made, whichever is earlier.

Your sixth question asks whether appeals to the Court of Appeals of decisions by a circuit court on review of a decision of a zoning board of appeals are now by right rather than by leave as your letter indicates was the case under past practice. An appeal by right is one in which the appellant has a right to be heard by the reviewing

court, whereas an appeal by leave is one in which the reviewing court has the discretion to deny the appellant's request to be heard.

MCR 7.203(A)(1)(a) provides that the Court of Appeals has jurisdiction of an appeal of right filed from a final order or judgment of the circuit court "except" a judgment or order of the circuit court "on appeal from any other court or tribunal." MCR 7.203(A)(2) also provides that the Court of Appeals has jurisdiction of an appeal of right from a judgment or appeal of a court "from which appeal of right to the Court of Appeals has been established by law or court rule."

Section 606(3) of the MZEA, MCL 125.3606(3), states that "[a]n appeal may be had from the decision of any circuit court to the court of appeals." No provision in the MZEA, including MCL 125.3606(3), specifies that appeals of the zoning decisions of the circuit court shall be "of right" to the Court of Appeals. Research discloses no statute or court rule providing that appeals of the zoning decisions of the circuit court sitting on review of the decisions of zoning boards of appeal shall be by right to the Court of Appeals. In addition, "unless an appeal of right has been categorically established by law or court rule, appeal is by leave." *Watt v Ann Arbor Bd of Education*, 234 Mich App 701, 705; 600 NW2d 95 (1999).

It is my opinion, therefore, in answer to your sixth question, that appeals to the Court of Appeals from decisions by a circuit court on review of a decision of the zoning board of appeals may only be taken by application for leave to appeal to that court in accordance with MCR 7.203 and not as a matter of right.

Your seventh question asks whether the provisions regarding the effective date of a zoning ordinance and the requirement for publication of a notice of its adoption set forth in section 401(6) and (7) of the MZEA will control even if a city charter imposes other requirements for effective dates and the publication of notice of adoption of ordinances.

Regarding any date, deadline, or requirement set forth in the MZEA, including those about which you inquire and related provisions for referendum petitions and elections in section 402, MCL 125.3402, the provisions of the MZEA control over any conflicting requirements of a city charter. This result is mandated by section 36 of the Home Rule City Act, MCL 117.36, which states that "[n]o provision of any city charter shall conflict with or contravene the provisions of any general law of the state." Const 1963, art 7, § 22 provides with regard to the powers of cities and villages: "Each such city and village shall have power to adopt resolutions and ordinances relating to its municipal concerns, property and government, subject to the constitution and law." It should be noted, however, that section 401(6), MCL 125.3401(6), expressly authorizes a city council to postpone the effective date of a zoning ordinance from the seventh day after publication of notice of its adoption to such later date as may be specified by the city council. In the exercise of its judgment, a city council may wish to select the effective date of any zoning ordinance or zoning amendment to be consistent, as much as it determines to be feasible, with its charter requirements for city ordinances that would otherwise be applicable in that city.

It is my opinion, therefore, in answer to your seventh question, that the provisions as to the effective date of a zoning ordinance and for the publication of notice of its adoption set forth in section 401(6) and (7) of the Michigan Zoning Enabling Act, MCL 125.3401(6) and (7), will control over conflicting requirements for the

effective date of a city ordinance or for the publication of notice of its adoption set forth in a city charter.

Your eighth question asks what steps a municipality should take to comply with the requirement in section 103(2) of the MZEA of providing notice of zoning applications to the occupants of all structures located within 300 feet of a property that is the subject of certain zoning proceedings.

Section 103(2) of the MZEA, MCL 125.3103(2), provides:

Notice shall also be sent by mail or personal delivery to the owners of property for which approval is being considered. Notice shall also be sent to all persons to whom real property is assessed within 300 feet of the property and to the *occupants* of all structures within 300 feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. [Emphasis added.]

Although it may be prudent for a municipality to consult with its attorney regarding the particular details that may apply in a given situation, a municipality may comply with the notice requirements of section 103(2) by delivery of a written notice in person or by the sending of written notice by mail. As indicated in your letter, section 103(3) permits letters to be addressed to "occupant" if the name of an occupant of a structure is not known. MCL 125.3103(3) (stating "[i]f the name of the occupant is not known, the term 'occupant' may be used in making notification under this subsection").

It is my opinion, therefore, in answer to your final question, that a municipality may comply with the requirements in section 103(2) of the Michigan Zoning Enabling Act, MCL 125.3103(2), for giving notice to the occupants of structures within 300 feet of a property subject to certain zoning actions for which this type of notice is required or by either delivering a written notice in person to an occupant of each unit in such a structure, or by mailing a letter to one or more occupants of each unit in such a structure by name if known or addressed to the "occupant" if the name of an occupant is not known.

MIKE COX
Attorney General

CONST 1963, ART 1, § 26: Constitutionality of City's construction policy that provides bid discounts on the basis of race or sex

DISCRIMINATION:

PUBLIC CONTRACTING:

Const 1963, art 1, § 26 prohibits the implementation or application of the City of Grand Rapids' bid discount process set forth in Section 5.1(A)(1) of the Administrative Guidelines promulgated pursuant to City Policy 600-12 because the process grants preferential treatment to persons or groups based on race, sex, color, ethnicity, or national origin. Art 1, § 26 does not, however, prohibit the City from maintaining a bid discount process as long as the City amends the process to remove reliance on the unconstitutional factors of race, sex, color, ethnicity, or national origin.

Opinion No. 7202

April 9, 2007

Honorable Fulton J. Sheen
State Representative
The Capitol
Lansing, MI 48909

You have asked whether a construction policy adopted by the City Commission of Grand Rapids on January 23, 2007, comports with a recent amendment to the Michigan Constitution that prohibits discrimination against or the granting of preferential treatment to persons or groups on the basis of race, sex, color, ethnicity, or national origin in the operation of public contracting. See Const 1963, art 1, § 26, a copy of which is appended to this opinion.¹

The policy is entitled "City Commission Policy No. 600-12" of the City of Grand Rapids, the subject of which is an "Equal Business Opportunity-Construction Policy." The policy's stated purpose is to "ensure non-discrimination in the performance and administration of City contracting and subcontracting" and to provide "access and equal opportunity to do business with the City." The policy applies to contractors submitting bids to the City of Grand Rapids or to others, regarding construction projects of \$10,000 or more, financed in whole or in part with city, state, or federal funding, unless otherwise regulated.² The policy further provides that "Administrative Guidelines" shall be promulgated to implement the construction policy and shall be used in the "interpretation and application of this Policy."

The administrative guidelines promulgated pursuant to the construction policy contain various sections; however, you have expressed a specific concern about section 5.1(A)(1), regarding bid discounts for contractors who utilize particular subcon-

¹ The January 23, 2007, minutes for the City Commission of Grand Rapids report that the policy was adopted by resolution and given immediate effect. (City Commission of Grand Rapids, January 23, 2007, Minutes, Item No 75897.)

² Art 1, § 26(4) provides an exception for actions that must be taken to maintain eligibility for federal programs or federal funding that is not addressed in this opinion because the policy also applies to city- and state-financed projects.

tractors. (Administrative Guidelines for Equal Business Opportunity-Construction Policy ("Guidelines"), Section 1.1(A)(1).)³

Section 5.1, ELIGIBILITY FOR BID DISCOUNTS, provides in relevant part:

A. Diversity

1. Supplier Diversity: Construction bids may be discounted when *certified DBE*, subcontractor participation is voluntarily obtained by a contractor on a City construction project. Once a bid has been received and opened, the City Engineering Department shall apply a discount to bids based on the original bid amount and the percent of *certified DBE* subcontractor participation reported in the bid documents. The discounted bid will be used in the selection process for the project and the recommendation for award. . . . [Guidelines, Section 5.1(A)(1); emphasis added.]

A "DBE" is defined as a "Disadvantaged Business Enterprise," which means:

[A] business concern, which is at least 51% owned by one or more socially and economically disadvantaged individuals (as defined by the U.S. Small Business Administration), or in the case of any publicly owned business, at least 51% of the stock is owned by one or more socially and economically disadvantaged individuals; and whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

For purposes of these Guidelines, DBEs may be further identified as minority, women and non-minority/women business enterprises. [Guidelines, Section 2.1(10); emphasis in original.]⁴

City officials advise that the City elected to define and identify a "DBE" by using the federal regulations set forth in 13 CFR 124.103-124.104, regarding the Small Business Administration (SBA), and 49 CFR 26.61-26.73 and 26.81-26.91, pertaining to the United States Department of Transportation.

The SBA defines "socially disadvantaged individuals" in the following way:

(a) General. Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias within American society because of their identities as members of groups and without regard to their individual qualities. . . .

³ "Bid discounts" are defined as a "business incentive practice allowing an original bid to be reduced by a certain percentage for having engaged in activities that embrace the Mission Statement and Sustainability Vision Statement of the City with regard to diversity, strong economy, enriched lives, partnerships and regional equity and balanced with nature." (Guidelines, Section 2.1(2).) "The discounted bid will be used in the selection process for the project and the recommendation for award. However, the original bid amount will be the basis for contract award." (Guidelines, Section 5.1(A)(1).) Section 5.1(A) of the guidelines authorizes another type of bid discount, where a contractor may receive a 5% bid discount by bidding as a joint venture with an approved DBE. (Guidelines, Section 5.1(A)(2).) The analysis set forth in this opinion applies with equal force to that bid discount process.

⁴ The Guidelines then further define the terms "Minority," "Minority Business Enterprise (MBE)," "Women Business Enterprise (WBE)," and "Non-MWBE," which is a "business concern that is not a MBE or WBE." (Guidelines, Section 2.1(16)-(19).)

(b) Members of designated groups. (1) *There is a rebuttable presumption that the following individuals are socially disadvantaged: Black Americans; Hispanic Americans; Native Americans . . . ; Asian Pacific Americans . . . ; Subcontinent Asian Americans . . . ; and members of other groups designated from time to time by SBA according to procedures set forth at paragraph (d) of this section. . . .* [13 CFR 124.103(a) – (b) (emphasis added).]

13 CFR 124.103(c) provides that individuals *not* belonging to one of the identified groups "must establish individual social disadvantage by a preponderance of the evidence." The SBA defines "economically disadvantaged individuals" as "*socially disadvantaged individuals* whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same or similar line of business who are not socially disadvantaged." 13 CFR 124.104(a) (emphasis added). Thus, to be accorded a designation as "economically disadvantaged," a person must first show that he or she is "socially disadvantaged."

49 CFR Part 26 are regulations promulgated by the United States Department of Transportation for implementing the participation by DBEs in financial assistance programs. 49 CFR 26.67(a)(1) establishes "certification standards" and "what rules determine social and economic disadvantage" by providing:

(a) Presumption of disadvantage. (1) You must *rebuttably presume* that citizens of the United States (or lawfully admitted permanent residents) who are women, Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Subcontinent Asian Americans, or other minorities found to be disadvantaged by the SBA, *are socially and economically disadvantaged individuals*. [Emphasis added.]

Although this language gives the appearance of according a presumption of economic disadvantage to women and minorities, under the regulation those individuals must submit a notarized statement that their personal net worth does not exceed \$750,000. 49 CFR 26.67(a)(2)(i).

49 CFR 26.67(d) provides that with respect to firms owned and controlled by individuals who are not presumed to be socially and economically disadvantaged, "a case-by-case determination" must be made regarding "whether each individual whose ownership and control are relied upon for DBE certification is socially and economically disadvantaged. . . . [T]he applicant firm has the burden of demonstrating . . . by a preponderance of the evidence, that the individuals who own and control it are socially and economically disadvantaged." 49 CFR 26.67(d).⁵

⁵ The Guidelines refer to a "Certified DBE." "Certified" or "Certification" is defined as "[t]he process designated agencies utilize to determine whether businesses meet eligibility criteria as bonafide DBEs, MBEs or WBEs. (Guidelines, Section 2.1(4).) Similarly, "Qualified As Certified" means the process whereby the Equal Opportunity Department verifies businesses are certified by designated agencies to be a bonafide DBE, MBE or WBE." (Guidelines, Section 2.1(24).) City officials confirmed that the City's Equal Opportunity Department does not "certify" subcontractors as DBEs. Rather, the Department verifies whether a subcontractor has received DBE certification from a designated agency – the Michigan Department of Transportation, other state United States Department of Transportation certification programs, or the SBA, which agencies utilize the rebuttable presumption based on race and sex for DBE certification. Although the City does not perform the certification, the City incorporates the presumption in favor of women and minorities by adopting the definitions of DBE from these other sources.

The guidelines set forth a graduated scale of discounts ranging from 1% to 5% based on the percentage of DBE participation in the bid (Guidelines, Section 5.1(A)(1)(a)):

<u>Certified DBE Subcontractor Participation</u>	<u>Discount Percentage</u>
1.0 - 2.5%	1.0%
2.51 - 5.0%	1.5%
5.01 - 7.5%	2.0%
7.51 - 10.0%	2.5%
10.01 - 15.0%	3.0%
15.01 - 18.0%	4.0%
18.01%+	5.0%

Thus, the City's guidelines, by using the selected definitions, provide that a contractor may receive a bid discount by using DBEs owned or operated by "women," "Black Americans," "Hispanic Americans," "Native Americans," and persons of other listed ethnic groups, who are "rebuttably presum[ed]" to be "socially disadvantaged individuals."⁶ Under the guidelines, the amount of the discount is directly related to the percentage of DBE subcontractor participation, i.e. the percentage of the total dollar value of the contract work that will be performed by DBEs. The greater the percentage of DBE participation, the higher the bid discount will be. For purposes of selecting the lowest bidder to receive award of the contract, the higher the bid discount, the lower will be the price of the bid used to select the low bidder, thereby favoring those bidders using DBEs.⁷

Accordingly, the guidelines provide an advantage to contractors who make greater use of DBE subcontractors, compared to contractors who make less or no use of DBE subcontractors. Eligibility of a subcontractor to become a DBE relies on definitions of "socially and economically disadvantaged" that rebuttably presume that women, certain racial and ethnic minorities, and persons of certain national origin are socially disadvantaged, while all other socially and economically disadvantaged persons must prove that status by a preponderance of the evidence. The question is whether this policy constitutes "preferential treatment" in public contracting on account of race, ethnicity, national origin, or sex in violation of art 1, § 26.

In November 2006, the people of Michigan voted on a proposed amendment to the State Constitution, commonly known as Proposal 06-2 or Proposal 2. The amendment passed by a margin of 58% to 42%.⁸ Proposal 2, now Const 1963, art 1, § 26, provides in relevant part:

(2) The state shall not *discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.*

⁶ The fact that women and minorities are not accorded a presumption of economic disadvantage is of no consequence in light of the definition of "economically disadvantaged individual," which first requires that an individual be socially disadvantaged. An individual who cannot prove social disadvantage necessarily fails to prove economic disadvantage.

⁷ The guidelines provide that in cases where bids, including discounted bids, are the same, the "recommended award shall be the bid with the lowest original bid amount; however, the City reserves the right to award a contract in the City's best interest, and therefore, may select a bidder other than the lowest." (Guidelines, Section 5.2(B).)

⁸ See <http://miboecfr.nictusa.com/election/results/06GEN/90000002.html>.

(3) *For the purposes of this section "state" includes*, but is not necessarily limited to, the state itself, *any city*, county, any public college, university, or community college, school district, or other political subdivision or governmental instrumentality of or within the State of Michigan not included in subsection 1. [Emphasis added.]

This section took effect on December 23, 2006, and applies to actions taken after its effective date.⁹ Accordingly, by its plain language, art 1, § 26 applies to the policy adopted by the City of Grand Rapids on January 23, 2007.

There are three rules for construing constitutional provisions. As stated by the Michigan Supreme Court in *Wayne County v Hathcock*, 471 Mich 445, 468; 684 NW2d 765 (2004), the rule of common understanding constitutes the first rule of constitutional construction:

[T]he primary objective of constitutional interpretation is to realize the intent of the people by whom and for whom the constitution was ratified.

This Court typically discerns the common understanding of constitutional text by applying each term's plain meaning at the time of ratification. But if the constitution employs technical or legal terms of art, "we are to construe those words in their technical, legal sense."

The second rule is that, to clarify the meaning of a constitutional provision where the meaning may be questioned, the circumstances surrounding the adoption of a constitutional provision and the purpose sought to be accomplished may be considered. *Traverse City School Dist v Attorney General*, 384 Mich 390, 405; 185 NW2d 9 (1971). If the constitutional language is clear, however, reliance on extrinsic evidence is inappropriate. *American Axle & Mfg, Inc v City of Hamtramck*, 461 Mich 352, 362; 604 NW2d 330 (2000). Finally, under the third rule for construing a constitutional provision, "wherever possible an interpretation that does not create constitutional invalidity is preferred to one that does." *Traverse City School Dist*, 384 Mich at 406.

Art 1, § 26 states that a city "shall not *discriminate against*, or grant *preferential treatment to*, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of . . . public contracting." (Emphasis added.) These terms are not ambiguous and can be understood in a common sense.¹⁰ To "discriminate against" means to "make a difference in treatment" that is unfavorable to the person or group.¹¹ "Preferential treatment" may be defined as "showing preference" in the treatment of a person or group.¹² The word "preference" can be commonly understood to mean "the act, fact, or principle of giving advantages to some over others."¹³ Notably, this meaning is consistent with the technical or legal definitions that have

⁹ See Const 1963, art 12, § 2, and art 1, § 26(8).

¹⁰ It is appropriate to consult dictionary definitions existing at the time the people ratified a constitutional amendment in order to determine the common meaning of the terms adopted. See, e.g., *Studier v Michigan Public School Employees' Retirement Bd*, 472 Mich 642, 653; 698 NW2d 350 (2005).

¹¹ See <http://www.m-w.com/dictionary/discriminate>. See also *Merriam-Webster's Collegiate Dictionary, 11th Edition* (2003), p 358, "discriminate" means "to make a difference in treatment or favor on a basis other than individual merit <in favor of your friends> <against a certain nationality>."

¹² See <http://www.m-w.com/dictionary/preferential>. See also *Merriam-Webster's Collegiate Dictionary, 11th Edition* (2003), p 979, "preferential" means "showing preference."

¹³ See <http://www.m-w.com/dictionary/preference>. See also *Merriam-Webster's Collegiate Dictionary, 11th Edition* (2003), p 979, "preference" means "the act, fact, or principle of giving advantages to some over others."

been accorded the term "preference."¹⁴ The term "treatment" is self-explanatory but can be understood as how something or someone is handled or dealt with.¹⁵ Thus, the term "preferential treatment" as used in art 1, § 26 can be understood as the act or fact of giving a favorable advantage to one person or group over others based on race, sex, color, ethnicity, or national origin. By using the terms "discriminate against" and "grant preferential treatment to," art 1, § 26 prohibits both the prejudicial treatment of a person and its counterpart – the favorable treatment of a person or group – on account of these classifications. The meaning of this language is clear; therefore, there is no need to examine the circumstances surrounding the adoption of this constitutional provision or the purpose sought to be accomplished. *Traverse City School Dist*, 384 Mich at 405. See also *National Pride at Work v Governor*, 2007 Mich App LEXIS 240; ___ Mich App ___; ___ NW2d ___ (2007). Moreover, this interpretation does not create constitutional invalidity. *Traverse City School Dist*, 384 Mich at 406.

While the City's process does not establish a "quota" or participation "goal" as those terms are commonly understood, the policy does "discriminate against, [and] grant preferential treatment to, [an] individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of . . . public contracting." Const 1963, art 1, § 26.

That is, the bid discount process gives a benefit to the bidder by granting a bid discount based on the percentage of participation by subcontractors that qualify as DBEs – defined in terms of race, sex, ethnicity, and national origin. Where a bidder successfully obtains a contract as a result of a discount, both the bidder and its DBE subcontractors will receive the financial benefit of the contract, while other bidders and their non-DBE subcontractors will be denied the financial benefit of the contract. It is the status of the subcontractors as DBEs that will be relied upon to confer the favorable treatment of the bid discount.

The bid discount provision grants an advantage or "preference" based on race, sex, ethnicity, and national origin to minority- and women-owned subcontractors, who are entitled to a presumption that they are socially disadvantaged for purposes of acquiring DBE status. The ability of socially and economically disadvantaged persons to qualify their business as a DBE is expressly related to their membership in one of the designated groups. For DBEs, the City accords women and minorities the presumption that they are socially disadvantaged, while all other socially and economically disadvantaged persons must bear the burden of proving their status by a preponderance of the evidence.¹⁶ Although it is possible that a non-minority/non-women-owned subcontractor could qualify as a DBE under the guidelines and incor-

¹⁴ See Black's Law Dictionary, 8th Ed, p 1217, "preference" means "[t]he act of favoring one person or thing over another; the person or thing so favored." Courts have associated the term "preference" or "preferential treatment" with the conferring of an advantage. See, e.g., *Grutter v Bollinger*, 539 US 306; 123 S Ct 2325; 156 L Ed 2d 304 (2003); *Regents of Univ of Cal v Bakke*, 438 US 265; 98 S Ct 2733; 57 L Ed 2d 750 (1978); *Lewis v Michigan*, 464 Mich 781, 783; 629 NW2d 868 (2001).

¹⁵ See <http://www.m-w.com/dictionary/treating>. See also *Merriam-Webster's Collegiate Dictionary, 11th Edition* (2003), p 1333, "treatment" means "the act or manner or an instance of treating someone or something."

¹⁶ Indeed, the term "socially and economically disadvantaged" is not race-neutral because of the underlying rebuttable presumptions. See *Rothe Dev Corp v United States DOD*, 324 F Supp 2d 840, 844 (D Tex 2004), rev'd on other grounds 413 F3d 1327 (CA 10, 2005); *Sherbrooke Turf, Inc v Minn Dep't of Transp*, 345 F3d 964, 969 (CA 8, 2003) (holding that although the program confers benefits on "socially and economically disadvantaged" individuals, a term which is race-neutral, strict scrutiny applies because the statute presumes minorities are in that class).

porated definitions, the presumption in favor of women and the designated minorities and ethnic groups forces these individuals to compete for such status on an *unequal* basis. These are the kinds of preferences that art 1, § 26 prohibits. Consequently, insofar as the policy provides a bid discount based on the DBE status of subcontractors, the City's policy as implemented by the Administrative Guidelines violates the plain language of art 1, § 26 and is unconstitutional.

This conclusion is consistent with the decisions by California courts interpreting Cal Const, art 1, § 31, after which Proposal 2 was modeled.¹⁷ Section 31 contains a prohibition identical to Const 1963, art 1, § 26(2) that "[t]he state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of . . . public contracting." Cal Const, art 1, § 31(a).

In *Hi-Voltage Wire Works, Inc v City of San Jose*, 12 P3d 1068 (2000), the California Supreme Court interpreted this prohibition against "discrimination" and granting "preferential treatment" in the operation of public contracting and accorded these terms their plain and ordinary meaning: "'Discriminate' means 'to make distinctions in treatment; show partiality (*in favor of*) or prejudice (*against*)' . . . 'preferential' means giving 'preference,' which is 'a giving of priority or advantage to one person . . . over others.'" *Hi-Voltage Wire Works*, 12 P3d at 1082 (internal citations omitted). The *Hi-Voltage* Court thereafter struck down the City of San Jose's contracting program that required contractors bidding on city projects to utilize a specified percentage of minority or women subcontractors.

The Court concluded that this program violated the plain language of Cal Const, art 1, § 31. The Court observed that the participation component authorized or encouraged "what amount[ed] to discriminatory quotas or set-asides, or at least race and sex-conscious numerical goals." *Hi-Voltage, Inc*, 12 P3d at 1084. "A participation goal differs from a quota or set-aside only in degree; by whatever label, it remains 'a line drawn on the basis of race and ethnic status' as well as sex." *Hi-Voltage, Inc*, 12 P3d at 1084 (internal citations omitted). The Court concluded that such a goal ran "counter to the express intent . . . of Proposition 209." *Hi-Voltage, Inc*, 12 P3d at 1084. See also *Connerly v State Personnel Bd*, 112 Cal Rptr 2d 5 (Cal App, 2001), where the California Court of Appeals invalidated several state statutory schemes as according preferential treatment in violation of Cal Const, art 1, § 31. The City of Grand Rapids' bid discount process also confers specific benefits on the basis of an impermissible classification like the policy of the City of San Jose; consequently the rationale set forth in *Hi Voltage, Inc*, persuasively supports the determination that the City's policy is unconstitutional.¹⁸

¹⁷ See Citizens Research Council of Michigan, Report 343, Statewide Issues on the November General Election Ballot, Proposal 2006-02: Michigan Civil Rights Initiative, September 2006, p 13.

¹⁸ The *Hi-Voltage* Court also addressed whether the City of San Jose's outreach program for women and minority subcontractors was constitutional. While the Court concluded that San Jose's outreach program was unconstitutional, the Court observed that not all outreach programs would be unlawful. Programs available to all on an equal basis would be constitutional: "Plainly, the voters intended to preserve outreach efforts to disseminate information about public employment, education, and contracting not predicated on an impermissible classification." *Hi-Voltage*, 12 P3d at 1085, citing *Domar Electric, Inc v City of Los Angeles*, 885 P2d 934 (1994) as an example of an outreach program not predicated on impermissible factors. Although the City of Grand Rapids' construction policy does contain an outreach component, you have not asked about it and those provisions are therefore not addressed in this opinion.

It must be recognized that programs according race- and sex-based preferences in contracting have been upheld as constitutional under equal protection principles.¹⁹ By adopting Const 1963, art 1, § 26, however, the people chose to prohibit both discrimination disfavoring and preferential treatment favoring persons or groups based on race, sex, color, ethnicity, and national origin. In other words, except under limited circumstances,²⁰ Michigan treats all individuals equally in the areas of public contracting, education, and employment.

Const 1963, art 1, § 26 thus may be harmonized with the federal and state Equal Protection Clauses, which similarly prohibit such discrimination. See *Washington v Davis*, 426 US 229, 239; 96 S Ct 2040; 48 L Ed 2d 597 (1976); *United States v Virginia*, 518 US 515; 116 S Ct 2264; 135 L Ed 2d 735 (1996).²¹ While the Equal Protection Clause has been interpreted as permitting states to consider race or sex in fashioning a remedy to address the effects of past discrimination, see *Wygant v Jackson Bd of Education*, 476 US 267; 274 106 S Ct 1842; 90 L Ed 2d 260 (1986), and *Adarand Constructors, Inc v Peña*, 515 US 200, 236-237; 115 S Ct 2097; 132 L Ed 2d 158 (1995), a state is not required to do so. See *Shaw v Reno*, 509 US 630, 654; 113 S Ct 2816; 125 L Ed 2d 511 (1993) ("in the context of a Fourteenth Amendment challenge, courts must bear in mind the difference between what the law permits and what it requires"); *Hi Voltage, Inc*, 12 P3d at 1087. Indeed, as the Ninth Circuit Court of Appeals observed in upholding the constitutionality of Cal Const, art 1, § 31, "[t]hat the Constitution permits the rare race-based or gender-based preference hardly implies that the state cannot ban them altogether." *Coalition for Economic Equity v Wilson*, 122 F3d 692, 708 (CA 9, 1997) cert den 522 US 963; 118 S Ct 397; 139 L Ed 2d 310 (1997) (emphasis deleted). See also *Coalition to Defend Affirmative Action v Granholm*, 473 F3d 237, 248 (CA 6, 2006) (discussing the relationship between the Equal Protection Clause and art 1, § 26). Here, as in California, the people have chosen to ban preferences altogether.

It is important to emphasize, however, that this does not mean that the City of Grand Rapids is barred from pursuing its policies of ensuring nondiscrimination and equal opportunities within the contracting process. It must do so, however, employing race- and sex-neutral means. See, e.g., *Hi-Voltage, Inc*, 12 P3d at 1085 (observing that Cal Const, art 1, § 31 was not meant to prohibit the dissemination of infor-

¹⁹ See, e.g., *Western States Paving Co v Washington State Dep't of Transportation*, 407 F3d 983 (CA 9, 2005); *Sherbrooke Turf, Inc*, 345 F3d 964; *Adarand Constructors, Inc v Slater*, 228 F3d 1147, 1155 (CA 10, 2000).

²⁰ Art 1, § 26 does provide certain exceptions to its application:

(4) This section does not prohibit action that must be taken to establish or maintain eligibility for any federal program, if ineligibility would result in a loss of federal funds to the state.

(5) Nothing in this section shall be interpreted as prohibiting bona fide qualifications based on sex that are reasonably necessary to the normal operation of public employment, public education, or public contracting.

Section 26 also specifies that federal law or the federal Constitution prevails over any part of art 1, § 26 in conflict with those laws. Const 1963, art 1, § 26(7). This opinion does not address any effect these exceptions might have on the City's program in the absence of specific facts or circumstances upon which to analyze the exceptions' application.

²¹ The Equal Protection Clause of the Michigan Constitution, Const 1963, art 1, § 2, is to be interpreted coextensively with the federal Equal Protection Clause, US Const, Am XIV. *Harvey v State*, 469 Mich 1, 6; 664 NW2d 767 (2003); *Crego v Coleman*, 463 Mich 248, 258-259; 615 NW2d 218 (2000); *Vargo v Sauer*, 457 Mich 49, 60; 576 NW2d 656 (1998); *Frame v Nehls*, 452 Mich 171, 183; 550 NW2d 739 (1996), (the Michigan and United States Equal Protection Clauses offer similar protection).

mation about public employment, education, and contracting where it is not predicated on an impermissible classification.)²² For example, if the City wished to retain a bid discount process, it could amend the definition of a DBE to include only those individuals or firms that demonstrate "economic disadvantage," a criterion that can be determined through application of race-neutral and sex-neutral financial or economic factors.²³ By amending the definition of who qualifies as a DBE to preclude reliance on race and sex or any of the other impermissible classifications, the City could continue to offer this economic incentive.

It is my opinion, therefore, that Const 1963, art 1, § 26 prohibits the implementation or application of the City of Grand Rapids' bid discount process set forth in Section 5.1(A)(1) of the Administrative Guidelines promulgated pursuant to City Policy 600-12 because the process grants preferential treatment to persons or groups based on race, sex, color, ethnicity, or national origin. Art 1, § 26 does not, however, prohibit the City from maintaining a bid discount process as long as the City amends the process to remove reliance on the unconstitutional factors of race, sex, color, ethnicity, or national origin.

MIKE COX
Attorney General

Att.

Const 1963, art 1, § 26:

- (1) The University of Michigan, Michigan State University, Wayne State University, and any other public college or university, community college, or school district shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.
- (2) The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.
- (3) For the purposes of this section "state" includes, but is not necessarily limited to, the state itself, any city, county, any public college, university, or community college, school district, or other political subdivision or governmental instrumentality of or within the State of Michigan not included in sub-section 1.
- (4) This section does not prohibit action that must be taken to establish or maintain eligibility for any federal program, if ineligibility would result in a loss of federal funds to the state.

²² Indeed, the United States Supreme Court has encouraged universities to move away from the use of race and sex preferences in admissions policies. See *Grutter*, 539 US at 342 ("Universities in California, Florida, and Washington State, where racial preferences in admissions are prohibited by state law, are currently engaged in experimenting with a wide variety of alternative approaches. Universities in other States can and should draw on the most promising aspects of these race-neutral alternatives as they develop.").

²³ California instituted an economic incentive program for businesses based solely on economic factors. See Cal Gov Code §§ 14837-14838.

(5) Nothing in this section shall be interpreted as prohibiting bona fide qualifications based on sex that are reasonably necessary to the normal operation of public employment, public education, or public contracting.

(6) The remedies available for violations of this section shall be the same, regardless of the injured party's race, sex, color, ethnicity, or national origin, as are otherwise available for violations of Michigan anti-discrimination law.

(7) This section shall be self-executing. If any part or parts of this section are found to be in conflict with the United States Constitution or federal law, the section shall be implemented to the maximum extent that the United States Constitution and federal law permit. Any provision held invalid shall be severable from the remaining portions of this section.

(8) This section applies only to action taken after the effective date of this section.

(9) This section does not invalidate any court order or consent decree that is in force as of the effective date of this section.

History: Add. Init., approved Nov. 7, 2006, Eff. Dec. 23, 2006

BUDGET: Reduction of funds in the Automobile Theft Prevention Program by Executive Order 2007-3

GOVERNOR:

EXECUTIVE ORDERS:

CONST 1963, ART 5, § 20:

The Governor, having gained the approval of both the House and Senate appropriations committees, may use her Const 1963, art 5, § 20 powers to reduce the spending authority for the Automobile Theft Prevention Authority. The \$4,000,000 for which spending authority was removed by Executive Order 2007-3, however, remains in the Automobile Theft Prevention Fund until new authority to spend is obtained pursuant to legislative appropriation; it does not lapse to the General Fund and thus does not result in a direct increase of \$4,000,000 to the General Fund.

Opinion No. 7203

April 25, 2007

Board of Directors
Automobile Theft Prevention Authority
714 South Harrison Road
East Lansing, MI 48823

Mr. David S. Leyton
Genesee County Prosecutor
900 S. Saginaw St.
Flint, MI 48502

Mr. Eric Smith
 Macomb County Prosecutor
 One South Main St.
 Mount Clemens, MI 48013

Ms. Kym L. Worthy
 Wayne County Prosecutor
 1200 Frank Murphy Hall of Justice
 1441 St. Antoine Street
 Detroit, MI 48226

You have asked whether the Governor may reduce the FY 2007 Department of State Police appropriation contained in 2006 PA 345 and identified as the Auto Theft Prevention Program by \$4,000,000 as set forth in Executive Order 2007-3.

First, your question requires examination of several controlling constitutional principles. The Legislature enacts laws and appropriates funds. The executive branch of the government executes the laws and spends appropriated funds for designated purposes. Although the executive branch possesses a certain amount of discretion, it may not under the guise of executing the laws frustrate the Legislature's intent. The executive branch possesses no inherent constitutional power to decline to spend in the face of a clear legislative intent and statutory directive to do so. *Int'l Union, UAW v State of Michigan*, 194 Mich App 489, 501; 491 NW2d 855 (1992).

The Governor's authority to reduce state expenditures derives from Const 1963, art 5, § 20, which provides:

No appropriation shall be a mandate to spend. The governor, with the approval of the appropriating committees of the house and senate, shall reduce expenditures authorized by appropriations whenever it appears that actual revenues for a fiscal period will fall below the revenue estimates on which appropriations for that period are based. Reductions in expenditures shall be made in accordance with procedures prescribed by law. The governor may not reduce expenditures of the legislative and judicial branches or from funds constitutionally dedicated for specific purposes.

The Governor has concluded that actual revenues for the current fiscal period will fall below the revenue estimates. As a result, Executive Order 2007-3 was issued pursuant to Const 1963, art 5, § 20 on March 22, 2007, and received the concurrence of the appropriations committees of the House and Senate by March 29, 2007.

Where the approval of the appropriations committees of the House and Senate has not been obtained, neither the Governor nor the Director of the Department of Management and Budget may require a principal department to lapse funds appropriated to that department. OAG, 1979-1980, No 5585, p 445, 447 (October 17, 1979).¹ This analysis is one of long standing. In OAG, 1989-1990, No 6607, p 269, 271 (December 5, 1989), Attorney General Frank J. Kelley commented:

I have previously addressed the issue of executive branch efforts to reduce legislative appropriations when actual revenues have fallen below revenue estimates. Those opinions concluded that the people have seen fit to severely limit the executive branch's prerogatives. In 1966, for example, Governor George Romney directed the Department of Social Services to

¹ But the opinion also noted:

"On the other hand, because an appropriation is not a mandate to spend, a department or agency should, to the extent possible and consistent with legislative intent, reduce its spending by [implementing] all possible efficiencies and economies."

withhold full implementation of Phases II and III of the Medicaid program for which appropriations had been made by the Legislature for reasons, in part, of financial problems. OAG, 1967-1968, No 4576, p 17 (February 3, 1967), addressed the validity of Governor Romney's action and concluded that he did not have the authority to limit or delay benefits under a program established by law and for which legislative appropriations had been made. The opinion noted that approval of the appropriations committees of the Legislature was neither sought nor capable of being validly obtained in the absence of any showing that actual state revenues would fall below estimated revenues as required by Const 1963, art 5, § 20.

The Attorney General reaffirmed that position in a December 11, 1991, Letter Opinion to House Speaker Lewis Dodak and Representative Dominic Jacobetti, stating that reductions in the amounts appropriated to departments within the executive branch may not be mandated without the issuance of an order by the Governor approved by the appropriations committees of the House and Senate as required by Const 1963, art 5, § 20.

Turning to the specifics of your question, the Automobile Theft Prevention Authority (ATPA) was created in 1986 PA 10 to reduce automobile theft in Michigan. In 1992, the Legislature made the ATPA a permanent body in 1992 PA 174, MCL 500.6101 *et seq.*

The ATPA is governed by a seven-member board of directors appointed by the Governor and consists of two representatives of automobile insurance purchasers, two representatives from Michigan insurance companies, two representatives from law enforcement agencies, and the Director of the Department of State Police. While the ATPA exercises its prescribed statutory powers, duties, and functions independently, the Director of the Department of State Police has supervision of the budgeting, procurement, and administration of employees for the Authority. MCL 500.6103(7).

The ATPA is expressly declared to be a public body corporate and politic. MCL 500.6103(1). It has long been accepted that the Legislature has the authority to give corporate capacity to certain agencies in the administration of civil government. And, in doing so, the Legislature creates neither private corporations nor municipal corporations, but instead a class of artificial entities that have been designated "*quasi corporations.*" *Advisory Opinion re Constitutionality of PA 1966, No 346*, 380 Mich 554, 568; 158 NW2d 416 (1968).

The ATPA's primary source of funding is an annual assessment paid by each insurer engaged in writing motor vehicle insurance coverage in Michigan. Each insurer's assessment is "equal to \$1.00 multiplied by the insurer's total earned car years of insurance" written in this State during the immediately preceding calendar year. MCL 500.6107(1). The assessments are paid by April 1 each year and "shall be segregated and placed in a fund to be known as the automobile theft prevention fund . . . [to] be administered by the authority." MCL 500.6107(2). According to the ATPA, the annual assessments amounted to approximately \$6.0 million annually for 2005 and 2006.²

² 2006 ATPA Annual Report, p 18.

Money in the Automobile Theft Prevention Fund may be used only for automobile theft prevention efforts and is distributed based on need and efficacy as determined by the ATPA. MCL 500.6107(4). "Money in the automobile theft prevention fund shall not be considered state money." MCL 500.6107(5).

Since the creation of the Automobile Theft Prevention Fund, the Legislature has authorized the ATPA's spending within the annual Department of State Police budget. The amounts so authorized are based on the amount of money held in the Automobile Theft Prevention Fund from the assessments received and any other income (such as investment income).

While there is no case precedent involving the ATPA, the bedrock case of *Advisory Opinion re Constitutionality of PA 1966, No 346*, 380 Mich 554, *supra*, examined the constitutional underpinnings of the public body corporate known as the Michigan State Housing Development Authority (State Housing Authority), a body characterized by the Court as a "quasi corporation" exercising a proper public purpose. When reviewing receipt of appropriations by the State Housing Authority, the Supreme Court said:

Moneys of the State housing development authority are not moneys of the State. The funds to be established under the act are trust funds to be administered by the State housing development authority. The State has no beneficial interest in such funds. [380 Mich at 583.]

Thus, funds appropriated to the State Housing Authority lose their state character and cannot be returned to the General Fund by legislative enactment. OAG, 1973-1974, No 4841, p 187 (October 24, 1974), citing *Advisory Opinion* and *Monticello House v Calhoun County*, 20 Mich App 169; 173 NW2d 759 (1969). That same result is required concerning funds appropriated to the ATPA for the same reasons: (a) the ATPA is a public body corporate and politic, serving a public purpose; (b) the ATPA has a dedicated revenue stream from auto insurer assessments; and (c) the ATPA's money, as declared by the Legislature, "shall not be considered state money." MCL 500.6107(5).

But even though the monies in the Fund are not state monies,³ the question arises whether the Authority's expenditure of those monies is still subject to the Governor's Const 1963, art 5, § 20 powers. In the current fiscal year, the ATPA received an appropriation of, and thereby spending authority for, \$10,729,400 from the Automobile Theft Prevention Fund. 2006 PA 345, ARTICLE 17, Sec. 102. It is undisputed that this is an expenditure authorized by appropriations as contemplated under Const 1963, art 5, § 20:

The governor, with the approval of the appropriating committees of the house and senate, shall reduce expenditures authorized by appropriations whenever it appears that actual revenues for a fiscal period will fall below the revenue estimates on which appropriations for that period are based.

Therefore, Executive Order 2007-3, having gained the approval of both appropriations committees, may validly reduce the spending authority of the ATPA by \$4,000,000.

³ While these funds are not state money, nevertheless they are public money.

Insofar as your request questions the ability of the Governor to "take[] \$4,000,000 from the ATPA fund," however, it must be noted that Executive Order 2007-3 does not purport to transfer the \$4,000,000 out of the Automobile Theft Prevention Fund.⁴ The \$4,000,000 would remain in the Fund and the Authority could seek spending authority for the money at some later date. This could be done through a supplemental appropriation in the current fiscal period or by including the sum in an appropriation bill for an upcoming fiscal period.

It is my opinion, therefore, that the Governor, having gained the approval of both the House and Senate appropriations committees, may use her Const 1963, art 5, § 20 powers to reduce the spending authority for the Automobile Theft Prevention Authority. The \$4,000,000 for which spending authority was removed by Executive Order 2007-3, however, remains in the Automobile Theft Prevention Fund until new authority to spend is obtained pursuant to legislative appropriation; it does not lapse to the General Fund and thus does not result in a direct increase of \$4,000,000 to the General Fund.

MIKE COX
Attorney General

⁴ Your request also cites a substitute to Senate Bill 220 approved by the Senate on March 22, 2007, which would lapse to the General Fund "the amount of \$4,000,000.00 reduced for the appropriation in part 1 for auto theft prevention program represents \$2,000,000.00 in current year appropriations and \$2,000,000.00 in unappropriated fund balances from the auto theft prevention fund." However, the Attorney General typically does not opine on pending legislative bills.

BANKS AND BANKING: Investment of public corporation funds in certificates of deposit issued by financial institutions that participate in the Certificate of Deposit Account Registry Service

1943 PA 20:

PUBLIC CORPORATIONS:

CERTIFICATES OF DEPOSIT:

In accordance with section 1 of 1943 PA 20, MCL 129.91, a public corporation that elects to invest funds in certificates of deposit may only place such funds in financial institutions that maintain a principal office or a branch office located in Michigan. Because the Certificate of Deposit Account Registry Service program commonly known as CDARS is currently structured in such a way that a participating investor must consent to the placement of its deposits with financial institutions that do not maintain a principal office or a branch office located in Michigan, a Michigan public corporation may not participate in the CDARS program.

Opinion No. 7204

September 7, 2007

Honorable Mark H. Schauer
State Senator
The Capitol
Lansing, Michigan

You have asked whether section 1 of 1943 PA 20, MCL 129.91, permits funds of a public corporation to be deposited with a financial institution for investment in certificates of deposit (CDs) issued by FDIC-insured banks and savings and loan associations as part of the Certificate of Deposit Account Registry Service (CDARS).

In Michigan, the investment of funds by a "public corporation" is governed by 1943 PA 20, MCL 129.91 *et seq.* The term "public corporation" means a county, city, village, township, port district, drainage district, special assessment district, or metropolitan district of this state, or a board, commission, or another authority or agency created by or under an act of the legislature of this state. MCL 129.91(6)(d). MCL 129.91 provides in pertinent part:

(1) Except as provided in section 5, the governing body by resolution may authorize its investment officer to invest the funds of that public corporation in 1 or more of the following:

* * *

(b) Certificates of deposit, savings accounts, deposit accounts, or depository receipts of a financial institution, but only if the financial institution complies with subsection (2).¹¹

¹¹ MCL 129.91(2) provides: "A public corporation that invests its funds under subsection (1) shall not deposit or invest the funds in a financial institution that is not eligible to be a depository of funds belonging to the state under a law or rule of this state or the United States." (Emphasis added.) To answer your question, it is not necessary to address the criteria that a "financial institution" must meet to satisfy the eligibility requirement.

MCL 129.91(5) places a limitation on which financial institutions may hold the deposits of public corporation funds:

As used in this section, "financial institution" means a state or nationally chartered bank or a state or federally chartered savings and loan association, savings bank, or credit union whose deposits are insured by an agency of the United States government *and that maintains a principal office or branch office located in this state* under the laws of this state or the United States. [Emphasis added.]

Previous Attorney General opinions have established that public corporations may only invest moneys under their control as the Legislature has specifically authorized in MCL 129.91. OAG, 1987-1988, No 6478, p 224 (October 29, 1987), determined that the Legislature has not authorized townships to invest surplus finds in mortgage-backed certificates guaranteed by the Government National Mortgage Association under 12 USC 1721(g)(1). OAG, 1985-1986, No 6395, p 390 (October 20, 1986), concluded that a city board of trustees established by charter provision to manage a gift for city park and playground purposes is barred from investing moneys under its control in common stocks or other investments not authorized by MCL 129.91.

You ask whether a public corporation may invest its funds in CDs issued by FDIC-insured banks and savings and loan associations that participate in CDARS. The Federal Deposit Insurance Corporation (FDIC) provides insurance on bank and savings and loan deposits up to \$100,000 per account.² 12 USC 1821(a)(1)(B). When a deposit account balance exceeds \$100,000, only the first \$100,000 is insured by the FDIC. Because a depositor's accounts in any given bank³ are aggregated for purposes of FDIC insurance, 12 USC 1821(a)(1)(C), if a depositor desired the safety of FDIC insurance on a total deposit in excess of \$100,000, it would be necessary to open accounts in separate banks in increments of \$100,000 or less. For a large depositor, this could necessitate many separate accounts in multiple banks.

The CDARS is a national program developed by Promontory Interfinancial Network, LLC, which allows participating insured institutions⁴ to arrange for allocation of deposits in excess of the \$100,000 per account FDIC insurance limit by spreading deposits among several institutions in amounts that are eligible for FDIC insurance. This occurs in increments of less than \$100,000 to ensure that both principal and interest are eligible for full FDIC insurance.⁵ In exchange, the institution receives reciprocal deposits from other institutions and their depositors in an amount equal to the original deposit. The CDARS advertises that twelve banks in Michigan participate in its program.⁶ However, the CDARS participating institutions must allow the allocation of deposits and receipt of reciprocal deposits from other participating institutions without regard to geographic location.

² Deposits in credit unions are insured under a different federal program. See 12 USC 1752a *et seq.*

³ For convenience, references in the balance of this opinion to banks are meant to also include savings and loan associations.

⁴ The CDARS claims national participation by over 1600 insured institutions, www.cdars.com.

⁵ <http://www.cdars.com/docs/P2C.PublicFunds.pdf> last accessed on 8/27/2007.

⁶ <http://www.cdars.com/find-cdars-state.html#MI> last accessed on 8/27/2007.

A hypothetical example will serve to help illustrate how this works.⁷ Assume a depositor has \$130,000 to invest in CDs and has expressed an interest in participating through its local bank, Bank A, in the CDARS program. Bank A will provide the depositor with a list of participating institutions in which a portion of the original deposit will be deposited. While a depositor participating in the CDARS program will be provided an opportunity to designate institutions to be excluded from receiving any deposits, that opportunity does not extend to allowing the depositor to limit deposits to insured institutions having their principal or branch offices in Michigan. If the depositor consents to participation in the CDARS program, that has the effect of authorizing a portion of the \$130,000 to be placed in an insured institution selected without regard to the location of its principal or branch offices. Bank A then issues a CD worth \$95,000, leaving room for interest, and sends the remaining \$35,000 to Promontory Interfinancial Network, which arranges for Bank B to issue the depositor a CD for the remaining \$35,000. In return, Bank B buys \$35,000 in CDs for its customers from Bank A. Promontory Interfinancial Network acts as a clearinghouse by matching deposits from one institution with another so that an amount corresponding to the funds a bank places with other institutions through the CDARS program is invested in that bank by other institutions and, therefore, remains on the bank's balance sheet.⁸ In the example, the depositor would have invested \$130,000 – \$95,000 in a CD issued by Bank A and \$35,000 in a CD issued by Bank B. The total amount would be eligible for FDIC insurance because it was allocated in CDs issued by two banks.

You indicated that the FDIC has determined that deposit insurance provided under the Federal Deposit Insurance Act, 12 USC 1821(a), as implemented by the FDIC regulations, 12 CFR Part 330, is available on deposits placed through the CDARS system.⁹

MCL 129.91(1)(b) and (5) provide that a public corporation may invest its funds in "[c]ertificates of deposit . . . of a financial institution." To qualify as a "financial institution," the bank must maintain its principal office or a branch office in Michigan. Financial institutions that do not maintain a principal office or branch office in Michigan are not eligible to receive deposits from a Michigan public corporation. According to information provided to this office by CDARS, only about 12 of the 1600 banks that participate in CDARS maintain offices in Michigan, and, as indicated in the hypothetical scenario above, a depositor is not permitted to specify that its funds only be invested in CDs issued by banks with offices in Michigan.

The primary task in construing a statute is to discern and give effect to the intent of the Legislature as expressed in the statutory language. *Gladych v New Family Homes, Inc*, 468 Mich 594, 597; 664 NW2d 705 (2003). If the language is unambiguous, as is the case in MCL 129.91(5), the Legislature is presumed to have intend-

⁷ This scenario is developed from the model CDARS Deposit Placement Agreement that currently governs these transactions provided to this office by the Promontory Interfinancial Network and from additional information provided in correspondence to this office. (A copy of the agreement is attached to this opinion as Appendix A.)

⁸ <http://www.bankrate.com/brm/news/sav/20030820a1.asp> last accessed on 8/27/2007.

⁹ See FDIC Counsel letter, July 29, 2003, addressing deposit insurance coverage available for deposits purchased through the CDARS program sponsored by Promontory Interfinancial Network. (A copy of this letter is attached to this opinion as Appendix B.)

ed the meaning it clearly expressed and no further construction is allowed. *DiBenedetto v West Shore Hosp*, 461 Mich 394, 402; 605 NW2d 300 (2000).

Moreover, where powers are expressly conferred, they cannot be extended by inference; indeed, the inference is that it was intended that no other or greater power was given than the power specified. *Eikhoff v Detroit Charter Comm*, 176 Mich 535, 540; 142 NW 746 (1913), cited in *Alcona County v Wolverine Environmental Production, Inc*, 233 Mich App 238, 247; 590 NW2d 586 (1998). These rules of construction emphasize that the proper role of the courts is to interpret and not write the law; it is not within the province of the judiciary to read into a statute provisions that the Legislature has not seen fit to incorporate. *Piper v Pettibone Corp*, 450 Mich 565, 573; 542 NW2d 269 (1995).

It is my opinion, therefore, that in accordance with section 1 of 1943 PA 20, MCL 129.91, a public corporation that elects to invest funds in certificates of deposit may only place such funds in financial institutions that maintain a principal office or a branch office located in Michigan. Because the Certificate of Deposit Account Registry Service program commonly known as CDARS is currently structured in such a way that a participating investor must consent to the placement of its deposits with financial institutions that do not maintain a principal office or a branch office located in Michigan, a Michigan public corporation may not participate in the CDARS program.

MIKE COX
Attorney General

Atts.

CDARS® Deposit Placement Agreement

You, the undersigned, and

(referred to in this agreement as "we" and "us") are entering into this agreement to set forth the terms and conditions under which we will assist you from time to time in placing your funds in time deposits with depository institutions (each an "Insured Institution") whose accounts are insured by the Federal Deposit Insurance Corporation ("FDIC"). Through an arrangement with Promontory Interfinancial Network, LLC ("Promontory"), we will endeavor to place your funds in time deposits ("CDs") issued by Insured Institutions through Promontory's Certificate of Deposit Account Registry Service®, or CDARS®, in principal amounts that, when aggregated with interest to accrue over the term of the CD, will not exceed the Standard Maximum Deposit Insurance Amount ("SMDIA") for deposits of one depositor at one Insured Institution (currently \$100,000). Although certain "self-directed" retirement accounts, such as IRAs, may be eligible for coverage under a higher FDIC insurance limit (currently \$250,000) for deposits of one depositor at one Insured Institution, CDs for these retirement accounts will be placed using CDARS in amounts that will not exceed the SMDIA. We will also act as your custodian with respect to your CDs pursuant to the custodial agreement that we have separately entered into with you ("Custodial Agreement"). The terms of our custodial relationship with you are set forth in the Custodial Agreement. Funds held in an account with us pending placement through CDARS or resulting from payments on CDs are subject to the SMDIA applicable to your deposits with us and therefore may not be fully insured by the FDIC.

CDARS is a proprietary process owned by Promontory that allocates orders submitted by participating financial institutions on behalf of their depositors on dates ("Order Dates") specified by Promontory. On each Order Date participating institutions submit orders requesting that Promontory allocate funds for their depositors to Insured Institutions that are willing to accept deposits through CDARS. On the "Order Allocation Date" Promontory allocates orders submitted on the Order Date.

CDARS offers different types of transactions through which we may place your funds with Insured Institutions. In a "CDARS Reciprocal" Transaction, we receive funds for deposit in an amount equal to the amount of your funds that we have placed using CDARS with respect to the Order Date for which your Order was submitted to Promontory, but we do not receive a fee. In a "CDARS One-Way" Transaction, we do not receive funds for deposit, but we receive a fee from one or more Insured Institutions that received deposits through CDARS with respect to the corresponding Order Date. Funds that we place for you through a CDARS transaction may be placed at an Insured Institution without regard to whether the Insured Institution is participating in CDARS on that Order Date through a CDARS Reciprocal Transaction or through a CDARS One-Way Transaction or otherwise. We will place your funds through a CDARS Reciprocal Transaction unless we notify you that we will place your funds through a CDARS One-Way Transaction and you consent to our doing so. If you wish to have us place your funds only through a CDARS Reciprocal Transaction, you may check a box provided for this purpose at the end of this Agreement. If you do not check this box we will not place your funds through a CDARS One-Way Transaction without your consent.

This agreement sets forth important information about the placement process. By signing this agreement you agree to be bound by its terms each time that you submit funds to us for placement. Please read it carefully. Some of the features of the CDs and the placement process are:

- When we place your funds, you will be issued CDs by Insured Institutions that have entered into agreements with Promontory.
- We will act as your custodian with respect to those CDs.
- The CDs issued to you by Insured Institutions will have the interest rates and annual percentage yields ("APY") you have agreed to with us.
- You will not be charged a fee in connection with CD placements.
- You may select the maturities and payment terms of your CDs from those that are available through CDARS at the time that you submit your funds for placement.
- You may designate any Insured Institution as ineligible to receive your funds.
- Early withdrawal of any CD you purchase may be available, but may be subject to substantial penalties.
- No secondary market for the CDs currently exists, but early withdrawal of any CD you purchase is available, subject to applicable penalties.

Section 1. Your Relationship With Us

(a) Agency and Custodial Relationship

We have entered into a contract with Promontory pursuant to which we will use CDARS to assist us in endeavoring to place your funds at other Insured Institutions that have also entered into contracts with Promontory. Pursuant to our contract with Promontory, we will adhere to Promontory's policies and procedures in placing your funds.

We will act as your agent in connection with the placement of your funds in CDs. As set forth above, we will place your funds through a CDARS Reciprocal Transaction unless you agree to having your funds placed through a CDARS One-Way Transaction. Although we will act as your agent in connection with the placement of your funds, we are not acting as your investment adviser and have no obligation to advise you of alternative investments available through CDARS or otherwise. Further, we make no representations with respect to the interest rates on deposits available on an Order Date through us or through CDARS, and we may receive greater benefits when we place your funds through one type of CDARS transaction than when we do so through another type of CDARS transaction or than we would if you instructed us to make a deposit other than through a CDARS transaction.

We will act as your custodian with respect to your CDs acquired through CDARS. We have entered into an agreement with The Bank of New York to act as our sub-custodian with respect to the CDs for which we are acting as your custodian. No physical certificates evidencing the CDs will be issued. Each CD for which we act as your custodian will be recorded on the records of the Insured Institution that issues the CD in the name of our sub-custodian, will be recorded on the records of the sub-custodian in our name, and will be recorded on our records in your name, all in a manner that will permit your CD to be FDIC insured to the same extent as if you held it directly with the Insured Institution. You will receive from us a written confirmation of the issuance of your CDs and periodic account statements that will reflect your ownership of your CDs. The confirmation of CD issuance and the account statement(s) will be the only evidence that you will receive of your ownership of the CDs. You should retain the confirmation and the account statement(s) for your records.

While we are acting as your custodian, (i) all payments with respect to the CDs by the Insured Institutions that issue the CDs will be made to us, and we will credit the funds to an account or accounts you maintain with us or disburse the funds pursuant to your instructions, and (ii) you can enforce your rights in the CDs through us. You may not transfer the CDs directly to another custodian. At your election, you may dismit us as custodian, and your ownership of a CD may be recorded in your name on the books of the Insured Institution that issued the CD. If you choose to have the CD maintained in your name on the books of the Insured Institution that issued the CD, you will be able to enforce your rights in the CD directly against that Insured Institution.

(b) Fees

You will not pay a fee in connection with your placement of funds. If we place your funds through a CDARS Reciprocal Transaction, we will pay a fee to Promontory for using the CDARS order allocation services and certain other services. If we place your funds through a CDARS One-Way Transaction, we and Promontory will receive fees from one or more Insured Institutions receiving deposits through CDARS in respect of that Order Date. We may, in our discretion, waive some or all of our fee, and Promontory may, in its discretion, waive some or all of its fee. We and Promontory may receive different fees from different Insured Institutions in connection with the same transaction. Promontory may offer us and our employees non-cash incentives in connection with our placement of funds through CDARS.

(c) Limits on Placements

Although we, through our arrangement with Promontory, will endeavor to place your funds, on a particular Order Allocation Date Promontory may not be able to allocate orders in a way that results in the placement of some or any of your funds. The allocation process utilized by Promontory may reflect considerations of federal and state law, funding needs of Insured Institutions, economic conditions, Promontory's objectives or other factors determined by Promontory in its sole discretion.

If any of your funds cannot be placed, the unplaced funds will be returned to you. You may ask us to resubmit unplaced funds for placement through CDARS on another day on which Promontory performs its allocation service.

(d) Each CD Will Be an Obligation of the Issuer

Each CD will be a deposit obligation of the Insured Institution that issued the CD and will not be, either directly or indirectly, our obligation or an obligation of Promontory.

Your CD will not be issued until the issuing Insured Institution receives and accepts your funds.

(e) APY

If you are not a "consumer" for purposes of the Truth-in-Savings Act ("TSA"), or if our communication with you in connection with your placement of funds through CDARS is not an "advertisement" for purposes of TSA, we are not obligated to provide you with an APY on your CDs.

(f) Mutual Institution Voting and Subscription Rights

If a CD is issued to you by an Insured Institution in the mutual form of organization ("mutual institution") for funds placed for you through CDARS, you may receive through us a notice of a meeting of the depositor members of that mutual institution. Because your CD is identified on the books of the mutual institution in the name of the sub-custodian and not in your name, you will not be entitled to attend the meeting or vote by proxy. Under agreements that we have entered into with the sub-custodian that holds your CDs in its name on your behalf, the sub-custodian will forward meeting notices to us (for delivery to you) but it will not attend the meeting or vote by proxy.

It is possible that the mutual institution also may send notice of its intention to convert to a stock institution, and provide for priority, non-transferable subscription rights for depositor members of the mutual institution to purchase stock in the conversion. Because of the nature of our agreement with the sub-custodian, your CD will be identified on the books of the mutual institution in the name of the sub-custodian, and not in your name, and thus, you will not be entitled to exercise any subscription right to purchase the stock, or to vote on the conversion. The sub-custodian, which will own the subscription right, also will not purchase any stock in the conversion.

Accordingly, if you wish to receive meeting notices directly, attend meetings and vote (to convert from the mutual to stock form of ownership, form a mutual holding company or otherwise) with respect to a CD you have acquired from a mutual institution through CDARS, or wish to receive subscription rights in the event the mutual institution converts from mutual to stock form, you will have to dismiss us as custodian prior to the applicable record date (a date usually at least a year in advance from the date the mutual institution's board of directors adopts a plan of conversion) and have your ownership of the CD recorded in your name directly on the books of the mutual institution that issued the CD.

Section 2. Promontory

(a) General

Promontory is not your agent and is responsible solely to us for performing the services for which we have retained it. Promontory uses the proprietary process included in CDARS to allocate orders submitted on a specified Order Date by Insured Institutions to other Insured Institutions that are willing to accept deposits through CDARS.

On an Order Allocation Date, Promontory uses the CDARS allocation process to propose placements of funds with Insured Institutions wishing to receive funds, subject to your approval as set forth in the procedures set forth in Section 3 of this agreement ("Placement Procedures"). CDs for funds placed through CDARS will be issued to you on the business day immediately following the Order Allocation Date (the "Settlement Date"). A "business day" means any day other than a Saturday, a Sunday or a day on which banks in New York, New York are authorized or required by law or regulation to close.

In addition to the fees payable to it in connection with CDARS Reciprocal Transactions and CDARS One-Way Transactions, Promontory may realize profits or incur losses in connections with the placement of your funds at one or more Insured Institutions on the terms you have selected.

(b) CDARS Reciprocal Transaction

When we notify Promontory that we wish to submit your funds for placement through a CDARS Reciprocal Transaction on an Order Date, we will agree to accept for deposit an equal or greater amount of deposits through CDARS. On the Settlement Date, CDs will be issued to you and we will accept deposits placed by other participating institutions.

Your funds may be placed at Insured Institutions that are submitting funds for placement through a CDARS Reciprocal Transaction or at Insured Institutions that have requested deposits through CDARS with respect to the same Order Date. When your funds are placed through a CDARS Reciprocal Transaction, we may make or receive payments based upon the difference between the interest rate we have agreed upon with you for your CDs and the interest rate we pay on CDs that we issue to customers of other Insured Institutions. These payments will be calculated pursuant to a formula that uses the projected volume-weighted average interest rate for deposits placed through CDARS Reciprocal Transactions on the same day your funds are placed. These payments are intended to provide us with the same interest cost on the CDs we issue to depositors of other Insured Institutions through

a CDARS Reciprocal Transaction as we would have incurred had we issued the CDs directly to you.

Any payments made or received by us, or fees received by Promontory, will not change the terms we have agreed with you for your CDs.

(c) CDARS One-Way Transaction

On any Order Date, Promontory may receive commitments from Insured Institutions wishing to receive funds through a CDARS One-Way Transaction. Based on these commitments, Promontory communicates to us the maximum amount of funds that can be submitted for placement through CDARS One-Way Transactions in each CD maturity on that Order Date.

If we place your funds through a CDARS One-Way Transaction, we will not receive deposits on the Settlement Date, and we will not make or receive payments as described under "CDARS Reciprocal Transactions" above. Your funds may be placed at Insured Institutions that are submitting funds for placement through CDARS Reciprocal Transactions or that have requested funds for deposit on that Order Date.

As set forth above, we and Promontory each will receive a fee when we place your funds through a CDARS One-Way Transaction, and we or Promontory may waive all or part of this fee. Any fees received by us or Promontory will not change the terms we have agreed to with you for your CDs.

Section 3. Placement Procedures

(a) Order Dates and Terms of CDs

Each time you notify us that you wish to place funds through CDARS, we will inform you of (i) the available Order Dates, (ii) the CD maturities and payment terms available on each Order Date, (iii) whether early withdrawal of the CDs is available and whether any penalties (and processing fees, if applicable) will be imposed on you for early withdrawal, (iv) any limits with respect to placing funds and (v) whether we intend to submit the funds for placement through a CDARS One-Way Transaction.

The terms and conditions available for CDs may change from time to time. Each CD issued by an Insured Institution will have a principal amount that, when aggregated with interest to accrue during the term of the CD, will not exceed the basic FDIC insurance limit. You may obtain information about the terms of the CDs made available through CDARS on an Order Date at www.CDARS.com/products.

The interest rates and APYs for the CDs we offer to obtain for you through CDARS will be agreed upon by you and us. For placements through CDARS Reciprocal Transactions, the interest rate and APY we agree upon with you will reflect the interest rate and APY we are willing to pay, after paying a fee to Promontory. For placements through CDARS One-Way Transactions, the interest rate and APY we agree upon with you will reflect the interest rate and APY that Insured Institutions requesting funds through CDARS One-Way Transactions for that Order Date are willing to pay after paying fees to Promontory and us.

Interest on your CDs will compound daily. Payment options may vary based on the maturity of the CD. You may have the option with some CDs to choose between monthly payments of interest and payment of interest at maturity or other available interest payment terms. In addition, depending on the terms and conditions of a particular CD, you may be able to change the payment terms of the CD during the term of the CD. If you choose to have interest paid to you during the term of the CD, you may not be able to re-invest the interest you are paid at an interest rate as favorable to you as the interest rate paid on the CD.

Each CD will earn interest from the day your funds are deposited at the Insured Institution that issues the CD up to, but not including, the day your CD matures. If the date on which a payment with respect to a CD is due is not a business day, that payment will be made on the next business day.

(b) Presumption of CDARS Reciprocal Transaction

We will submit your funds for placement through a CDARS Reciprocal Transaction unless we inform you that we will place your funds through a CDARS One-Way Transaction and you agree to our doing so. If we submit your funds for placement through a CDARS One-Way Transaction and Promontory is not able to allocate our order, we may resubmit an order for your funds on that Order Date through a CDARS Reciprocal Transaction, unless you instruct us not to do so at the time you request that we submit your funds. If we so resubmit your funds through a CDARS Reciprocal Transaction, the CDs issued to you will have the same terms as the CDs that would have been issued to you through the CDARS One-Way Transaction.

If you are a public funds depositor or a non-profit institution submitting funds for placement and wish your funds to be placed only through CDARS Reciprocal Transactions, please inform us by checking the box at the end of this agreement.

(c) List of Insured Institutions

Each time you notify us that you desire to place funds through CDARS, you may obtain from us a list of Insured Institutions at which your funds may be placed. Not all of these Insured Institutions may be available to issue CDs with respect to an Order Date, and, before the list is provided to you, we may have designated some Insured Institutions as ineligible to receive funds from our depositors. You should

review the list provided to you and inform us of the name(s) of any Insured Institution(s) at which you do not want to make a deposit, for any reason. At your option, you may also provide us with the names of Insured Institutions not then on the list at which you do not want to make a deposit. Once you have informed us of the name of an Insured Institution at which you do not want to make a deposit, your funds – whether submitted for placement through CDARS at the time you sign this agreement or in the future – will not be placed at that Insured Institution until you notify us in writing that funds may be placed in the Insured Institution. (For your convenience, at the time you sign this agreement you may indicate to us on Schedule 1 the names of Insured Institutions at which you do not want to make a deposit.) Upon your request, we will obtain from Promontory the list it maintains of Insured Institutions at which you do not wish to make a deposit. As set forth below, you are responsible for monitoring your deposits at each Insured Institution for purposes of FDIC insurance coverage.

(d) Request for Placement of Funds

When you request that we place your funds through CDARS, we will submit to Promontory a request for placement of your funds (an "Order"), including the type of CDARS transaction through which we are submitting the funds, the Order Date, the amount of funds to be placed and the terms (including interest rate and APY) of the CDs you are seeking. The Order will be in a form established by Promontory. In order for us to submit an Order, you must provide us with all information required by Promontory no later than the time specified in paragraph 1 of Schedule 2.

(e) Approval of Proposed Placements

We will not know the name(s) of Insured Institution(s) at which your funds will be placed at the time we submit an Order for your funds. On each Order Allocation Date for which we submitted an Order for your funds, we will make available to you a list of the names of Insured Institutions at which your funds are proposed to be placed, the proposed deposit amount at each Insured Institution and the names of proposed alternate Insured Institutions at which your funds may be placed. You may obtain that list from us on the Order Allocation Date at or after the time specified in paragraph 3 of Schedule 2, and, at any time prior to the time specified in paragraph 4 of Schedule 2, you may notify us of the name or names of any of the proposed or proposed alternate Insured Institutions at which you do not want to make a deposit. Although you may direct us not to place funds at a proposed or alternate proposed Insured Institution, you cannot direct us to place funds at a specific Insured Institution or specify the amount to be placed at any Insured Institution.

If you eliminate one or more of the proposed or proposed alternate Insured Institutions from the list, or if one or more of them becomes unavailable for placement for any reason, your funds will be placed at the Insured Institutions that were not eliminated. If a sufficient number of proposed and proposed alternate Insured Institutions are eliminated or become unavailable so that not all of your funds can be placed, only as much of your funds will be placed as can be deposited at the remaining Insured Institutions in CDs with principal amounts that, when aggregated with interest to accrue during the term of the CDs, will not exceed the SMDIA. Your remaining funds will not be allocated on the Order Allocation Date. In such case, we will inform you of the amount of your funds that will not be placed and you may request that we resubmit an Order for your unplaced funds on another Order Date by repeating the procedure outlined above.

If in connection with any placement of your funds using CDARS, you eliminate a proposed or proposed alternate Insured Institution in accordance with the above procedures, funds that you subsequently submit for placement will not be placed in that Insured Institution until you notify us otherwise in writing.

(f) Your Consent to Placement

Your funds will not be placed unless you have consented to their placement. You will be deemed to have consented to the placement of your funds at the proposed or proposed alternate Insured Institutions as of the time specified in paragraph 4 of Schedule 2 if by that time you:

- (i) communicate your approval to us;
- (ii) do not request the list of proposed and proposed alternate Insured Institutions from us;
- (iii) request the list of proposed and proposed alternate Insured Institutions from us, but do not respond to the proposed list; or
- (iv) respond to the list of proposed and proposed alternate Insured Institutions by eliminating one or more of the Insured Institutions, in which case you will be deemed to have consented to the placement of your funds at those Insured Institutions that you have not eliminated.

(g) Time by Which We Must Have Your Funds; Settlement of Transactions
Unless we have made other arrangements, each time that you agree to a placement of funds under this agreement you also agree that, by the time specified in paragraph 5 of Schedule 2, you will have in an account with us immediately available funds, which under applicable law are irreversible and are not subject to any lien,

claim or encumbrance, equal to the amount of funds you have informed us that you are seeking to place. On the Settlement Date, your funds will be deposited at Insured Institutions, payments to be made in connection with the placement of CDs will be made, and the CDs will be issued.

(h) Additions and Early Withdrawal

No additions may be made to any CD. Insured Institutions impose a penalty on withdrawal of a CD prior to its maturity. However, no penalty will be charged for early withdrawal upon the death of an individual who is the sole account holder of the CD. This exception applies to an individual who is the named account holder as well as an individual who is the sole current mandatory or discretionary income beneficiary of a trust, including the sole current beneficiary of a trust or annuity trust. Written verification acceptable to the Insured Institution that issued the CD may be required in such an event. We will inform you of the early withdrawal penalty applicable to your CDs when you submit funds for placement. For a CD with a term of 4 or 13 weeks, the early withdrawal penalty is equal to 28 or 90 days, respectively, of simple interest calculated at the CD rate. The penalties for early withdrawal of 4 or 13 week CDs are equivalent to substantially all of the interest that would have been earned over the full term and will invade principal. For a CD with a term of 26 weeks or longer, the early withdrawal penalty is equal to simple interest calculated at the CD rate for approximately half the number of days in the full term. The penalties for early withdrawal of CDs with a term 26 weeks and longer are equivalent to half of the interest that would have been earned over the full term and may invade principal. The current schedule of products available and applicable early withdrawal penalties may be viewed at www.CDARS.com/products.

Pursuant to the Internal Revenue Code of 1986, as amended, the beneficiary of an Individual Retirement Account ("IRA") (but not a Roth IRA) may incur a penalty if the beneficiary does not begin making withdrawals from the IRA after age 70-1/2. A CD held in an IRA is not eligible for early withdrawal without penalty simply because the beneficiary must withdraw the CD to avoid a tax penalty.

Early withdrawal of a CD may be made only in whole, not in part. You may request early withdrawal by contacting us, at which time you may specify which of your CDs you would like us to withdraw. If you choose not to specify which of your CDs to withdraw, early withdrawals will be made using an automated process that generates random selections based on amount. In general, early withdrawal proceeds will be available to you two business days after we receive your early withdrawal request.

Neither we nor Promontory will advance funds in connection with early withdrawals, and early withdrawal proceeds will not be available to you until they are paid to us by the Insured Institution that issued the CD being withdrawn.

(i) No Automatic Renewal or Rollover

The CDs will mature on the date shown on the confirmation of CD issuance. Upon maturity, the principal amount of, and unpaid accrued interest on, the CD will be paid to you. The CDs will not be automatically renewed or rolled over, and interest on the CDs will not continue to accrue after the maturity date. If upon maturity you wish to re-deposit your funds in CDs through CDARS, you must instruct us to re-submit the funds as a new placement or you must take advantage of our preauthorized re-submission process.

(j) Preauthorized Re-submission

At the time you submit funds to us for placement through CDARS, you may request that we re-submit those funds for placement through CDARS upon the maturity of your CDs. Unless we have entered into a written re-submission arrangement with you, you must contact us before we re-submit your funds through CDARS to establish the new terms (including interest rate and APY) and the other specifics of your Order for your re-submitted funds.

(k) No Physical Certificates

As set forth in Section 1, no physical certificate evidencing a CD will be issued. You should not purchase a CD through CDARS if you need to take physical possession of a certificate.

Section 4. Important Considerations

(a) Compare Features

You should compare the rates of return and other features of a CD to other available deposit accounts before deciding to purchase CDs using the CDARS service. Although the CDs are issued by other Insured Institutions, the rates of interest paid on the CDs are determined by us based on (i) the interest rates and APYs we are willing to pay on deposits that we accept through CDARS on the Settlement Date (if your funds are placed by us through a CDARS Reciprocal Transaction) or (ii) the interest rate and APY that Insured Institutions that have requested funds through CDARS One-Way Transactions for that Settlement Date are willing to pay after paying fees to Promontory and us (if your funds are placed by us through a CDARS One-Way Transaction). **These rates may be higher or lower than the rates on**

CDs available through a CDARS One-Way Transaction (if we are placing your funds through a CDARS Reciprocal Transaction) or a CDARS Reciprocal Transaction (if we are placing your funds through a CDARS One-Way Transaction) or on comparable deposits available directly from us, from Insured Institutions that issue the CDs through CDARS, from other Insured Institutions, or from insured depository institutions not participating in CDARS.

(b) Uninsured Deposits With Us

Funds held in an account with us prior to placement using CDARS or prior to payment of CD interest and principal may not be covered by FDIC insurance if, when aggregated with other deposits you maintain with us in the same capacity, the total amount of your deposits in accounts with us exceeds the FDIC insurance limit applicable to your deposits with us. You should discuss with us the options for holding your funds prior to placement and for having the payments on the CDs deposited with us or elsewhere.

(c) Insolvency of an Insured Institution

In the event an Insured Institution approaches insolvency or becomes insolvent, the Insured Institution may be placed in a regulatory conservatorship or receivership in which the FDIC is typically appointed as conservator or receiver. The FDIC may thereafter pay off the CDs issued by that Insured Institution prior to maturity or transfer the CDs to another insured depository institution. If the CDs are transferred to another institution, you may be offered a choice of retaining the CDs at a lower interest rate or having the CDs paid off. See Section 5 below, "FDIC Insurance Information."

(d) Reinvestment Risk

If your CD is paid prior to maturity as a result of the issuing Insured Institution's insolvency or a voluntary early withdrawal (see Section 3(h) above, "Additions and Early Withdrawal"), you may not be able to reinvest your funds at the same interest rate that you received on the original CD. Neither we nor Promontory is responsible to you for any losses you may incur as a result of a lower interest rate on an investment replacing your CD.

(e) Investment Restrictions

If you are subject to restrictions with respect to the placement of funds in depository institutions, it is your responsibility to determine whether the placement of your funds by us using CDARS satisfies those restrictions. For example, when placing funds for deposit using CDARS, some governmental unit depositors may be required by law or policy to place funds only using a CDARS Reciprocal Transaction, in which the institution placing the funds for deposit using CDARS receives funds for deposit in an amount equal to the amount of funds that was placed by the depositor using CDARS with respect to the corresponding Order Date. When we place funds for deposit using a CDARS One-Way Transaction, we will not receive matching funds using CDARS.

Section 5. FDIC Insurance Information

(a) Deposit Insurance Coverage

In general, all accounts and deposits that you maintain with an Insured Institution in the same insurable capacity (whether you are acting directly or through an intermediary) would be aggregated for purposes of the applicable FDIC insurance limit. Insurable capacities include individual accounts, joint accounts and individual retirement accounts. A tax identification number is not evidence of, and does not establish, an insurable capacity that is separate from another tax identification number used by the same person or entity. Upon request, we will provide you with a copy of the FDIC brochure "Your Insured Deposits – FDIC's Guide to Deposit Insurance Coverage." You may also obtain information about deposit insurance coverage by contacting the FDIC, Office of Consumer Affairs, by letter (550 17th Street, N.W., Washington, D.C. 20429), by telephone (877-275-3342, 800-925-4618 (TDD) or 202-342-3100), or by e-mail (doainetnet@fdic.gov), or by visiting the FDIC website at www.fdic.gov. You may wish to seek advice from your own attorney concerning FDIC insurance coverage of deposits held in more than one capacity.

FDIC deposit insurance coverage applies to the principal and accrued interest on all CDs and other deposit accounts maintained by you in the same insurable capacity at a single Insured Institution. The records maintained by the Insured Institution, us and our sub-custodian regarding ownership of CDs will be used to establish your eligibility for federal deposit insurance payments in respect of CDs issued through CDARS. In addition, you could be required to provide certain documentation to the FDIC before insurance payments would be released to you.

(b) Government Unit Deposits

The requirements for deposit insurance coverage of the deposits of the United States government, state, county and municipal governments and their political subdivisions, the District of Columbia and the Commonwealth of Puerto Rico are specifically set forth in regulations of the FDIC (12 C.F.R. 330.15). In general, such deposits will

be insured up to the SMDIA and individual departments and political subdivisions within a governmental unit may be eligible for separate insurance if certain requirements are met. The use of separate tax identification numbers by different departments or political subdivisions of the same governmental unit will not by itself cause the deposits of such departments or political subdivisions to be eligible for separate FDIC insurance.

It is the obligation of each governmental entity to determine whether the requirements for deposit insurance have been met. Neither we, Promontory, nor the Insured Institution issuing CDs to you are responsible for uninsured losses resulting from placement of funds that are not eligible for deposit insurance.

(c) Deposit Insurance Payments

In the event that deposit insurance payments become necessary for your CDs, the FDIC is required to pay the original principal amount plus accrued interest to the date of the closing of the relevant Insured Institution, as prescribed by law, subject to the limits on FDIC deposit insurance coverage. No interest is earned on deposits from the time an Insured Institution is closed until insurance payments are received. We will notify you if we receive any payments from the FDIC with respect to your CDs.

As an alternative to a direct deposit insurance payment from the FDIC, the FDIC may transfer the insured deposits of an insolvent institution to a healthy institution. Subject to insurance verification requirements and the limits on FDIC deposit insurance coverage, the healthy institution may assume your CDs under their original terms or offer you a choice between either receiving payment of the CDs or maintaining the deposits at a different rate. We will advise you of your options in the event of a deposit transfer.

As with all federally insured deposits, if it becomes necessary for federal deposit insurance payments to be made on the CDs, there is no specific time period during which the FDIC must make the insurance payments available. Neither we nor Promontory will be obligated to make any payments to you in satisfaction of a loss you might incur as a result of (i) a delay in insurance payouts applicable to a CD, (ii) your receipt of a decreased interest rate on an investment replacing a CD that is repaid prior to its scheduled maturity, or (iii) payment in cash of the principal and accrued interest of a CD prior to maturity in connection with the liquidation of an Insured Institution or the assumption of all or a portion of its deposit liabilities. Also, neither we nor Promontory will be obligated to advance funds to you prior to payment from the FDIC.

Section 6. Responsibility to Monitor Deposits at Insured Institutions; Publicly Available Information

Funds we submit for placement on your behalf or any Settlement Date are placed in CDs at enough different Insured Institutions to prevent the principal amount and any interest to accrue over the term of each CD placed on that Settlement Date from exceeding the FDIC insurance limit. It is your responsibility, however, to monitor the total amount of deposits that you held with each Insured Institution in order for you to determine the extent of FDIC deposit insurance coverage available to you on deposits at that Insured Institution, including the CDs issued through CDARS. See Section 5 above, "FDIC Insurance Information," for more information on FDIC insurance coverage. The Insured Institution at which a deposit is made is responsible for the full amount deposited with it, and neither we nor Promontory is responsible for any insured or uninsured portion of any CD or any other deposit.

Publicly available financial information concerning the proposed and proposed alternate Insured Institutions can be obtained by you at the website of the National Information Center of the Federal Reserve System maintained at www.fiec.gov/nic/. Neither we nor Promontory guarantees the financial condition of any Insured Institution or the accuracy of any publicly available financial information about the Insured Institution.

Section 7. Confidentiality of Information

We will provide your name, tax identification number and other pertinent identifying information to Promontory, our sub-custodian, and other parties providing services in connection with the placement of your funds and the issuance and holding of your CDs. We may also release such information to (i) an Insured Institution that has issued a CD to you, but only to the extent necessary to comply with any applicable law, rule or regulation or a judicial order, and (ii) the FDIC in connection with a claim for deposit insurance on your CD. You hereby consent to the release of that information to and its use by (a) Promontory, our sub-custodian, and other parties providing services in connection with the placement of your funds and the issuance and custody of your CDs, (b) Insured Institutions that have issued CDs to you to the extent necessary to comply with any applicable law, rule, regulation or judicial order, and (c) the FDIC in connection with a claim for deposit insurance on your CDs. The information will not be disclosed to other Insured Institutions except as set forth herein and will not be used by Promontory, our sub-custodian, or any other parties to

whom we release the information for any other purpose except as set forth herein or directed by you. Nothing in this section shall be deemed to prevent us from disclosing information to a third party if permitted or required by law.

Section 8. Disputes

Any disputes arising out of or in connection with this agreement will be governed by the dispute resolution, arbitration, choice of law, venue, waiver of jury trial, and costs related to dispute provisions, if any, contained in your Custodial Agreement with us under which we act as custodian for your CDs.

Section 9. Miscellaneous

Any information we are required to deliver to you pursuant to this agreement may be given to you by mail, facsimile or other electronic transmission.

This agreement:

- constitutes the entire agreement between us relating to the placement of deposits through CDARS and the other matters contained herein,
- supersedes all prior contracts or agreements relating to the placement of funds through CDARS, whether oral or written, and
- may not be amended by any oral representation made or oral agreement reached after the execution of this agreement.

We may amend this agreement or any related document prospectively by modifying or rescinding any of its existing provisions or by adding any new provisions at any time by sending written notice of the amendment to you. We may provide written notice of an amendment to this agreement by means of a letter, an entry on your account statement or other means. Any amendment will be effective as of the date established by us in the written notice of the amendment, subject to applicable law, provided that any amendment may not become effective until ten days after the written notice has been sent by us.

This agreement is not assignable, in whole or in part, by either party except by operation of law or as required by law.

The headings in this agreement are inserted for convenience and identification only, and are not intended to describe, interpret, define or limit the scope or intent of this agreement or any clause hereof.

By signing below, you acknowledge that you have received this agreement, that you have read and understood this agreement and that you were given the opportunity to ask us any questions you may have had with respect to this agreement, the transactions contemplated by it, the CDs and FDIC insurance coverage of the CDs and deposits maintained with us.

- Check this box if you are a governmental unit or other depositor and wish your funds to be placed only through CDARS Reciprocal Transactions.

DEPOSITOR(S)

Name of Depositor: _____
 By: _____
 Name: _____
 Title: _____
 Depositor Tax ID or Other Depositor ID: _____
 ID Type: _____

Name of Depositor: _____
 By: _____
 Name: _____
 Title: _____
 Depositor Tax ID or Other Depositor ID: _____
 ID Type: _____

Signed this _____ day of _____, 200__

DEPOSITORY INSTITUTION

(Print Name of Institution)
 By: _____
 Name: _____
 Title: _____
 Acknowledged this _____ day of _____, 200__

SCHEDULE 1

INITIAL LIST OF INSURED INSTITUTIONS AT WHICH YOU DO NOT WANT TO MAKE A DEPOSIT (ATTACH ADDITIONAL PAGES AS NECESSARY)

Please include the city and state of the institution's main office (rather than the city and state of a branch location). You may include the institution's routing number and/or FDIC certificate number, if you have this information.

Name of Institution City and State Routing or FDIC No.

Name of Institution City and State Routing or FDIC No.

Name of Institution City and State Routing or FDIC No.

Name of Institution City and State Routing or FDIC No.

Name of Institution City and State Routing or FDIC No.

Name of Institution City and State Routing or FDIC No.

Name of Institution City and State Routing or FDIC No.

SCHEDULE 2

IMPORTANT TIMES AND DEADLINES IN CONNECTION WITH THE PLACEMENT OF YOUR FUNDS

This schedule contains important times and deadlines with respect to the placement of your funds. These times may change from time to time or on any particular Order Date or Order Allocation Date (which are currently the same business day), and we will inform you of any change in times, as applicable, before you submit your funds for placement. You may also obtain information about any changes to times set forth in paragraphs 2, 3 and 4 below or about any scheduling change resulting in the Order Allocation Date taking place on the business day immediately following an Order Date at www.CDARS.com/products.

1. Time and day by which your request to have your funds placed must be submitted: _____ on _____.
2. Time and day by which we must submit your Order to Promontory: **1:00 p.m. ET** on the Order Date.
3. Time and day at or after which you may obtain the list of names of the Insured Institutions at which your funds are proposed to be placed: **3:00 p.m. ET** on the Order Allocation Date.
4. Time and day by which you must inform us of the name or names of any proposed Insured Institution at which you do not want to make a deposit: **4:00 p.m. ET** on the Order Allocation Date.
5. Time and day by which we must have your available funds on account: _____ on _____.

Custodial Agreement

GENERAL AGREEMENT FOR CUSTODY OF CERTIFICATES OF DEPOSIT - FOR INDIVIDUAL(S), TRUSTS AND BUSINESS ENTITIES

To: [Depository institution]

Please hold in safekeeping, and act as custodian with respect to, all time deposits including, but not limited to, certificates of deposit (all such time deposits will be referred to herein as "CDs") issued pursuant to the CDARS[®] Deposit Placement Agreement between you and the undersigned for funds of the undersigned placed through the Certificate of Deposit Account Registry Service[®]. It is agreed between us as follows:

For purposes of Article 8 of the Uniform Commercial Code as adopted in _____, you will act as the undersigned's securities intermediary with respect to, and will treat as financial assets, any CDs you hold for the undersigned.

You are authorized to collect for account of the undersigned all interest and other payments of income or principal pertaining to the CDs unless they are payable directly to the undersigned; to surrender for payment maturing CDs and those called for redemption; to endorse on behalf of the undersigned for the above purposes all checks and other instruments requiring endorsement; to cause the CDs to be registered in your name or in the name of your nominee if you consider it desirable; to deliver or transfer the CDs to another account with you as the undersigned may from time to time instruct; to receive the CDs for account of the undersigned; to place orders for the purchase of the CDs, on the instructions of the undersigned and to pay for the same provided the undersigned has funds on deposit with you or arranges to make funds available in advance for such purpose; and to execute and deliver or file on behalf of the undersigned all appropriate receipts and releases and other instruments, including whatever certificates may be required from custodians or may be necessary to obtain exemption from taxes and to name the undersigned when required for the purpose of the instrument.

Instructions may be given orally or in writing. The following are authorized to give instructions on behalf of the undersigned (check all that apply).

- The undersigned (individual or partnership).
- Any of the following individuals. (List names and legal capacities.)
- Any _____ of the following officers and their respective successors in office. (List names and their titles.)

- The undersigned, or the undersigned's account, is one of the following:
- | | |
|--|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Custody (including guardian, agent, nominee or conservator) |
| <input type="checkbox"/> Joint | <input type="checkbox"/> Payable Upon Death Account |
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> Irrevocable Trust |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Corporation | |

You may comply with any writ of attachment, execution, garnishment, tax levy, restraining order, subpoena, warrant or other legal process that you believe (correctly or otherwise) to be valid. You may notify the undersigned of such process by telephone, electronically or in writing. If you are not fully reimbursed for your record research, photocopying and handling costs by the party that served the process, you may charge such costs to the undersigned's account, in addition to any minimum fee you charge for complying with legal processes.

You may honor any legal process that is served personally, by mail, or by facsimile transmission at any of your offices or an office of your agent (including locations other than where the funds, records or property sought is held), even if the law requires personal delivery at the office where the undersigned's account or records are maintained.

You shall have no liability to the undersigned for any action taken or omitted by you hereunder in good faith.

The undersigned agrees to indemnify you and your nominees against, and to hold you and them harmless from, all expenses (including counsel fees), liabilities and claims arising out of the holding, delivery or transfer of the CDs and compliance with any legal process that you believe (correctly or otherwise) to be valid. The undersigned agrees to pay any service charges imposed by you on this custodial account.

This agreement may be terminated at any time at the option of either party, provided, however, that any termination by you will not become effective until the end of the term of any CD in your safekeeping at the time you notify the undersigned of your intention to terminate this agreement.

DEPOSITOR(S)

Name of Depositor: _____

By: _____
Name:
Title:

Name of Depositor: _____

By: _____
Name:
Title:

Signed this _____ day of _____, 200 _____

DEPOSITORY INSTITUTION

(Print name of institution)

By: _____
Name:
Title:

Acknowledged this _____ day of _____, 200 _____

[NOTE: If the depositor is a corporation, the following certificate should be signed by an appropriate officer of the depositor other than one signing the form of custodial agreement.]

I, _____ [name], _____ [title of office] of the above named corporation signing the foregoing custodial agreement, hereby certify that: I am personally familiar with all instruments and records relating to the organization and operation of the corporation and the meetings and proceedings of its stockholders and all boards and committees entrusted with authority in the management of its affairs; by corporate action taken in conformity with such instruments and records and appearing from said records to be still in force, the foregoing custodial agreement was authorized to be signed and delivered on behalf of said corporation; and each of the persons signing on behalf of said corporation is the qualified holder of the office given opposite his/her signature and was authorized to sign the said custodial agreement in that capacity.

Signature: _____

**FDIC**Federal Deposit Insurance Corporation
550 17th Street, NW, Washington, DC 20429

APPENDIX B

Legal Division

July 29, 2003

Mark T. Young, Esquire
Sievert, Young & Donahoe LLP
Suite 1650
15910 Ventura Boulevard
Encino, California 91436-2842

Dear Mr. Young:

This is in response to your request for an opinion on the FDIC deposit insurance coverage available for deposits purchased through a program sponsored by Promontory Interfinancial Network ("Network"). Entitled the "Certificate of Deposit Account Registry Service" ("CDARS"), the program is a deposit-placement service designed to allow FDIC-insured depository institutions to accept deposits of more than \$100,000 and obtain full coverage for the depositor by spreading the funds among as many separate FDIC-insured institutions as necessary so that no institution holds more than \$100,000 (principal plus interest) for each depositor. Your view is that FDIC insurance would apply to all deposits placed through the CDARS program, assuming the program is operated as indicated in the materials enclosed with your letter.

The applicable materials you provided to us are marked "02/03 Version." The "Participating Institution Agreement" defines a *Participating Institution* as an institution participating in the CDARS program and indicates that a *Participating Institution* may act from time to time in one of three capacities: a *Relationship Institution* – an institution that submits its depositors' funds for placement through CDARS and acts as custodian with respect to its depositors' certificates of deposit ("CDs"); an *Issuing Institution* – an institution that issues CDs to depositors for funds placed with the *Participating Institution* through CDARS; and a *Surplus Institution* – an institution that on an order date is willing to accept time deposits in excess of the funds, if any, it has submitted for placement through CDARS on that order date.

"The CDARS Deposit Placement Agreement" provides the terms and conditions upon which the *Relationship Institution* will place a depositor's funds with other FDIC-insured institutions (*Issuing Institutions*) that have entered into similar contracts with the Network. The agreement states that the *Relationship Institution* will act as the depositor's agent in placing funds in CDs with the *Issuing Institutions*. It indicates that: the *Relationship Institution* will act as the depositor's custodian with respect to the CDs and has entered into an agreement with The Bank of New York ("BNY") to act as the *Relationship Institution's* sub-custodian with respect to the CDs for which the

Relationship Institution is acting as the depositor's custodian; each CD for which the *Relationship Institution* is acting as the depositor's custodian will be recorded on the *Issuing Institution's* records in the name of the sub-custodian, BNY; the CD will be recorded on BNY's records in the *Relationship Institution's* name; and the CD will be recorded on the *Relationship Institution's* records in the depositor's name.

The Participating Institution Agreement contains these relevant disclosure and recordkeeping provisions:

Section 9.01 Recordkeeping for FDIC Purposes

As custodian for your Depositors, you will maintain, in accordance with applicable published requirements of the FDIC, a record of (i) the name, address, taxpayer identification number, and amount of the account of each Depositor for which CDs have been issued through CDARS and (ii) any representative capacity in which the Depositor may be acting.

Section 9.04 Recordation of CDs

Each CD that you issue will be established on your deposit account records in the name of "[Name of Sub-custodian], acting as agent for itself and others, each acting for itself and others," or in such other manner of recordation as may be approved from time to time by the FDIC to permit "pass-through" of deposit insurance to the beneficial owner of the CD.

The agreement between BNY (the sub-custodian) and the *Participating Institutions* specifies that the sub-custodian will:

- 2. Record each CD as issued by you [the issuing institution] in the name of "BNY, as agent for itself and others, each acting for itself and others" (or such other manner of recordation as may be approved from time to time by the FDIC to permit "pass-through" of deposit insurance) (Schedule A)*

Discussion

Deposit insurance is provided under the Federal Deposit Insurance Act, as implemented by the FDIC's regulations, based on the rights and capacities in which deposits are held at FDIC-insured depository institutions. 12 U.S.C. §1821(a) and 12 CFR Part 330. For deposits held by an agent for its principals at FDIC-insured

institutions, such as in the CDARS program, deposit insurance is said to “pass through” the holder of the account (the agent) to the owners of the funds (the principals). 12 CFR §330.7. The same logic applies where an agent is acting for multiple owners/principals and where there are multiple levels of agency relationships. The FDIC’s deposit insurance regulations impose specific requirements for funds held in a fiduciary relationship. 12 CFR §330.5(b). Essentially, as long as the institution’s deposit account records indicate that the funds are held in an agency capacity and the institution’s records, the agent’s records or an authorized third-party’s records, maintained in good faith and in the ordinary course of business, designate the ownership interest of the principal(s) in the account, the FDIC will insure the funds on a pass-through basis as if each principal had placed his or her respective funds directly with the applicable depository institution.

For deposits held in multi-tiered fiduciary relationships, such as in the CDARS program, special rules apply. One way to satisfy the disclosure and recordkeeping requirements is for the deposit account records of an insured institution to indicate the existence of each and every level of the fiduciary relationships and disclose at each level the names and interest of the person (s) on whose behalf the party at that level is acting. Another way is to: expressly indicate on the deposit account records of the insured institution that there are multiple levels of fiduciary relationships; disclose the existence of additional levels of fiduciary relationships in records by parties at subsequent levels; and disclose at each of the levels the names and interests of the persons on whose behalf the party at that level is acting. 12 CFR §330.5(b)(3).

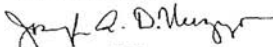
The CDARS program is a self-described deposit-placement service in which participating institutions act as agents for depositors in placing funds at other participating institutions. As specified in the above-quoted provisions of the applicable CDARS documents: (1) the *Issuing Institutions*’ records will indicate that the deposits are being held by BNY “acting as agent for itself and others, each acting for itself and others”; (2) BNY’s records will record each CD held by BNY as sub-custodian for the *Relationship Institution* as custodian for its depositors; and (3) the *Relationship Institution*’s records (and/or an authorized third party’s records) will contain the name, address and other identifying information of each depositor for which CDs are purchased through CDARS. This methodology conforms to the disclosure and recordkeeping requirements in section 330.5(b) of the FDIC’s regulations. As such, the FDIC’s requirements for agency pass-through deposit insurance coverage would be satisfied and, thus, the FDIC would regard each depositor/principal to be the insured party per participating institution for deposit insurance purposes.

As explained in the CDARS materials, please note that if the same depositor/principal also has an ownership interest in other deposits at the same *Issuing Institution*, those deposits would be added to his or her ownership interests in deposits (held in the same ownership capacity) placed through the CDARS system and insured in the aggregate to a limited of \$100,000.

In summary, based on the CDARS information in the materials enclosed with your letter, we agree that deposits placed through the CDARS system would be insured on a pass-through basis under the FDIC's rules on the insurance coverage of agency or custodial accounts. For this coverage to be available, the recordkeeping and other applicable procedures specified in the materials would have to be followed. These views are based on the information contained in the version of the CDARS materials enclosed with your letter. Revisions to those documents on deposit ownership and recordkeeping may affect the deposit insurance coverage results. Also, this opinion addresses only the deposit insurance implications of the CDARS program. It is not intended to address any other legal or policy issues.

I hope this is fully responsive to your inquiry. Feel free to call me 202-898-7349 with any additional questions or comments.

Sincerely yours,,


Joseph A. DiNuzzo
Counsel

COUNTIES: Local health department's authority concerning immunization requirements**PUBLIC HEALTH CODE:****LOCAL HEALTH DEPARTMENTS:**

A local health department has authority to adopt regulations to require a parent to use a specific immunization exemption form in order to claim an exemption from vaccination requirements under section 9215(2) of the Public Health Code, MCL 333.9215(2).

The broad authority conferred on local health departments to prevent disease and promote the public health includes the power to require a parent to provide a statement explaining the nature of the "other objection" to immunization claimed by the parent under section 9215(2) of the Public Health Code, MCL 333.9215(2).

A local health department may promulgate a regulation requiring its approval to confirm that an immunization exemption has been properly claimed under section 9215(2) of the Public Health Code, MCL 333.9215(2).

Opinion No. 7205

September 14, 2007

Honorable Kim Meltzer
State Representative
The Capitol
Lansing, MI

You have asked several questions regarding the authority of a local health department to require parental compliance with its immunization regulations in order for a child to qualify as exempt from the immunization requirements under state law.

You first ask whether a local health department may require a parent, guardian, or person *in loco parentis* of a child to use a specific form in order to exempt that child from the immunization requirements provided for in the Public Health Code, 1978 PA 368, MCL 333.1101 *et seq.*¹

Over a century ago, the United States Supreme Court, in *Jacobson v Massachusetts*, 197 US 11; 25 S Ct 358; 49 L Ed 643 (1905), settled that the police powers of a state extend to providing for compulsory vaccination. The requirement for vaccinations has been recognized as universally important in the area of public health. The Centers for Disease Control and Prevention, for example, describe the drastic reduction over the past half century in morbidity and mortality due to vaccine-preventable illness as one of the most momentous achievements of public health.²

¹ For brevity, "parent" will be used in this opinion to include guardian or person *in loco parentis* of the child.

² See Centers for Disease Control & Prevention, Morbidity & Mortality Weekly Report, Vol 48, No 29, Achievements in Public Health, 1900-1999, p 621 (July 30, 1999); Centers for Disease Control & Prevention, Morbidity & Mortality Weekly Report, Vol 48, No 12, Ten Great Public Health Achievements – United States, 1900-1999, p 241 (April 2, 1999); and Achievements in Public Health, 1900-1999, Impact of Vaccines Universally Recommended for Children – United States, 1990-1998, *Id.*, at p 243.

In line with this history, the Legislature has established comprehensive immunization requirements to protect the public health in Michigan.³ These requirements are set forth in Part 92 of the Public Health Code, MCL 333.9201 *et seq.* The Michigan Department of Community Health (MDCH) is empowered to promulgate rules to implement Part 92, including rules governing age periods for immunizations, the minimum ages at which immunization may be commenced, the minimum doses required during a specified time period, and the minimum levels of immunization for children in school. MCL 333.9227(1)(a)-(d). In addition, section 5111 of the Public Health Code authorizes the MDCH to promulgate rules to establish procedures for the control of diseases and infections, including immunization and environmental controls. MCL 333.5111(1)(d). By promulgated rule, MDCH requires childhood vaccinations for diphtheria, pertussis, tetanus, measles, mumps, rubella, polio, Haemophilus influenzae type b (Hib), Hepatitis B, and varicella (chicken pox). 2006 MR 10, R 325.176. This rule, among other things, also specifies the ages when the various vaccines must be administered.

Section 9205 of the Public Health Code, MCL 333.9205, requires a parent to provide for the child's immunization against diseases at the ages prescribed by the MDCH. Further, when a child is first registered in school or in a preschool-aged program of group residence, care, or camping, the parent must present to school officials a certificate of immunization or statement of exemption. MCL 333.9208 and 333.9211(1). The exemption may be claimed for medical reasons or "because of religious convictions or other objection to immunization." MCL 333.9215(1)-(2). The parent's failure to provide the certificate of immunization or statement of exemption means that the child cannot be permitted to enter or attend the school or preschool. MCL 333.9208(2).

A school is required to report twice a year to the state and local health departments a list of students with their immunization status. The reports are to be on a form provided or approved by the MDCH. MCL 333.9209. The local health department is required to take appropriate action in light of the information collected in the reports, including providing immunization clinics to raise the immunization level of children entering school to the level established by MDCH. MCL 333.9209. Local health departments are required to periodically offer free immunization clinics for children. MCL 333.9203. Additionally, the state or local health departments may require the operators of programs for preschool-aged children to report the immunization status of each child accepted in the program. MCL 333.9211.

In addition to these responsibilities, the Public Health Code assigns numerous other powers and duties to local health departments.⁴ Local health departments are

³ The State of Michigan's historic dedication to eradicating disease has extended to itself manufacturing vaccines for delivery to its citizens. Under 1927 PA 105, the Legislature made it the duty of the then State Commissioner of Health to manufacture vaccines to control communicable diseases. See OAG, 1941-1942, No 21898, p 444, (December 15, 1941). The authority to manufacture vaccines continued until 1998 when the State sold its vaccine production facilities. See MCL 333.9211 and Executive Reorganization Order 1995-20, MCL 333.26323.

⁴ The Public Health Code defines "local health department" to include: 1) a county health department of a single county provided pursuant to section 2413, MCL 333.2413, and its board of health, if any; 2) a district health department created pursuant to section 2415, MCL 333.2415, and its board of health; 3) a city health department created pursuant to section 2421, MCL 333.2421, and its board of health, if any; and 4) any other local agency approved by the department under Part 24, MCL 333.2401 *et seq.* MCL 333.9201(2) and MCL 333.1105(2).

primarily responsible for the organization, coordination, and delivery of health services and programs within their jurisdictions. MCL 333.2235(2). The chief duties of local health departments are to "prevent disease, prolong life, and promote the public health." MCL 333.2433(1). To those ends, local health departments "shall . . . [i]mplement and enforce laws for which responsibility is vested in the local health department." MCL 333.2433(2)(a). They also "[h]ave powers necessary or appropriate to perform the duties and exercise the powers given by law to the local health officer" that are not otherwise prohibited by law. MCL 333.2433(2)(f).⁵

Local health departments may also adopt regulations to properly safeguard the public health and to prevent the spread of diseases, MCL 333.2435(d), and are specifically empowered to "adopt regulations necessary or appropriate to implement or carry out the duties or functions vested by law in the local health department." MCL 333.2441(1). These regulations must be "at least as stringent as the standard established by state law applicable to the same or similar subject matter." MCL 333.2441(1).⁶ It has long been held in Michigan that this broad discretionary authority to protect the public health empowers a local health department to implement regulations concerning vaccinations of children and to work out the details necessary to prevent the spread of disease, including establishing requirements for local school districts. *People ex rel Hill v Lansing Bd of Ed*, 224 Mich 388; 195 NW 95 (1923).

In addition to the requirements under the Public Health Code, the Michigan Revised School Code, 1995 PA 289, MCL 380.1 *et seq*, requires that a child enrolling in a public or nonpublic school for the first time (or enrolling in grade 6 for the first time) submit a certificate of immunization or a statement signed by a parent or guardian to the effect that the child has not been immunized because of religious conviction or other objection to immunization. MCL 380.1177. The Revised School Code requires the school to provide the Director of the MDCH with the immunization status of each of these pupils in kindergarten through grade 12, to be transmitted through the local health department on forms provided by MDCH or in a manner approved by MDCH. MCL 380.1177(3). The State School Aid Act of 1979 imposes similar reporting requirements. MCL 388.1767(2) and (3).⁷ The forms provided by MDCH for reporting immunizations, IP-100 and IP-101,⁸ establish a requirement that a copy of all waivers (parental immunization statements) be sent to the local health departments. In addition, MDCH provides a form for waivers, but it has not promulgated a rule requiring the use of a specific form for the waiver.

Your inquiry concerns a regulation promulgated by the Macomb County Health Department requiring parents to use a Macomb County form to claim an exemption from immunization. The regulation in question⁹ states in relevant part:

⁵ "Local health officer" means the individual in charge of the local health department or his or her authorized representative. MCL 333.1105(3).

⁶ *McNeil v Charlevoix County*, 275 Mich App 686; 741 NW2d 27 (2007).

⁷ If a school district or intermediate school district fails to comply with this section, the Michigan Department of Education "shall withhold 5% of the total funds due to the district or intermediate district under this act." MCL 388.1767(4).

⁸ A form is not required to be promulgated as a rule. MCL 24.207(h).

⁹ Macomb County Immunization Regulations, Part A, Section 6.

SECTION 6 – EXEMPTIONS

* * *

RELIGION AND OTHER: A student or a guardian of a minor child with a religious or other objection to immunizations shall submit to the enforcing authorities a statement or objection in a form approved by the Macomb County Health Department.

This regulation appears to track section 9215(2) of the Public Health Code, MCL 333.9215(2), which sets forth the Code's immunization exemption provision:

A child is exempt from this part if a parent, guardian, or person in loco parentis of the child presents a written statement to the administrator of the child's school or operator of the group program to the effect that the requirements of this part cannot be met because of religious convictions or other objection to immunization.

In construing this provision, section 1111 of the Public Health Code mandates that, like all provisions of the Code, it "shall be liberally construed for the protection of the health, safety, and welfare of the people of this state." MCL 333.1111(2). As long ago recognized in *McKillop v Cheboygan County Bd of Supervisors*, 116 Mich 614, 617; 74 NW 1050 (1898), statutes designed to protect the community from infections are of utmost importance. In addition, the foremost general rule to follow in interpreting a statutory provision is to discern and give effect to the intent of the Legislature as expressed in the statutory language. *Gladych v New Family Homes, Inc*, 468 Mich 594, 597; 664 NW2d 705 (2003). Also relevant to your question is the rule that exceptions provided for in a statute are to be given a limited rather than an expansive construction. *People v Jahner*, 433 Mich 490, 500, n 3; 446 NW2d 151 (1989); *Rzepka v Farm Estates, Inc*, 83 Mich App 702, 706-707; 269 NW2d 270 (1978). The burden of proving entitlement to a specific exemption from the requirements of a statute generally rests on the one who claims its benefits. See *Michigan Tool Co v Employment Security Comm*, 346 Mich 673, 680; 78 NW2d 571 (1956).

As shown by the above discussion, the Public Health Code and the Revised School Code require reports of immunization and waivers as prescribed by MDCH. Local health departments have specific statutory duties and functions involving the reporting of vaccinations as well as any exceptions where individuals have not been vaccinated. Schools must report their students' immunization status to their local health departments; and they are, in turn, required to take appropriate action based on those reports. MCL 333.9209. Local health departments are expressly required to implement and enforce the laws for which responsibility has been assigned to them. MCL 333.2433(2)(a). The plain language of the Public Health Code authorizes local health departments to adopt regulations "necessary or appropriate" to carry out their assigned duties and functions. MCL 333.2441(1). Moreover, the broad discretionary authority to protect the public health empowers a local health department to implement regulations concerning vaccinations of children and to work out the details necessary to prevent the spread of disease, including establishing requirements for local school districts. *People ex rel Hill*, 224 Mich at 395, 399.

These clear statements of legislative intent and case law support the conclusion that local health departments may adopt a regulation requiring the use of a specific form to claim an exemption from immunization requirements. Developing a uniform

format for claiming an exemption and establishing procedures for assuring compliance with statutory requirements represent a "necessary or appropriate" means for assuring that a health department is positioned to fulfill its educational and monitoring responsibilities.

It is my opinion, therefore, in answer to your first question, that a local health department has authority to adopt regulations to require a parent to use a specific immunization exemption form in order to claim an exemption from vaccination requirements under section 9215(2) of the Public Health Code, MCL 333.9215(2).

You next ask whether a local health department may require a parent to provide an explanation of the nature of the "other objection" to immunization under section 9215(2) of the Public Health Code, MCL 333.9215(2).

The information required for exemption under MCL 333.9215(2) and Rule 325.176(1)(d) includes the name and birth date of the child, and a certification that immunization conflicts with religious conviction or other objection of the statement's signer. The Macomb County Health Department's immunization waiver form requests that a reason be stated for an objection other than religion, thereby raising the issue of whether the local health department is requiring more information than permitted under MCL 333.9215(2).

The Macomb County Health Department's regulation requires that the written objections be stated "in a form approved by the Macomb County Health Department." The Michigan Department of Community Health also has a form for parents to use for filing an exemption. The MDCH form is similar to the Macomb County form in that it requires a reason to be stated for any "other objection."

Prior to the codification of the Public Health Code in 1978 PA 368, the only statutorily permissible exemption from the then applicable immunization requirement was for religious reasons. The Legislature added the "other objection" language in 1978 but did not define this term. MDCH Rule R 325.176(d) defines religious or other exemption to mean:

[A] written statement which is signed by the parent, guardian, or person in loco parentis of a child, which certifies that immunization is in conflict with religious or other convictions of the signer, and which includes the name and date of birth of the child.

When determining the plain and ordinary meaning of undefined terms in statutes or rules, dictionary definitions may be consulted. *Title Office Inc v VanBuren County Treasurer*, 469 Mich 516, 522; 676 NW2d 207 (2004). *The American Heritage Dictionary, New College Edition* (1976), defines the word "objection," in part, as a "ground, reason, or cause for expressing opposition or disagreement." Requiring a parent to state the basis for a non-religious objection to immunization ensures that the parent is in fact objecting to immunization by stating a ground, reason, or cause for the objection, rather than claiming an exemption for some other reason. For example, a parent who refuses to immunize a child due to time or financial constraints is not stating an objection to or conviction against immunization required by MCL 333.9215(2) and Rule 325.176(1)(d). Confirming that a parent truly has an actual objection to immunization by requiring disclosure of the reason for the objection is not requiring more information than prescribed under this section, but rather it is verifying that the objection exists in conformity with the statute.

Requiring the parent to state a reason for objecting to immunization is also consistent with a local health department's duty to prevent disease and promote the public health by raising immunization levels. A parent's objection may be based on misinformation or misunderstanding; the simple act of requiring an explanation of the nature of the "other" objection will enhance compliance with vaccination requirements. For example, if an objection is based on incomplete scientific information or vague apprehension, local health departments can provide information to parents, thereby allowing them to make a more informed decision regarding immunization. If the issue is financial, the parent can be notified of free immunization clinics that a health department is required to conduct periodically. MCL 333.9203(2).

Additionally, requiring a parent to state a reason for the "other objection" is within the broad authority of a local health department's statutory duty to prevent disease through immunization. It is reasonable for the Macomb County Health Department to adopt a regulation to require a parent to state the nature of an objection as a "necessary or appropriate" measure to enable it to perform its responsibilities.

It is my opinion, therefore, in answer to your second question, that the broad authority conferred on local health departments to prevent disease and promote the public health includes the power to require a parent to provide a statement explaining the nature of the "other objection" to immunization claimed by the parent under section 9215(2) of the Public Health Code, MCL 333.9215(2).

You next ask whether a local health department may require an immunization waiver to be submitted to the local health department for its approval or denial.

The Legislature has generally provided for three types of exemptions from immunization requirements.¹⁰ MCL 333.9215 provides:

- (1) A child is exempt from the requirements of this part as to a specific immunization for any period of time as to which a physician certifies that a specific immunization is or may be detrimental to the child's health or is not appropriate.
- (2) A child is exempt from this part if a parent, guardian, or person in loco parentis of the child presents a written statement to the administrator of the child's school or operator of the group program to the effect that the requirements of this part cannot be met because of *religious convictions or other objection to immunization*. [MCL 333.9215; emphasis added.]

The MDCH, under its rulemaking authority, has defined "religious or other exemption" as a certified written statement that immunization conflicts with religious or other convictions of the signer:

"Religious or other exemption" means a written statement which is signed by the parent, guardian, or person in loco parentis of a child, which certifies that immunization is in conflict with religious or other convictions of the signer, and which includes the name and date of birth of the child. [R 325.176(1)(d).]

¹⁰ Under section 9212 of the Public Health Code, MCL 333.9212, if the immunization level in any grade in any public or nonpublic school falls below the level necessary to guard against the spread of disease, the school district board or governing body may designate immunization requirements as a condition of admission to a particular grade.

Section 9208(1) of the Public Health Code, MCL 333.9208(1), provides that a parent who is registering a child for the first time in a Michigan school, or has a child entering the 6th grade, must present to school officials a certificate of immunization or statement of exemption. As discussed above, a copy of the exemption must be provided to the local health department.

A local health department may adopt regulations that are "necessary or appropriate" to carry out their duties and functions.¹¹ School districts are required to submit, and local health departments are entitled to inspect, immunization status lists and records. MCL 333.9209(1); 2006 MR 10, R 325.176(14). This collected information is used, in part, by local health departments to determine the appropriate action necessary to raise child immunization levels, such as through providing immunization clinics, thereby potentially reducing the number of exemptions. MCL 333.9209(3). Review of exemption information also falls under the authority of local health departments to coordinate health services and programs, in this instance with school officials, and to prevent the spread of disease and safeguard the public health. See MCL 333.2235(2), 333.2433, and 333.2435.

A local health department is vested with the discretion to determine how best to discharge its duties and perform its functions. An exemption for an "other objection" to immunization may only be claimed under MCL 333.9215(2) and the MDCH's implementing regulation where the otherwise applicable immunization requirements "cannot be met" because of that objection. As an exception to the general rule mandating immunization, the term "other objection" must be narrowly construed. The provision must also be "liberally construed for the protection of the health, safety, and welfare of the people of this state." MCL 333.1111(2) and MCL 333.2401 (stating that the principles of construction contained in article 1 of the Public Health Code apply to all articles in the Code); *McNeil* ___ Mich App at ___, *supra*.

Given these guiding principles, a local health department may reasonably determine that it can best discharge its duties concerning immunization by reviewing a parent's claim of exemption to verify that it qualifies under MCL 333.9215(2) and Rule 325.176(1)(d). Where, for example, an objection is based on financial considerations or matters concerning mere convenience or fails to demonstrate that the immunization requirements *cannot be met* as a result of the "other objection," the exemption is appropriately rejected. The local health department may then follow through with educational efforts regarding the possibility of financial assistance or the availability of clinics that may ameliorate scheduling difficulties and the like. On the other hand, where an objection is based on a personal belief that is incompatible with the immunization of the child in that particular instance, the statute will be satisfied and the local health department's approval may not be withheld.

Where the form and related review process do not impose conditions inconsistent with the statute, they serve a ministerial or administrative purpose, an area within which agencies are typically given latitude to perform their assigned duties.¹² The "approval" contemplated in the county regulation does not call upon the county to exercise a subjective judgment about the adequacy of the exemption statement;

¹¹ The use of the disjunctive word "or" is generally construed as referring to an alternative or choice between two or more things. *Hofmann v Auto Club Ins Ass'n*, 211 Mich App 55, 69; 535 NW2d 529 (1995).

¹² See *Public Health Dep't v Rivergate Manor*, 452 Mich 495, 503; 550 NW2d 515 (1996); *Pharmaceutical Research & Manufacturers of America v Dep't of Community Health*, 254 Mich App 397, 403-404; 657 NW2d 162 (2002) (administrative agencies may exercise powers that are granted by necessary or fair implication to fully effectuate their expressly granted powers).

rather, it contemplates a ministerial review that is "necessary or appropriate" to confirm that the claimed exemption meets the requirements of MCL 333.9215(2).

It is my opinion, therefore, in answer to your third question, that a local health department may promulgate a regulation requiring its approval to confirm that an immunization exemption has been properly claimed under section 9215(2) of the Public Health Code, MCL 333.9215(2).

Having found that the above provisions of the Macomb County Health Department's immunization requirements are consistent with the state law, your question whether they are preempted by state law is moot.

MIKE COX
Attorney General

CONST 1963, ART 4, § 26: Calculation of the five-day period under Const 1963, art 4, § 26

LAWS:

LEGISLATURE:

In computing the five-day period under Const 1963, art 4, § 26 during which a bill must be in the possession of each house of the Legislature before it may become a law at any regular session, Sundays and holidays are counted.

When the Legislature is convened in a regular session, if a bill passed by one house of the Legislature is presented to the other house on a Tuesday, the bill is not eligible for final passage until the following Sunday.

Opinion No. 7206

September 21, 2007

Honorable Jennifer M. Granholm
Governor
The Capitol
Lansing, MI

On September 18, 2007, you asked two questions regarding the calculation of the five-day period during which a bill must be in the possession of each house of the Legislature before it may become law under Const 1963, art 4, § 26. Specifically, your questions are whether Sundays and holidays are counted in computing the five-day period and whether, if a bill passed by one house of the Legislature is presented to the other house on a Tuesday, the bill is eligible for final passage on the following Saturday or Sunday.

You ask for expedited consideration of your question due to the need for guidance concerning pending legislation relating to the enactment of appropriations for

the fiscal year beginning October 1, 2007. This response has accordingly been prepared on shortened review time to accommodate that request.

As with all questions calling for interpretation of the Michigan Constitution, analysis begins with the language of the provision under review to ascertain the common understanding of the people who adopted it. *Silver Creek Drain Dist v Extrusions Div, Inc*, 468 Mich 367, 375; 663 NW2d 436 (2003). The words used in the provision must be given their ordinary meanings. *Lapeer County Clerk v Lapeer Circuit Court*, 469 Mich 146, 156; 665 NW2d 452 (2003). If the language of a provision is plain, it is that plain meaning that courts give to it. *Phillips v Mirac Inc*, 470 Mich 415, 422; 685 NW2d 174 (2004). In other words, the meaning that should be applied to the language is the one that the words would naturally convey to the popular mind. *Committee for Constitutional Reform v Secretary of State*, 425 Mich 336, 340; 389 NW2d 430 (1986). Consideration may also be given to the purpose sought to be accomplished by the provision. *Bolt v Lansing*, 459 Mich 152, 160; 587 NW2d 264 (1998).

Const 1963, art 4, § 26 states in its entirety:

No bill shall be passed or become a law at any regular session of the legislature until it has been printed or reproduced and in the possession of each house for at least five days. Every bill shall be read three times in each house before the final passage thereof. No bill shall become a law without the concurrence of a majority of the members elected to and serving in each house. On the final passage of bills, the votes and names of the members voting thereon shall be entered in the journal. [Emphasis added.]

Research has not discovered any court cases directly addressing either of your questions. In *Anderson v Oakland County Clerk*, 419 Mich 313; 353 NW2d 448 (1984), however, the Michigan Supreme Court explained that the history and purpose of the five-day rule in art 4, § 26 is closely related to the "change of purpose provision" found in Const 1963, art 4, § 24, which mandates that "[n]o bill shall be altered or amended on its passage through either house so as to change its original purpose as determined by its total content and not alone by its title." The Court noted that these are not recent provisions and that a "long history underscores an intent through these requirements to preclude last-minute, hasty legislation and to provide notice to the public of legislation under consideration irrespective of legislative merit." 419 Mich at 329.

Tracing the history behind art 4, § 26, the Court pointed out that the five-day rule and the change of purpose provision were contained in the same article and section of the 1908 Constitution, Const 1908, art 5, § 22, and that the function of the change of purpose provision, both in the 1908 Constitution and as modified in the 1963 Constitution, is "to fulfill the command of the five-day rule." *Id.*, at 330. In so concluding, the Court drew upon the explanatory remarks of the framers of the 1908 Constitution:

This function was clearly expressed by the framers of the constitution in connection with Const 1908, art 5, § 22:

"This is a new section. It was inserted to prevent hasty and careless legislative action, also, to deal effectively with so-called snap legislation. The provision that no bill shall be passed until it has been printed and in the possession of each house for five

days means much greater publicity in legislative proceedings. Time is thus provided whereby the people may become acquainted with proposed legislation and to petition, or remonstrate, before a bill is passed. It is believed that this provision will measurably improve the tone of legislative action. * * * The provision that no bill shall be altered on its passage so as to change its original purpose is included so that by no possibility can the publicity secured by the five day rule be nullified or evaded". 2 Official Record, Constitutional Convention 1907, p 1422. (Emphasis in original deleted.) [419 Mich 330, n 14.]

The framers of the 1963 Constitution expressed a similar opinion that the change of purpose provision along with the five-day rule was "a limitation which should be retained" because "[a]ction taken in haste is likely to prove itself not in the interests of the people." 419 Mich at 335 n 6, quoting 2 Official Record, Constitutional Convention 1961, pp 2334-2335.

In addition, a number of Attorney General opinions provide assistance in analyzing your questions. With respect to your first question asking whether Sundays and holidays are included within the five-day period, OAG, 1963-1964, No 4329, p 494, 498-499 (November 3, 1964), is instructive. In this opinion, the Attorney General was asked the meaning of the words "session day" as they appear in Const 1963, art 5, § 6, which defines appointment by and with the advice and consent of the Senate to mean appointment subject to disapproval by majority vote taken "within 60 session days after the date of such appointment." The opinion determined that a "session day" includes every day the Legislature is in session: from the day it convenes in regular session¹ to the day it adjourns *sine die* (without day) and every day in between, including all Sundays and holidays. In reaching this conclusion, the Attorney General relied on two opinions of the Michigan Supreme Court in which Sundays were held to be included within the days of a legislative session for purposes of the questions under review. See OAG No 4329 at p 498, citing *Smith v Auditor General*, 165 Mich 140; 130 NW 557 (1911) and *Davock v Moore*, 105 Mich 120; 63 NW 424 (1895).

Also relevant is 2 OAG, 1958, No 3252, p 99 (March 27, 1958), which examined the question of how to compute the three-day maximum period of adjournment allowed in one house of the Legislature without the consent of the other house in 1908 Const, art 5, § 18. The opinion followed what it described as the general rule regarding the computation of periods of time, under which the day of presentment or other triggering event is excluded and the last day in the period is included. Addressing whether Sundays should be disregarded in making the applicable computation, the opinion explained that Sundays generally should be counted:

[T]he general rule was established in Michigan at an early date that in the absence of express provision to that effect in the statute or rule prescribing such time limitation, Sundays would be counted and the fact that the last day of such period fell on Sunday would not have the effect of extending the period for an additional day. Such rule is still followed in Michigan. [OAG No 3252 at p 100; footnotes and citations omitted.]

¹ This opinion addresses only regular sessions of the Legislature because, by its terms, the five-day rule of art 4, § 26 applies only to "any regular session of the legislature." (Emphasis added.) See also OAG, 1911-1912, p 286 (February 27, 1912) (construing Const 1908, art 5, § 22 – the predecessor provision to art 4, § 26 – as applying to regular sessions only and not to special sessions of the Legislature).

Similarly, in OAG, 1945-1946, No 0-3395, p 305 (April 10, 1945), the Attorney General concluded that Sundays and holidays were counted in determining the day on which laws passed by the Legislature became effective under Const 1908, art 5, § 21. The applicable provision stated, except with respect to acts given immediate effect, "[n]o act shall take effect or be in force until the expiration of 90 days from the end of the session at which the same is passed." The opinion went on to conclude that the day of adjournment – the triggering event – is not counted in the computation. *Id.*

These authorities all support the conclusion that Sundays and holidays should be included when computing the five-day period in art 4, § 26.

Moreover, a natural reading of the words "at least five days" offers no textual basis for concluding that "the popular mind" would commonly regard any particular day of the week as somehow excluded from the required minimum of five in the absence of express language to that effect. While no provision of the 1963 Constitution has been identified in which Sundays or holidays were expressly excluded from a governing time period, the 1908 Constitution did include such language that the framers of the 1963 Constitution did not preserve. Compare Const 1908, art 5, § 36 (stating that a bill shall become law if it "be not returned by the governor within ten days, Sundays excepted") with Const 1963, art 4, § 33 (stating that the applicable period is "14 days measured in hours and minutes from the time of presentation.") This establishes that the framers knew how an intent to exclude Sundays from an applicable period of days could be expressed but chose not to do so in art 4, § 26.

Nevertheless, OAG, 1939-1940, p 101 (May 19, 1939), directly considered whether Sundays should be counted for purposes of calculating the five-day period in Const 1908, art 5, § 22 and reached the opposite conclusion, opining that Sundays should be excluded from the calculation. In light of the authorities identified above, however, the conclusion reached in that 1939 opinion must now be regarded as superseded.

In addition to the above authorities serving to undercut the conclusion of that opinion, its reasoning was based on circumstances that are no longer relevant today and on an analytical approach that has been rejected by Supreme Court cases that require a strict focus on plain language when construing the Constitution. For example, the opinion reasoned at page 102 that the conditions facing the framers in 1908 supported implying that they intended Sundays to be excluded from the five-day count to afford more time for meeting the purposes of the five-day rule:

At the time of the adoption of the constitution containing this section, means of transportation and communication were not as extensive and expeditious as present day methods afford. While a five-day period of time under present day conditions [1939] might be considered ample for expeditious communication of proposed legislative action or petition or protest in relation thereto, yet twenty-one years ago [1908] it would have been considered brief in which to communicate such information by means then at hand and to afford the public an opportunity to communicate their response thereto. [Emphasis omitted.]

Having regarded five days under conditions in 1939 as "ample" time to meet the purposes of Const 1908, art 5, § 22, the adequacy of five days under 1963 conditions to meet the purposes of Const 1963, art 4, § 26 when it was adopted could not be regarded as debatable. More importantly, however, in the absence of express language excluding Sundays and holidays from the five-day period in art 4, § 26, cur-

rent case law does not allow entertaining the implication that the 1939 opinion relied upon. See, e.g., *Mirac, supra*.

It is my opinion, therefore, in answer to your first question, that, in computing the five-day period under Const 1963, art 4, § 26 during which a bill must be in the possession of each house of the Legislature before it may become a law at any regular session, Sundays and holidays are counted.

You next ask whether, if a bill passed by one house of the Legislature is presented to the other house on a Tuesday, the bill is eligible for final passage on the following Saturday or Sunday. While a number of cases and Attorney General opinions address the question of whether a bill has undergone a sufficiently material change of purpose to violate art 4, § 24, research has not uncovered any case or Attorney General opinion decided over the last 100 years since the five-day rule was first adopted addressing the related timing question you pose.

Analysis must therefore begin with the language of the provision: "No bill shall be passed or become a law at any regular session of the legislature until it has been printed or reproduced *and in the possession of each house for at least five days.*" [Emphasis added.]

In OAG, 1913, p 499 (April 22, 1913), the Attorney General was asked whether a bill was "in the possession of the house" other than the one in which the bill originated within the meaning of Const 1908, art 5, § 22 when the Clerk of the House or the Secretary of the Senate officially announced that it was printed and on the desks of the members. The request, made by the Senate, also asked whether a bill was eligible for passage in the house other than the one in which it originated, five days after such official announcement of its printing and presence on the desks of the members, after it has passed the house in which it originates. The opinion answered both questions in the negative, viewing the essential issue as whether the possession contemplated by the provision should be deemed to mean the possession of the printed copies of the proposed measure in one house while the measure is still pending in the other house or "whether the construction should prevail that the framers of the Constitution intended to require that the measure must be in possession of the House as a legislative body with the power to take action thereon."

The opinion reviewed the debates of the Constitutional Convention and the object sought to be achieved by the framers of guarding against hasty and ill-considered legislation. It noted that the proposal as first introduced required that a bill should not be passed until it had been printed and in the possession of the house acting upon it for at least ten days, necessitating a period of at least 20 days for the passage of any measure. Observing that the majority of the members considered this period to be unnecessary, the five-day rule was settled upon as a compromise, compliance with which would consume not less than ten days to secure passage of a bill. The opinion then concluded:

[I]n view of the serious consequences involved, both questions should be answered in the negative. In other words, a bill is not to be deemed in possession of the House other than the one in which it originates, until it has been duly passed by the House in which it was first introduced, and formally transmitted after such passage to the second House; and is not eligible to passage in such second House until it shall have been in the possession of that body, with the power to take action with reference thereto, for at least five days.

In addition to the guidance provided by this opinion is the general rule discussed in OAG No 3252 that, when computing periods of time, the day of presentment or the triggering event is excluded from the day count and the last day in the period is included. OAG No 3252 at p 100. See also OAG No 0-3395.

Moreover, other opinions have established the general universality of this rule. For example, in OAG, 1965-1966, No 4531, p 393, 399 (December 27, 1966), the Attorney General concluded that in computing the time for measuring the 60-session-day period during which the Senate may act to disapprove a gubernatorial appointment, the date that the Senate receives the notice of appointment is excluded in counting the 60 session days. Similarly, OAG, 1981-1982, No 6048, p 595 (March 18, 1982), addressed the question whether the day upon which the state budget is transmitted to the Legislature for action to reject or reduce increases in rates of compensation provided by the Civil Service Commission pursuant to Const 1963, art 11, § 5 should be counted as part of the 60-calendar-day review period. In concluding that the transmittal day is excluded, the opinion partially relied upon Supreme Court precedent expressing the "more reasonable rule" that when time is computed from the time of an act done, the day on which the act is done is to be excluded from the computation. OAG No 6048 at p 596, citing *Gorham v Wing*, 10 Mich 486, 496 (1862).

Applying these well-established principles, the answer to your second question is clear. If a bill has been passed by one house of the Legislature and is presented to the other house on a Tuesday, the day of presentment is not included in the calculation, making Wednesday the first day of the five-day period. Because all days of the week are counted toward the total minimum of five, Thursday is day 2, Friday is day 3, Saturday is day 4, and Sunday is day 5. By the Sunday following the Tuesday presentment, the bill will have been in the possession of the second house for a minimum of five days and on that day is eligible for final passage into law.² This construction fully effectuates the plain language of the five-day rule and advances the purposes sought to be achieved by art 4, § 26.

It is my opinion, therefore, in answer to your second question, that, when the Legislature is convened in a regular session, if a bill passed by one house of the Legislature is presented to the other house on a Tuesday, the bill is not eligible for final passage until the following Sunday.

MIKE COX
Attorney General

² This eligibility for final passage of the bill under these circumstances extends to any time of the day on day 5 that the receiving house is in session "with the power to take action thereon." Const 1963, art 4, § 26, unlike Const 1963, art 4, § 33, does not measure the 5-day time period in "hours and minutes."

REGISTER OF DEEDS: Acceptance for recording by register of deeds of "electronic" records**RECORDS AND RECORDATION:****UNIFORM ELECTRONIC TRANSACTIONS ACT:**

A county Register of Deeds may, but is not required to, accept and record documents affecting title that are part of a transaction "between two or more persons relating to the conduct of business, commercial or government affairs" in electronic format and bearing electronic signatures, consistent with the Uniform Electronic Transactions Act. A document recorded with respect to these "transactions" provides notice against grantees in subsequent recorded conveyances notwithstanding that the document was submitted in electronic format and was executed and acknowledged with electronic signatures. The Uniform Electronic Transactions Act does not require a record or signature to be in electronic form and only applies to transactions where each party has agreed to conduct the transaction by electronic means.

Opinion No. 7207

October 2, 2007

Honorable Mark Meadows
State Representative
The Capitol
Lansing, MI 48909

You have asked whether a Register of Deeds may accept for recording and record instruments affecting title to or interests in real property that are "electronic" and bear "electronic signatures" rather than paper documents bearing, where required, written signatures. We are informed that Registers of Deeds in at least four counties are accepting for recording certain electronic documents with electronic signatures conforming to the requirements of the Uniform Electronic Transactions Act.

A. Recording of Instruments Affecting Title to or Interests in Real Property.

The county Register of Deeds holds a constitutional office. The powers and duties of that office are to be prescribed by law. Const 1963, art 7, § 4. The Register is to accept for recording and to record all deeds and other instruments affecting title to or interests in property that meet the formal requirements for recordation and for which the requisite fees have been paid. MCL 565.25. Certified copies of deeds and other instruments so recorded may be offered as evidence in judicial proceedings with the same effect as the original documents. MCL 600.2107-600.2110; MCL 600.2138. See also MCL 24.401; MRE 902 and 1005; FRE 902 and 1005; and FR Civ P 44.¹

More importantly, the prompt recording of these documents provides actual or constructive notice to all persons of the identity of any owners, holders, lienors, or others claiming an interest in lands and affords priority and security to these persons

¹ These state and federal statutes and rules do not, by express words, make an exception for electronic documents or documents bearing electronic signatures; whether documents of this type may be recorded in the office of the Register of Deeds in the first instance is the question to be addressed here.

and parties. Michigan Land Title Standard 3.18² summarizes the applicable law regarding the risks associated with failing to timely record one's property interests:

A conveyance of real property is void as against the grantee in a subsequent recorded conveyance given for a valuable consideration, if the subsequent grantee has no knowledge of the prior conveyance and the prior conveyance is not recorded or is recorded after the recording of the subsequent conveyance.^{3]}

For a deed or instrument affecting title to be properly recorded, it is essential that it meet current statutory requirements, including, among others, 1937 PA 103, MCL 565.201 *et seq.* A deed or instrument that fails to satisfy the requirements for recording may, even though recorded, be ineffectual as notice. *Galpin v Abbott*, 6 Mich 17, 45-46 (1858) (holding that a deed not bearing the requisite number of witnesses was not entitled to be recorded and, though recorded, was "notice to no one") and *Wing v McDowell*, Walk Ch 175 (1843). See also *Dutton v Ives*, 5 Mich 515, 519-520 (1858) (holding that an agreement to pay off and discharge a first mortgage and stating related terms was not a document of a kind for which recording was allowed, and therefore the filing of the document was not binding notice on subsequent purchasers) and *Hall v Redson*, 10 Mich 21 (1862) (holding that a recorded deed can only constitute evidence of the deed insofar as it affected those grantors as to whom the deed was properly executed and witnessed).

According to its title, 1937 PA 103 (Act) is "AN ACT to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds." Section 1 of the Act specifies those conditions, including detailed physical requirements, each sheet of the document must satisfy:⁴

(1) An instrument executed after October 29, 1937 by which the title to or any interest in real estate is conveyed, assigned, encumbered, or otherwise disposed of shall not be received for record by the register of deeds of any county of this state unless that instrument complies with each of the following requirements:

(a) The name of each person purporting to execute the instrument is legibly printed, typewritten, or stamped beneath *the original signature* or mark of the person.

(b) A discrepancy does not exist between the name of each person as printed, typewritten, or stamped beneath *their signature* and the name as recited in the acknowledgment or jurat on the instrument.

² Michigan Land Title Standards is a compilation prepared by a committee of the Real Property Law Section of the State Bar of Michigan. Various standards have been cited by the courts as representing constructions of property laws that have been relied upon for years. See, e.g., *Snover v Snover*, 199 Mich App 627, 629; 502 NW2d 370 (1993).

³ Michigan Land Title Standards, 5th Edition, 7th Supplement (Real Property Law Section of State Bar of Michigan), Standard 3.18, citing MCL 565.25, MCL 565.29, and *Attwood v Bearss*, 47 Mich 72; 10 NW112 (1881); *Michigan Nat'l Bank v Morren*, 194 Mich App 407; 487 NW2d 784 (1992); and *First of America Bank – West Michigan v Alt*, 848 F Supp 1343 (WD Mich, 1993).

⁴ Section 3 of the Act, MCL 565.203, makes the following exceptions:

The provisions of this act shall not apply to the following instruments: any decree, order, judgment or writ of any court, will, death certificate, or any instrument executed or acknowledged outside of the state of Michigan. The provisions of paragraphs (a), (c) and (d) of section 1 shall not apply to any instrument upon which the signature itself is printed, typewritten or stamped.

(c) The name of any notary public whose signature appears upon the instrument is legibly printed, typewritten, or stamped upon the instrument immediately beneath *the signature* of that notary public.

(d) The address of each of the grantees in each deed of conveyance or assignment of real estate, including the street number address if located within territory where street number addresses are in common use, or, if not, the post office address, is legibly printed, typewritten, or stamped on the instrument.

* * *

(f) *If the instrument is executed after April 1, 1997, each sheet of the instrument complies with all of the following requirements:*

(i) Has a margin of unprinted space that is at least 2-1/2 inches at the top of the first page and at least 1/2 inch on all remaining sides of each page.

(ii) Subject to subsection (3), displays on the first line of print on the first page of the instrument a single statement identifying the recordable event that the instrument evidences.

(iii) Is electronically, mechanically, or hand printed in 10-point type or the equivalent of 10-point type.

(iv) *Is legibly printed in black ink on white paper that is not less than 20-pound weight.*

(v) Is not less than 8-1/2 inches wide and 11 inches long or more than 8-1/2 inches wide and 14 inches long.

(vi) Contains no attachment that is less than 8-1/2 inches wide and 11 inches long or more than 8-1/2 inches wide and 14 inches long.

(2) Subsection (1)(e) and (f) do not apply to instruments executed outside this state or to the filing or recording of a plat or other instrument, the size of which is regulated by law.

* * *

(4) Any instrument received and recorded by a register of deeds shall be conclusively presumed to comply with this act. The requirements contained in this act are cumulative to the requirements imposed by any other act relating to the recording of instruments.

(5) An instrument that complies with the provisions of this act and any other act relating to the recording of instruments shall not be rejected for recording because of the content of the instrument. [MCL 565.201(1)-(5); emphasis added.]

Prior to amendment by 2002 PA 23, MCL 565.8 required that each deed executed in this State be executed in the presence of two witnesses, but the requirement for witnesses has since been removed. MCL 565.8 continues to require an acknowledgment by the person(s) executing the deed taken by a notary public or other person authorized by law. The officer taking the acknowledgment must endorse on the deed

a certificate of acknowledgment and the true date of taking the acknowledgment "under his or her hand." (Emphasis added.)

Two laws found in the Revised Statutes of 1846 also relate to your inquiry. The first is the Statute of Frauds, RS 1846, Ch 80, section 8, MCL 566.108. It requires that certain contracts be in writing or they are void:

Every contract for the leasing for a longer period than 1 year, or for the sale of any lands, or any interest in lands, shall be void, unless the contract, or some note or memorandum thereof be in writing, and signed by the party by whom the lease or sale is to be made, or by some person thereunto by him lawfully authorized in writing . . . [MCL 566.108.]

The second is RS 1846, Ch 65, MCL 565.1 *et seq.*, titled "Of Alienation by Deed, and the Proof and Recording of Conveyances, and the Canceling of Mortgages." Section 1 of chapter 65 provides in part:

Conveyances of lands, or of any estate or interest therein, may be made by deed, signed and sealed⁵ by the person from whom the estate or interest is intended to pass, being of lawful age, or by his lawful agent or attorney, and acknowledged or proved and recorded as directed in this chapter, without any other act or ceremony whatever.

In *Boothroyd v Engles*, 23 Mich 19, 21 (1871), the Court observed that:

Our statutes now require every deed to be "*signed and sealed*" by the person from whom the estate or interest is intended to pass," as well as acknowledged by the person executing it.

The signing cannot be dispensed with, and no one but the signer can be regarded as the grantor. [Emphasis in original.]

The above-quoted statutes indicate that manual signatures on paper medium are necessary to comply with their requirements.⁶ This raises the question whether a Register of Deeds may nevertheless accept and record "documents" submitted electronically and bearing "electronic signatures" and whether such documents, if accepted and recorded, provide lawful notice entitling the grantee, lienor, etc., the priority and security offered by the recording statutes to "paper" filings conforming to the requirements of 1937 PA 103.

B. The Federal Electronic Signatures in Global and National Commerce Act (E-Sign Act), 15 USC 7001 *et seq.*

In June 2000, the Electronic Signatures in Global and National Commerce Act (E-Sign Act), Pub L No. 106-229, 114 Stat 464, 15 USC 7001 *et seq.*, was signed into law. Section 7001(a) of the E-Sign Act provides the general rule validating electronic transactions covered by the act and superseding all other laws, including certain state laws:

⁵ The necessity for "sealing" was removed by 1937 PA 63, MCL 565.241.

⁶ MCL 565.47 provides:

A deed, mortgage, or other instrument in writing that by law is required to be acknowledged affecting title to lands, or any interest therein, shall not be recorded by the register of deeds of any county unless the deed, mortgage, or other instrument is acknowledged or proved as provided by the chapter.

(a) In general. – Notwithstanding any statute, regulation, or other rule of law (other than this title and title II), with respect to any transaction in or affecting interstate or foreign commerce –

(1) a signature, contract, or other record relating to such transaction may not be denied legal effect, validity, or enforceability solely because it is in electronic form; and

(2) a contract relating to such transaction may not be denied legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation. [15 USC 7001(a).]

Section 7001(b) of the E-Sign Act clarifies the scope of the act's protections:

(b) Preservation of rights and obligations. – This title does not –

(1) limit, alter, or otherwise affect any requirement imposed by a statute, regulation, or rule of law relating to the rights and obligations of persons under such statute, regulation, or rule of law other than a requirement that contracts or other records be written, signed, or in nonelectronic form; or

(2) require any person to agree to use or accept electronic records or electronic signatures, other than a governmental agency with respect to a record other than a contract to which it is a party. [15 USC 7001(b).]

Section 7002(a) of the E-Sign Act, however, permits a State to avoid the preemption of its laws by adopting the Uniform Electronic Transactions Act or comparable procedure consistent with the E-Sign Act:

(a) In General – A State statute, regulation, or other rule of law may modify, limit, or supersede the provisions of section 101 with respect to State law only if such statute, regulation, or rule of law –

(1) constitutes an enactment or adoption of the Uniform Electronic Transactions Act as approved and recommended for enactment in all the States by the National Conference of Commissioners on Uniform State Laws in 1999, except that any exception to the scope of such Act enacted by a State under section 3(b)(4) of such Act shall be preempted to the extent such exception is inconsistent with this title or title II, or would not be permitted under paragraph (2)(A)(ii) of this subsection; or

(2)(A) specifies the alternative procedures or requirements for the use or acceptance (or both) of electronic records or electronic signatures to establish the legal effect, validity, or enforceability of contracts or other records, if –

(i) such alternative procedures or requirements are consistent with this title and title II; and

(ii) such alternative procedures or requirements do not require, or accord greater legal status or effect to, the implementation or application of a specific technology or technical specification for performing the functions of creating, storing, generating, receiving, communicating, or authenticating electronic records or electronic signatures [15 USC 7002(a).]

C. Michigan's Uniform Electronic Transactions Act, 2000 PA 305, MCL 450.831 *et seq.*

The Uniform Electronic Transactions Act (the Model Act) referred to in 15 USC 7002(a)(1) above was approved and recommended for enactment in all states by the National Conference of Commissioners on Uniform State Laws at its annual conference in 1999. The Commissioners released a Prefatory Note and Comments to provide assistance to the states considering adoption of the Model Act that explain its purpose and also its limitations, particularly delineating the transactions to which the act applies and those to which it does not.⁷ The Prefatory Note explains the Model Act's scope:

With regard to the general scope of the Act, the Act's coverage is inherently limited by the definition of "transaction." The Act does not apply to *all* writings and signatures, but only to electronic records and signatures relating to a transaction, defined as those interactions between people relating to business, commercial and governmental affairs. . . . An exclusion of all real estate transactions would be particularly unwarranted in the event that a State chose to convert to an electronic recording system, as many have for Article 9 financing statement filings under the Uniform Commercial Code.

* * *

Finally, recognition that the paradigm for the Act involves two willing parties conducting a transaction electronically, makes it necessary to expressly provide that some form of acquiescence or intent on the part of a person to conduct transactions electronically is necessary before the Act can be invoked. [Prefatory Note pp 7-8.]

Generally, the Model Act permits persons to voluntarily conduct business, commercial, or governmental affairs utilizing "electronic records" and "electronic signatures." It further provides that these records and signatures shall not, as between the consenting persons, be denied legal effect because they fail to satisfy a state's statute of frauds requiring written signatures or a paper medium. The Model Act does not compel any governmental agency to conduct business "electronically" or to accept for retention electronically generated records. Significantly, moreover, neither does the act require acceptance by registers of deeds of electronically memorialized real estate "transactions."

In 2000, the State of Michigan adopted the Model Act into Michigan law as the Uniform Electronic Transactions Act (UETA or Act), 2000 PA 305, MCL 450.831 *et seq.* The pertinent sections of the UETA warrant closer examination.

Section 2 of the UETA is the Act's definitional section. Crucial to analyzing your question is the Act's definition of "transaction," which means "an action or set of actions occurring between 2 or more persons relating to the conduct of business, commercial, or governmental affairs." MCL 450.832(p).

⁷ The Prefatory Note is lengthy and is provided as an appendix to this opinion for reference. The complete text of the Model Act, Prefatory Note, and Comments is also available by accessing: <http://www.law.upenn.edu/bll/ulc/fnact99/1990s/ueta99.htm>.

Because the Model Act served as the basis for the enactment of the UETA, it is appropriate to look to the Model Act's Prefatory Note and Comments to achieve a better understanding of the UETA.⁸ The Model Act's Comment corresponding to the definitional section explains the meaning of "transaction":

"Transaction." The definition has been limited to actions between people taken in the context of business, commercial or governmental activities. The term includes all interactions between people for business, commercial, including specifically consumer, or governmental purposes. However, the term does not include unilateral or non-transactional actions. As such it provides a structural limitation on the scope of the Act as stated in the next section.

It is essential that the term commerce and business be understood and construed broadly to include commercial and business transactions involving individuals who may qualify as "consumers" under other applicable law. . . .

* * *

A transaction must include interaction between two or more persons. Consequently, to the extent that the execution of a will, trust, or a health care power of attorney or similar health care designation does not involve another person and is a unilateral act, it would not be covered by this Act because not occurring as a part of a transaction as defined in this Act. However, this Act *does* apply to all electronic records and signatures *related* to a transaction, and so does cover, for example, internal auditing and accounting records related to a transaction. [Section 2, Comment 12, p 16.]

Section 3 of the UETA provides that the Act "applies to electronic records and electronic signatures relating to a transaction." MCL 450.833. Section 3(2), MCL 450.833(2), also explains that the UETA does not apply to a transaction to the extent it is governed by either of the following:

(a) A law governing the creation and execution of wills, codicils, or testamentary trusts.

(b) Except as otherwise provided in subsection (3), the uniform commercial code, 1962 PA 1974, MCL 440.1101 to 440.11102. [This refers to articles 2 or 2A of the Uniform Commercial Code.]

Importantly, "[a] transaction subject to this act is also subject to other applicable substantive law." MCL 450.833(4). This would include statutes relating to the recording of documents affecting title to or interests in real property.

One of the Model Act's Comments provides additional explanatory commentary concerning real estate transactions and specifically concerning the requirements of government filing:

Real Estate Transactions. It is important to distinguish between the efficacy of paper documents involving real estate between the parties, as

⁸ See section 6(c) of the UETA, MCL 450.836(c), which provides that the act shall be construed to "[e]ffectuate its general purpose to make uniform the law with respect to electronic transactions among the states."

opposed to their effect on third parties. As between the parties it is unnecessary to maintain existing barriers to electronic contracting. There are no unique characteristics to contracts relating to real property as opposed to other business and commercial (including consumer) contracts. Consequently, the decision whether to use an electronic medium for their agreements should be a matter for the parties to determine. Of course, to be effective against third parties state law generally requires filing with a governmental office. Pending adoption of electronic filing systems by States, the need for a piece of paper to file to perfect rights against third parties, will be a consideration for the parties. In the event notarization and acknowledgment are required under other laws, Section 11 provides a means for such actions to be accomplished electronically.

With respect to the requirements of government filing, those are left to the individual States in the decision of whether to adopt and implement electronic filing systems. (See optional Sections 17-19.) However, government recording systems currently require paper deeds including notarized, manual signatures. Although California and Illinois are experimenting with electronic filing systems, until such systems become widespread, the parties likely will choose to use, at the least, a paper deed for filing purposes. Nothing in this Act precludes the parties from selecting the medium best suited to the needs of the particular transaction. Parties may wish to consummate the transaction using electronic media in order to avoid expensive travel. Yet the actual deed may be in paper form to assure compliance with existing recording systems and requirements. The critical point is that nothing in this Act prevents the parties from selecting paper or electronic media for all or part of their transaction.⁹

Section 5 of the UETA describes the scope of the act:

(1) This act does not require a record or signature to be created, generated, sent, communicated, received, stored, or otherwise processed or used by electronic means or in electronic form.

(2) This applies only to transactions between parties each of which has agreed to conduct transactions by electronic means. Whether the parties agree to conduct a transaction by electronic means is determined from the context and surrounding circumstances, including the parties' conduct.

(3) A party that agrees to conduct a transaction by electronic means may refuse to conduct other transactions by electronic means. The right granted by this subsection may not be waived by agreement.

(4) Unless otherwise prohibited by this act, a provision of this act may be varied by agreement.

(5) Whether an electronic record or electronic signature has legal consequences is determined by this act and other applicable law. [MCL 450.835.]

The Model Act's Comment corresponding to section 5 of the UETA emphasizes the noncompulsory nature of the transactions that is contemplated:

⁹ See Comment 9(3), p 21, corresponding to "Section 3. Scope" of the Model Act.

This section limits the applicability of this Act to transactions which parties have agreed to conduct electronically. Broad interpretation of the term agreement is necessary to assure that this Act has the widest possible application consistent with its purpose of removing barriers to electronic commerce.

1. This section makes clear that this Act is intended to facilitate the use of electronic means, but does not require the use of electronic records and signatures. This fundamental principle is set forth in subsection (a) and elaborated by subsections (b) and (c), which require an intention to conduct transactions electronically and preserve the right of a party to refuse to use electronics in any subsequent transaction. [Section 5, Comment, p 23.]

The UETA addresses the legal effect and enforceability of electronic records and signatures in section 7:

(1) A record or signature may not be denied legal effect or enforceability solely because it is in electronic form.

(2) A contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation.

(3) *If a law requires a record to be in writing, an electronic record satisfies the law.*

(4) *If a law requires a signature, an electronic signature satisfies the law.* [MCL 450.837(1)-(4); emphasis added.]

As noted in the earlier discussion of the numerous other Michigan laws bearing on your question, Michigan's recording statutes repeatedly use language requiring manual signatures on paper medium before a record is deemed properly recordable. Consistent with subsections (3) and (4) of section 7 above, to the extent a "transaction" is governed by the UETA, an "electronic signature" and an "electronic record" satisfy the strictures of 1937 PA 103, MCL 565.201, and other acts otherwise compelling the use of paper and written signatures.

This conclusion is supported by the Model Act's Comment that corresponds to section 7 of the UETA, which provides in part:

1. This section sets forth the fundamental premise of this Act: namely, that the medium in which a record, signature, or contract is created, presented or retained does not affect its [sic] legal significance. Subsections (a) and (b) are designed to eliminate the single element of medium as a reason to deny effect or enforceability to a record, signature, or contract. The fact that the information is set forth in an electronic, as opposed to paper, record is irrelevant.

2. Under Restatement 2d Contracts Section 8, a contract may have legal effect and yet be unenforceable. Indeed, one circumstance where a record or contract may have effect but be unenforceable is in the context of the Statute of Frauds. Though a contract may be unenforceable, the records may have collateral effects, as in the case of a buyer that insures goods purchased under a contract unenforceable under the Statute of Frauds. The insurance company may not deny a claim on the ground that the buyer is not the owner, though the buyer may have no direct remedy against seller for failure to deliver. See Restatement 2d Contracts, Section 8, Illustration 4.

While this section would validate an electronic record for purposes of a statute of frauds, if an agreement to conduct the transaction electronically cannot reasonably be found (See Section 5(b)) then a necessary predicate to the applicability of this Act would be absent and this Act would not validate the electronic record. Whether the electronic record might be valid under other law is not addressed by this Act.

3. Subsections (c) and (d) provide the positive assertion that electronic records and signatures satisfy legal requirements for writings and signatures. The provisions are limited to requirements in laws that a record be in writing or be signed. This section does not address requirements imposed by other law in addition to requirements for writings and signatures. See, e.g., Section 8.

Subsections (c) and (d) are particularized applications of subsection (a). The purpose is to validate and effectuate electronic records and signatures as the equivalent of writings, subject to all of the rules applicable to the efficacy of a writing, except as such other rules are modified by the more specific provisions of this Act. [Section 7, Comment, pp 27-29.]

Section 11 of the UETA directly addresses how requirements regarding notarized signatures are to be handled:

If a law requires a signature or record to be notarized, acknowledged, verified, or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by other applicable law, is attached to or logically associated with the signature or record. [MCL 450.841.]

The Model Act's corresponding Comment offers the following explanation of how this section works:

This section permits a notary public and other authorized officers to act electronically, effectively removing the stamp/seal requirements. However, the section does not eliminate any of the other requirements of notarial laws, and consistent with the entire thrust of this Act, simply allows the signing and information to be accomplished in an electronic medium. [Section 11, Comment, p 37.]

The UETA also addresses evidentiary issues that may arise regarding electronic signatures and makes clear that in legal proceedings "evidence of a record or signature may not be excluded solely because it is in electronic form." MCL 450.843. The Model Act's corresponding Comment explains that:

Like Section 7, this section prevents the nonrecognition of electronic records and signatures solely on the ground of the media in which information is presented.

Nothing in this section relieves a party from establishing the necessary foundation for the admission of an electronic record. See Uniform Rules of Evidence 1001(3), 1002, 1003 and 1004. [Section 13, Comment, p 41.]

Section 2(i) of the UETA, MCL 450.832(i), defines the term "governmental agency" to include, among others, state and county agencies.¹⁰ Section 18 of the

¹⁰ "Governmental Agency" is defined to mean: "[A]n executive, legislative, or judicial agency, department, board, commission, authority, institution, or instrumentality of the federal, state, or local government." MCL 450.832(i).

UETA, MCL 450.848, describes how state departments may use electronic records and signatures:

(1) Except as otherwise provided in section 12(6), the department of management and budget shall determine whether, and the extent to which, each state department will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.

(2) To the extent that a governmental agency uses electronic records and electronic signatures under subsection (1), the department of management and budget, giving due consideration to security, may specify any or all of the following:

(a) The manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored and the systems established for those purposes.

(b) If an electronic record is required to be signed by electronic means, the type of electronic signature required, the manner and format in which the electronic signature is to be affixed to the electronic record, and the identity of or criteria that is to be met by any third party used by a person filing a document.

(c) Control processes and procedures as appropriate to ensure adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records.

(d) Any other required attributes for electronic records that are specified for corresponding nonelectronic records or reasonably necessary under the circumstances.

(3) Except as otherwise provided in section 12(6), this act does not require a governmental agency or official of this state to use or permit the use of electronic records or electronic signatures.

Section 19(1) of the UETA, MCL 450.849(1), dovetails with these standards by allowing the Department of Management and Budget to "encourage and promote consistency and interoperability with similar standards adopted by other governmental agencies of this state and other states and the federal government and nongovernmental persons interacting with governmental agencies of this state."¹¹

Under these provisions, a Register of Deeds may, but is not required to, accept documents affecting real property involving transactions governed by the UETA. Given the numerous and detailed statutory provisions that currently govern the recording of documents affecting real property and the potential for uncertainty created by the many technological and other changes that have occurred since those statutes were last amended, the Legislature may wish to comprehensively address this subject to bring more clarity to this important area of practice.

It is my opinion, therefore, that a county Register of Deeds may, but is not required to, accept and record documents affecting title that are part of a transaction

¹¹ All the authority, powers, duties, functions, and responsibilities of the Department of Management and Budget under the UETA were transferred to the Department of Information Technology by Executive Order 2006-19 [redesignated Executive Reorganization Order 2006-4 in the compiling process], MCL 18.43.

"between two or more persons relating to the conduct of business, commercial or government affairs" in electronic format and bearing electronic signatures, consistent with the Uniform Electronic Transactions Act. A document recorded with respect to these "transactions" provides notice against grantees in subsequent recorded conveyances notwithstanding that the document was submitted in electronic format and was executed and acknowledged with electronic signatures. The Uniform Electronic Transactions Act does not require a record or signature to be in electronic form and only applies to transactions where each party has agreed to conduct the transaction by electronic means.

MIKE COX
Attorney General

Att.

PREFATORY NOTE TO MODEL UNIFORM ELECTRONIC TRANSACTIONS ACT

With the advent of electronic means of communication and information transfer, business models and methods for doing business have evolved to take advantage of the speed, efficiencies, and cost benefits of electronic technologies. These developments have occurred in the face of existing legal barriers to the legal efficacy of records and documents which exist solely in electronic media. Whether the legal requirement that information or an agreement or contract must be contained or set forth in a pen and paper writing derives from a statute of frauds affecting the enforceability of an agreement, or from a record retention statute that calls for keeping the paper record of a transaction, such legal requirements raise real barriers to the effective use of electronic media.

* * *

It is important to understand that the purpose of the UETA is to remove barriers to electronic commerce by validating and effectuating electronic records and signatures. It is NOT a general contracting statute - the substantive rules of contracts remain unaffected by UETA. Nor is it a digital signature statute. To the extent that a State has a Digital Signature Law, the UETA is designed to support and compliment that statute.

A. Scope of the Act and Procedural Approach. The scope of this Act provides coverage which sets forth a clear framework for covered transactions, and also avoids unwarranted surprises for unsophisticated parties dealing in this relatively new media. The clarity and certainty of the scope of the Act have been obtained while still providing a solid legal framework that allows for the continued development of innovative technology to facilitate electronic transactions.

With regard to the general scope of the Act, the Act's coverage is inherently limited by the definition of "transaction." The Act does not apply to *all* writings and signatures, but only to electronic records and signatures relating to a transaction, defined

as those interactions between people relating to business, commercial and governmental affairs. In general, there are few writing or signature requirements imposed by law on many of the "standard" transactions that had been considered for exclusion. A good example relates to trusts, where the general rule on creation of a trust imposes no formal writing requirement. Further, the writing requirements in other contexts derived from governmental filing issues. For example, real estate transactions were considered potentially troublesome because of the need to file a deed or other instrument for protection against third parties. Since the efficacy of a real estate purchase contract, or even a deed, between the parties is not affected by any sort of filing, the question was raised why these transactions should not be validated by this Act if done via an electronic medium. No sound reason was found. Filing requirements fall within Sections 17-19 on governmental records. An exclusion of all real estate transactions would be particularly unwarranted in the event that a State chose to convert to an electronic recording system, as many have for Article 9 financing statement filings under the Uniform Commercial Code.

The exclusion of specific Articles of the Uniform Commercial Code reflects the recognition that, particularly in the case of Articles 5, 8 and revised Article 9, electronic transactions were addressed in the specific contexts of those revision processes. In the context of Articles 2 and 2A the UETA provides the vehicle for assuring that such transactions may be accomplished and effected via an electronic medium. At such time as Articles 2 and 2A are revised the extent of coverage in those Articles/Acts may make application of this Act as a gap-filling law desirable. Similar considerations apply to the recently promulgated Uniform Computer Information Transactions Act ("UCITA").

The need for certainty as to the scope and applicability of this Act is critical, and makes any sort of a broad, general exception based on notions of inconsistency with existing writing and signature requirements unwise at best. The uncertainty inherent in leaving the applicability of the Act to judicial construction of this Act with other laws is unacceptable if electronic transactions are to be facilitated.

Finally, recognition that the paradigm for the Act involves two willing parties conducting a transaction electronically makes it necessary to expressly provide that some form of acquiescence or intent on the part of a person to conduct transactions electronically is necessary before the Act can be invoked. Accordingly, section 5 specifically provides that the Act only applies between parties that have agreed to conduct transactions electronically. In this context, the construction of the term agreement must be broad in order to assure that the Act applies whenever the circumstances show the parties intention to transact electronically, regardless of whether the intent rises to the level of a formal agreement.

B. Procedural Approach. Another fundamental premise of the Act is that it be minimalist and procedural. The general efficacy of existing law in an electronic context, so long as biases and barriers to the medium are removed, validates this approach. The Act defers to existing substantive law. Specific areas of deference to other law in this Act include: (1) the meaning and effect of "sign" under existing law, (2) the method and manner of displaying, transmitting and formatting information in section 8, (3) rules of attribution in section 9, and (4) the law of mistake in section 10.

The Act's treatment of records and signatures demonstrates best the minimalist approach that has been adopted. Whether a record is attributed to a person is left to law outside this Act. Whether an electronic signature has any effect is left to the surrounding circumstances and other law. These provisions are salutary directives to

assure that records and signatures will be treated in the same manner, under currently existing law, as written records and manual signatures.

The deference of the Act to other substantive law does not negate the necessity of setting forth rules and standards for using electronic media. The Act expressly validates electronic records, signatures and contracts. It provides for the use of electronic records and information for retention purposes, providing certainty in an area with great potential in cost savings and efficiency. The Act makes clear that the actions of machines ("electronic agents") programmed and used by people will bind the user of the machine, regardless of whether human review of a particular transaction has occurred. It specifies the standards for sending and receipt of electronic records, and it allows for innovation in financial services through the implementation of transferable records. In these ways the Act permits electronic transactions to be accomplished with certainty under existing substantive rules of law.

ARCHITECTS: Definition of "calculated floor area" under the Occupational Code

ENGINEERS:

SINGLE STATE CONSTRUCTION CODE ACT:

OCCUPATIONAL CODE:

MICHIGAN BUILDING CODE:

Basements are not included in the definition of "calculated floor area" under section 2012(1)(d) of the Occupational Code, MCL 339.2012(1)(d), irrespective of whether they are finished or unfinished. Unless the plans were prepared by a licensed architect or engineer, the seal requirements for architects or engineers set forth in Article 20 of the Occupational Code, MCL 339.2001 – MCL 339.2014, do not apply to plans prepared for a one- or two-family residence not exceeding 3,500 square feet in calculated floor area as defined in that act.

Opinion No. 7208

October 3, 2007

Honorable Wayne Kuipers
State Senator
The Capitol
Lansing, MI

You have requested my opinion on a question involving architect and engineer seal requirements under Article 20 of the Occupational Code, 1980 PA 299, MCL 339.2001 *et seq.* Plans for a detached one- or two-family residence not exceeding 3,500 square feet in "calculated floor area" under section 2012 of the Occupational Code, MCL 339.2012, are not required to be prepared and sealed by a licensed engineer or architect. Your question is whether a basement, finished or unfinished, is included in the "calculated floor area."

The requirements for obtaining a building permit to build a residence are set out in the Stille-DeRossett-Hale Single State Construction Code Act (Act), 1972 PA 230, MCL 125.1501 *et seq.* Section 10(1) of the Act, MCL 125.1510(1), provides the process for applying for a building permit, stating, in relevant part:

Except as otherwise provided in the code, before construction of a building or structure, the owner, or the owner's builder, architect, engineer, or agent, shall submit an application in writing to the appropriate enforcing agency for a building permit.

The code referred to in MCL 125.1510(1) is the State Construction Code, which consists of a number of different codes addressing specialized areas, including the Michigan Building Code. See MCL 125.1504(1) and Executive Reorganization Order Nos. 1996-2 and 2003-1 (providing that the Director of the Department of Labor and Economic Growth shall prepare and promulgate the State Construction Code). Section 106.1 of the 2003 Michigan Building Code, 2001 MR 8, R 408.30405, specifies the documents that shall be submitted with each building permit application, incorporating the requirements of Article 20 of the Occupational Code:

106.1. Submittal documents. Construction documents, special inspection and structural programs and other data shall be submitted in 1 or more sets with each application for a permit. The construction documents shall be prepared by, or under the direct supervision of, a registered design professional when required by article 20 of 1980 PA 299 [the Occupational Code¹].

Under section 11 of the Act, MCL 125.1511, the enforcing agency examines the application and, upon approval, issues a permit if the application complies with all applicable laws. Construction may not commence until the building permit has been approved by the appropriate agency.

Regulation of the practices of architecture and engineering is provided for in Article 20 of the Occupational Code. Under section 2007 of the Occupational Code, MCL 339.2007, an architect or engineer, "upon being licensed, shall obtain a seal . . . bearing the licensee's name and the legend indicating either 'licensed architect' . . . [or] 'licensed professional engineer.'" Section 2007 of the Occupational Code also provides that: "A plan, specification, plat, or report issued by a licensee shall be sealed when filed with a public authority."

Similarly, section 2008(1) of the Occupational Code, MCL 339.2008(1), requires that plans prepared by a licensee and required to be submitted to a government agency for approval or record be sealed:

A plan, plat, drawing, map, and the title sheet of specifications, an addendum, bulletin, or report or, if a bound copy is submitted, the index sheets of a plan, specification, or report, *if prepared by a licensee and required to be submitted to a governmental agency for approval or record, shall carry the embossed or printed seal of the person in responsible charge.* [Emphasis added.]

The seal certifies that the plan was prepared under the "responsible charge" of a licensed person, i.e., the person named on the seal. Typically, the licensee's signature is placed next to the seal, which may be either embossed or stamped.

¹ Article 20 of the Occupational Code is found at MCL 339.2001 *et seq.*

But not all building plans filed with a governmental agency have to be prepared by a licensed architect or engineer. Section 2012(1)(d) of the Occupational Code, MCL 339.2012(1)(d), provides:

(1) The following persons are exempt from the requirements of this article:

* * *

(d) A person not licensed under this article who is planning, designing, or directing the construction of a detached 1- and 2-family residence building not exceeding 3,500 square feet in *calculated floor area*. [Emphasis added.]

Therefore, if the residence will not exceed "3,500 square feet in calculated floor area," the plans need not be prepared by a licensee. If plans falling within the exemption are not prepared by a licensee, sections 2007 and 2008(1) of the Act do not require that they be sealed.

The term "calculated floor area" is defined in section 2012(2)(a) of the Occupational Code, MCL 339.2012(2)(a), to mean "that portion of the total gross area measured to the outside surfaces of exterior walls intended to be habitable space." "Habitable space" is defined in section 2012(2)(b) of the Occupational Code:

"Habitable space" means space in a building used for living, sleeping, eating, or cooking. *Habitable space does not include* a heater or utility room, a crawl space, a *basement*, an attic, a garage, an open porch, a balcony, a terrace, a court, a deck, a bathroom, a toilet room, a closet, a hallway, a storage space, and other similar spaces not used for living, sleeping, eating, or cooking. [MCL 339.2012(2)(b); emphasis added.]

Thus, plans for a residence bearing the seal of an architect or engineer are required for structures exceeding 3,500 square feet in calculated floor area. Your concern is whether this exclusion for "basements" allows a finished basement to nevertheless be included in the definition of "habitable space." Your letter indicates that the Department of Labor and Economic Growth's Bureau of Construction Codes Technical Bulletin No. 3 distinguishes between finished and unfinished basements and concludes that finished basements are included in the definition of "habitable space." While the construction of a statute by a state agency charged with administering it is entitled to deference, a court will not abide by the agency's interpretation when it is wrong.² *Attorney General v Michigan Public Service Comm*, 227 Mich App 148, 154; 575 NW2d 302 (1997).

The rules of statutory construction are well-known:

Giving effect to the intent of the Legislature is a fundamental task. We are required to examine the plain language of the involved statutes. *In re MCI Telecommunications*, 460 Mich 396, 411; 596 NW2d 164 (1999). Where

² Technical Bulletin No. 3 may have limited the exemption to unfinished and uninhabitable basements because of erroneous reliance on the language of the Code before it was amended by 2002 PA 495. The bulletin states, for example, "PA 299 does not provide guidance on the term 'habitable.'" In fact, 2002 PA 495 added a definition of "habitable space." The bulletin further states: "PA 299 of 1980, as amended, provides that unfinished and uninhabitable portions of basements should not be included in the calculation." In fact, prior to its amendment, section 2012 of the Code referred to "an unfinished and nonhabitable portion of a basement" as falling outside of "calculated floor area," while the Code as amended by 2002 PA 495, describes that part of the exemption with just two words, "a basement."

the statutory language is unambiguous, the plain meaning reflects the Legislature's intent and the statute must be applied as written. *Tryc v Michigan Veterans' Facility*, 451 Mich 129, 135; 545 NW2d 642 (1996). No further construction is necessary or allowed to expand what the Legislature clearly intended to cover. *In re MCI*, *supra* at 411. [*Danse Corp v City of Madison Heights*, 466 Mich 175, 181-182; 644 NW2d 721 (2002).]

Similarly, in *Miller v Mercy Memorial Hosp*, 466 Mich 196, 201; 644 NW2d 730 (2002), the Michigan Supreme Court stated that, if the language of a statute is clear, no further analysis is warranted:

We first review the language of the statute itself. If it is clear, no further analysis is necessary or allowed to expand what the Legislature clearly intended to cover. *In re MCI Telecommunications*, 460 Mich 396, 411; 596 NW2d 164 (1999).

MCL 339.2012(2)(b) clearly excludes "a basement" from the definition of "habitable space," and, therefore, from the "calculated floor area."

Section 2012(2) of the Occupational Code was amended by 2002 PA 495. Prior to that amendment, section 2012, in part, stated:

(d) A person not licensed under this article who is planning, designing, or directing the construction of a residence building not exceeding 3,500 square feet in calculated floor area. As used in this subdivision and section 2014(e), "calculated floor area" means that portion of the total gross area, measured to the outside surfaces of exterior walls intended to be habitable, including a heater or utility room, but not including a crawl space; an unfinished and nonhabitable portion of a basement or attic; or a garage, open porch, balcony, terrace, or court. [Emphasis added.]

By eliminating the words qualifying "a basement," i.e., by eliminating "an unfinished and nonhabitable portion," the Legislature expanded the exemption to any "basement."³ It is presumed that the change in the statutory language of section 2012(2) reflects a change in meaning that was intended by the Legislature. *Michigan Millers Mutual Ins Co v West Detroit Bldg Co, Inc*, 196 Mich App 367, 373; 494 NW2d 1 (1992). Under the Occupational Code, basements are not included in determining whether a residence exceeds 3,500 square feet in calculated floor area.

It is my opinion, therefore, that basements are not included in the definition of "calculated floor area" under section 2012(1)(d) of the Occupational Code, MCL 339.2012(1)(d), irrespective of whether they are finished or unfinished. Unless the plans were prepared by a licensed architect or engineer, the seal requirements for architects or engineers set forth in Article 20 of the Occupational Code, MCL 339.2001 – MCL 339.2014, do not apply to plans prepared for a one- or two-family residence not exceeding 3,500 square feet in calculated floor area as defined in that act.

MIKE COX
Attorney General

³ The Occupational Code does not provide a definition of the term "basement." Whether an area of a residence constitutes a "basement" or the "lower level" of a home is not addressed in this opinion. For a discussion of the difference, see *Yager v Wright*, 135 Mich App 729; 355 NW2d 667 (1984). See also, MCL 125.402(12)(a).

REAL ESTATE TRANSFER TAX ACT: Imposition of real estate transfer tax on affidavits filed with Register of Deeds

REGISTER OF DEEDS:

RECORDS AND RECORDATION:

No tax may be imposed by a County Register of Deeds under the State Real Estate Transfer Tax Act, 1993 PA 330, MCL 207.521 *et seq.*, upon the filing of an affidavit attesting to a lost deed and related facts unless the affidavit attaches a document that is, or purports to be, the deed or a true copy of the deed.

Opinion No. 7209

October 4, 2007

Ms. Terrie J. Case
Montmorency County Prosecuting Attorney
Montmorency County Courthouse
P.O. Box 789
Atlanta, MI 49709

Dear Ms. Case:

You have requested an opinion concerning the application of the State Real Estate Transfer Tax Act to affidavits filed for recording with the Register of Deeds that attest to lost deeds, including related facts, such as their execution, acknowledgment, and delivery.

The State Real Estate Transfer Tax Act, 1993 PA 330, MCL 207.521 *et seq.* (Act), imposes a state tax upon written instruments transferring an interest in real property. Section 2 of the Act, MCL 207.522, defines the persons and property covered by the Act as follows:

(a) "Person" means an individual, partnership, corporation, limited liability company, association, governmental entity, or other legal entity. If used in a penalty clause, person includes the partners or members of a firm, a partnership, or an association and the officers of a corporation.

(b) "Property" includes land, tenements, real estate, and real property and all rights to and interests in land, tenements, real estate, or real property.

Section 3 of the Act imposes the tax on written instruments conveying title to or any interest in property:¹

(1) There is imposed, in addition to all other taxes, a tax upon the following written instruments executed within this state when the instrument is recorded:

(a) Contracts for the sale or exchange of property or any interest in the property or any combination of sales or exchanges or any assignment or transfer of property or any interest in the property.

¹ Under section 6 of the Act, MCL 207.526, certain written instruments and transfers of property are expressly exempted from the tax imposed by the Act. This tax must be distinguished from recording fees required under other provisions of law. See, e.g., MCL 600.2567, MCL 600.2567a, and MCL 600.2568.

(b) Deeds or instruments of conveyance of property or any interest in property, for consideration.

(2) The person who is the seller or grantor of the property is liable for the tax imposed under this act. [MCL 207.523(1) and (2).]

Under these provisions, the real estate transfer tax is imposed upon the seller or grantor of the property and is due when the particular instrument is presented to the County Register of Deeds for recording.

The County Register of Deeds holds a constitutional office. The powers and duties of that office are to be provided by law. Const 1963, art 7, § 4. The Register is to accept for recording and to record all deeds and other instruments affecting title to or interests in property that meet the formal requirements for recordation and for which the requisite fees have been paid. MCL 565.25. Certified copies of deeds and other instruments so recorded may be offered as evidence in judicial proceedings and are accorded the same legal effect as the original documents. MCL 600.2107-MCL 600.2110 and MCL 600.2138. See also MCL 24.401; and the Michigan and Federal Rules of Evidence and the Federal Rules of Civil Procedure, MRE 902 and MRE 1005; FRE 902 and FRE 1005 and FR Civ P 44.

More importantly, the prompt recording of these documents provides actual or constructive notice to all persons of the interests in lands claimed by an owner, holder, lienor, or other claimant and affords priority and security to these persons and parties. As summarized in Michigan Land Title Standard 3.18:²

A CONVEYANCE OF REAL PROPERTY IS VOID AS AGAINST THE GRANTEE IN A SUBSEQUENT RECORDED CONVEYANCE GIVEN FOR A VALUABLE CONSIDERATION, IF THE SUBSEQUENT GRANTEE HAS NO KNOWLEDGE OF THE PRIOR CONVEYANCE AND THE PRIOR CONVEYANCE IS NOT RECORDED OR IS RECORDED AFTER THE RECORDING OF THE SUBSEQUENT CONVEYANCE. [Michigan Land Title Standards, 5th Edition, Supplement No. 6, citing MCL 565.25, MCL 565.29, and *Attwood v Bearss*, 47 Mich 72; 10 NW112 (1881); *Michigan National Bank v Morren*, 194 Mich App 407; 487 NW2d 784 (1992); and *First of America Bank – West Michigan v Alt*, 848 F Supp 1343 (WD Mich, 1993).]

Clearly, because the timing associated with the recording of deeds and other instruments transferring title to or an interest in property plays so prominent a role in resolving disputes concerning property rights, the need for promptness in the recording process cannot be overstated.

For a deed or instrument affecting title to be properly recorded, it is essential that it meet current statutory requirements. A deed or instrument that fails to satisfy the requirements for recording *may*, even though recorded, be ineffectual as notice. *Galpin v Abbott*, 6 Mich 17 (1858) and *Wing v McDowell*, Walk Ch 175 (1843).³

² Michigan Land Title Standards is a compilation prepared by a committee of the Real Property Law Section of the State Bar of Michigan as a practice aid to real estate attorneys. Various standards have been cited by the courts as representing constructions of property laws that have been relied upon for years. See, e.g., *Snover v Snover*, 199 Mich App 627, 629; 502 NW2d 370 (1993).

³ *Wing v McDowell* is a decision rendered by an early Michigan chancery court. Upon the establishment of Michigan's state government, equity and common law jurisdiction were separated and vested in distinct courts. All equity powers were vested in a court of chancery exclusively. The chancery court was abolished by the revised statutes of 1846, and its jurisdiction was conferred upon the several circuit courts. *Michigan Official Directory and Legislative Manual*, (1931-1932), pp 183-184.

More specifically, in *Galpin v Abbott*, the Court held that a deed not bearing the requisite number of witnesses was not entitled to be recorded and, though recorded, was "notice to no one." 6 Mich at 45. In *Dutton v Ives*, 5 Mich 515, 519-520 (1858), the Court held that an agreement to pay off and discharge a first mortgage and including related terms was not a document of a kind for which recording was allowed, and therefore the filing of the document was not binding notice on subsequent purchasers. In *Hall v Redson*, 10 Mich 21 (1862), the Court considered a recorded deed from several grantors, as to some of whom, but not all, the deed had been properly executed and witnessed. The Court held that the record only constituted proper evidence of the deed insofar as it affected those grantors as to whom the deed was properly executed and witnessed.

Among the statutes prescribing requirements for recording is 1937 PA 103, MCL 565.201 *et seq.* The title of this act describes it as "AN ACT to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds." Section 1 of this act, MCL 565.201, states the following requirements:⁴

(1) An instrument executed after October 29, 1937 by which the title to or any interest in real estate is conveyed, assigned, encumbered, or otherwise disposed of shall not be received for record by the register of deeds of any county of this state unless that instrument complies with each of the following requirements:

(a) The name of each person purporting to execute the instrument is legibly printed, typewritten, or stamped beneath the original signature or mark of the person.

(b) A discrepancy does not exist between the name of each person as printed, typewritten, or stamped beneath their signature and the name as recited in the acknowledgment or jurat on the instrument.

(c) The name of any notary public whose signature appears upon the instrument is legibly printed, typewritten, or stamped upon the instrument immediately beneath the signature of that notary public.

(d) The address of each of the grantees in each deed of conveyance or assignment of real estate, including the street number address if located within territory where street number addresses are in common use, or, if not, the post office address, is legibly printed, typewritten, or stamped on the instrument.

The former requirement concerning witnesses to an instrument was removed by 2002 PA 19. But MCL 565.8 continues to require an acknowledgment by the person or persons executing the deed taken by a notary public or other person authorized by law. The officer taking the acknowledgment "shall endorse on the deed a certificate of the acknowledgment, and the true date of taking the acknowledgment, under his or her hand." MCL 565.8.

⁴ Section 3 of the act, MCL 565.203, makes the following exceptions:

The provisions of this act shall not apply to the following instruments: any decree, order, judgment or writ of any court, will, death certificate, or any instrument executed or acknowledged outside of the state of Michigan. The provisions of paragraphs (a), (c) and (d) of section 1 shall not apply to any instrument upon which the signature itself is printed, typewritten or stamped.

The Statute of Frauds, RS 1846, Ch 80, section 8, MCL 566.108, is another statute relevant to your inquiry. It provides:

Every contract for the leasing for a longer period than 1 year, or for the sale of any lands, or any interest in lands, shall be void, unless the contract, or some note or memorandum thereof be in writing, and signed by the party by whom the lease or sale is to be made, or by some person thereunto by him lawfully authorized in writing: Provided, That whenever any lands or interest in lands shall be sold at public auction and the auctioneer or the clerk of the auction at the time of the sale enters in a sale book a memorandum specifying the description and price of the land sold and the name of the purchaser, such memorandum, together with the auction bills, catalog or written or printed notice of sale containing the name of the person on whose account the sale is made and the terms of sale, shall be deemed a memorandum of the contract of sale within the meaning of this section. [MCL 566.108.]

In addition, RS 1846, Ch 65, MCL 565.1 *et seq.*, as evidenced by its title, concerns the "Alienation by Deed, and the Proof and Recording of Conveyances, and the Canceling of Mortgages." Section 1 of chapter 65 provides in pertinent part:

Conveyances of lands, or of any estate or interest therein, may be made by deed, signed and sealed⁵ by the person from whom the estate or interest is intended to pass, being of lawful age, or by his lawful agent or attorney, and acknowledged or proved and recorded as directed in this chapter, without any other act or ceremony whatever. [MCL 565.1.]

As explained by the Michigan Supreme Court in *Boothroyd v Engles*, 23 Mich 19, 21 (1871): "Our statutes now require every deed to be 'signed and sealed by the person from whom the estate or interest is intended to pass,' as well as acknowledged by the person executing it."

According to materials provided with your letter, the Montmorency County Register's Office has been presented with certain affidavits attesting to facts relative to "lost deeds," meaning deeds the originals of which have not been recorded in the Office of the Register of Deeds and have been purportedly lost. This prompts your inquiry whether these affidavits are subject to tax under the State Real Estate Transfer Tax Act upon recording by the Register's Office.

1915 PA 123, MCL 565.451a *et seq.*, permits the filing of affidavits attesting to facts affecting lands and title to or interests in lands. The matters affecting title that an affidavit may cover are specified in section 1a:

An affidavit stating facts relating to any of the following matters which may affect the title to real property in this state made by any person having knowledge of the facts or by any person competent to testify concerning such facts in open court, may be recorded in the office of the register of deeds of the county where the real property is situated:

(a) Birth, age, sex, marital status, death, name, residence, identity, capacity, relationship, family history, heirship, homestead status and service in the armed forces of parties named in deeds, wills, mortgages and other instruments affecting real property;

⁵ The necessity for "sealing" was removed by 1937 PA 63, MCL 565.241.

(b) Knowledge of the happening of any condition or event which may terminate an estate or interest in real property;

(c) Knowledge of surveyors duly registered under the laws of this state with respect to the existence and location of monuments and physical boundaries, such as fences, streams, roads and rights of way of real property;

(d) Knowledge of such registered surveyors reconciling conflicting and ambiguous descriptions in conveyances with descriptions in a regular chain of title;

(e) Knowledge of facts incident to possession or the actual, open, notorious and adverse possession of real property; or

(f) Knowledge of the purchaser, or in the case of a corporation, of its president, vice president, secretary or other duly authorized representative acting in a fiduciary or representative capacity, of real property sold upon foreclosure or conveyed in lieu of foreclosure of a trust mortgage or deed of trust securing an issue of bonds or other evidences of indebtedness, or of any mortgage, land contract or other security instrument held by a fiduciary or other representative, as to the authority of such purchaser to purchase the real property and as to the terms and conditions upon which the real property is to be held and disposed of. [MCL 565.451a.]

Sections 2 and 3 of the act describe the Register's duties and the legal effect to be given the affidavit:

(2) The register of deeds of the county where the affidavit is offered for record shall receive and record it in the manner that deeds are recorded. The register of deeds shall collect the same fee for recording the affidavit as is provided by law for recording deeds.^{6]}

(3) The affidavit, whether recorded before or after the passage of this act, may be received in evidence in any civil cause, in any court of this state and by any board or officer of the state in any suit or proceeding affecting the real estate and shall be prima facie evidence of the facts and circumstances therein contained. [MCL 565.452 and MCL 565.453.]

The recordation of an affidavit attesting to "a lost deed," the content of the deed, and the proper execution, acknowledgement, and delivery of the deed may be sufficient to place subsequent purchasers or encumbrancers on notice of the claimed acquisition on title to or an interest in the affected real property. See *In re Camacho*, 311 Bankr ED Mich 186; 52 Collier Bankr Cas 2d (MB) 588 (2004.) But see also, *Dutton v Ives, supra*.

But these affidavits are not themselves deeds. They are not instruments effectuating the transfer of fee title to or any other interest in land, and they do not satisfy the requirements of 1937 PA 103, MCL 565.201, quoted above. An affidavit, in itself, can create no estate or interest in land, consistent with the Fraudulent Conveyances Act, RS 1846, Ch 80, section 6, MCL 566.106:

⁶ This is a reference to the fees required for recording of a deed under MCL 600.2567 and MCL 600.2567a cited at n 1. The fee must be distinguished from the tax imposed under the State Real Estate Transfer Act, MCL 207.521 *et seq.*

No estate or interest in lands, other than leases for a term not exceeding 1 year, nor any trust or power over or concerning lands, or in any manner relating thereto, shall hereafter be created, granted, assigned, surrendered or declared, unless by act or operation of law, or by a deed or conveyance in writing, subscribed by the party creating, granting, assigning, surrendering or declaring the same, or by some person thereunto by him lawfully authorized by writing.

Moreover, these affidavits do not substitute for deeds or other instruments of conveyance necessary to establish marketable record title in an interest in land by "an unbroken chain of title of record" for a period of at least 40 years under the Marketable Record Title Act, 1945 PA 2000, MCL 565.101 to MCL 565.109. Michigan Land Title Standards, 1.1, 1.2, and 1.3 summarize the relevant concepts as follows:

Standard 1.1:

* * *

The stated legislative purpose of the Marketable Record Title Act is to simplify and facilitate land title transactions by providing a statutory basis for establishing record title with reference to a period of at least 40 years (at least 20 years for certain mineral interests). The effect of the Act is to extinguish by operation of law certain interests and claims which arise out of any act, transaction, event or omission preceding the 40-year period (or the 20-year period for certain mineral interest), subject to specified exceptions and limitations. The 20-year period applies only to a mineral interest other than an interest in oil, gas, sand, gravel, limestone, clay or marl, owned by a person other than the surface owner.

Standard 1.2:

A PERSON HAS MARKETABLE RECORD TITLE IF: (1) THERE IS AN UNBROKEN CHAIN OF RECORD TITLE FOR AT LEAST 40 YEARS (AT LEAST 20 YEARS FOR CERTAIN MINERAL INTERESTS); AND (2) THERE IS NO ONE IN HOSTILE POSSESSION OF THE LAND.

Standard 1.3:

A PERSON HAS AN UNBROKEN CHAIN OF RECORD TITLE IF (1) THERE IS EITHER (A) A CONVEYANCE OR OTHER TITLE TRANSACTION WHICH PURPORTS TO CREATE AN INTEREST AND HAS BEEN A MATTER OF RECORD FOR AT LEAST 40 YEARS (AT LEAST 20 YEARS FOR CERTAIN MINERAL INTERESTS) OR (B) A SERIES OF CONVEYANCES OR OTHER TITLE TRANSACTIONS OF RECORD IN WHICH THE FIRST CONVEYANCE OR TITLE TRANSACTION HAS BEEN A MATTER OF RECORD FOR AT LEAST 40 YEARS (AT LEAST 20 YEARS FOR CERTAIN MINERAL INTERESTS), AND (2) THERE IS NOTHING OF RECORD PURPORTING TO DIVEST SUCH PERSON OF TITLE.

A "lost deed" suggests a "broken" chain, not an "unbroken chain."

In OAG, 1945-1946, No 3546, p 340 (May 25, 1945), the Attorney General opined that a Register of Deeds should accept for record under 1915 PA 123 an affidavit containing:

[N]ot only averments as to heirs to estates not probated in the state of Michigan and other conclusions of law, but also a definite description of real estate in which certain persons named in the affidavit are said to have an interest.

The Attorney General cautioned, however:

The averment of fact or conclusions of law which appear in the affidavit and which are not provided for in the statute in question would be of no evidentiary value in view of Section 3 of the act quoted above which limits the evidentiary value to the type of affidavits provided for in the statute.

In the following year, in OAG, 1945-1946, No 4376, pp 612-613 (February 18, 1946), the Attorney General, responding to a request for advice concerning how lost records may be established, duplicated, and recorded, said:

Several methods of recording the copy found in the abstract office may be followed, but the effect of recording may be different in each case.

For example, if the copy in question [a previously recorded plat destroyed in a courthouse fire] is made a part of an affidavit entitled to record under the provisions of Act No. 123, Public Acts of 1915, as amended (§ 26.731, *et seq.*, Mich. Stat. Ann.), it would be as much a part of the public records as the rest of the affidavit, but the effect of such recording would be limited by the allegations contained in the affidavit. Such an affidavit could not have the effect of restoring the lost original, nor could it have the effect of a judicial determination as to the authenticity of the copy.

In 1 OAG, 1955-1956, No 1944, p 462 (September 8, 1955), the Attorney General responded to the question of what affidavits should be recorded by the Register of Deeds and explained that the Register's duties in that regard are ministerial in nature:

"Generally, the duty of the register is to receive and file, or receive and record, as the case may be, such instruments, and only such instruments, as by law are entitled to be filed or recorded, and to file or record them in such manner as to serve all the purposes of the law. In the absence of a statute to the contrary, it is not his province to determine whether the parties have made valid instruments or to add notations with respect to their validity."

76 C.J.S. Registers of Deeds, § 10b., pg. 514.

It has been held that:

"A county recorder of deeds is a 'ministerial officer', and his authority to record notices of United States tax liens is limited to such notices as comply with requirements of Michigan statute."

Youngblood v. United States, 141 F. 2d 912 (quoting syllabus).

A register of deeds can be compelled to perform only such duties or services as are imposed upon him by law. *State v. Holm*, 70 Neb. 606; 97 N.W. 821.

Section 26.761, M.S.A.; § 565.491, C.L. 1948, lists the documents which the register of deeds is required to record, as "all deeds, mortgages, maps and instruments or writings authorized by law to be recorded in his office, and left with him for that purpose."

In light of the above, an affidavit offered for recording that purports to attach an original deed or true copy of a deed should, for purposes of the State Real Estate Transfer Act, be treated as taxable. It does not matter that the deed or true copy may itself be unrecordable for some reason, such as that it lacks notarization or that it may or may not provide notice or establish an unbroken chain of title. To the extent it purports to be the deed or a true copy of a deed and it is recorded as an attachment to a properly recorded affidavit, it is a "deed or instrument of conveyance" within the meaning of MCL 207.523(1)(b) and a tax is properly imposed under the State Real Estate Transfer Act "when the instrument is recorded."

In summary, the state real estate transfer tax is imposed upon the grantor upon the filing of deeds and other instruments of conveyance effectuating a transfer of title to or an interest in real property. Affidavits do not themselves effectuate such a transfer. Affidavits may appropriately be used for those purposes expressed in 1915 PA 123, MCL 565.451a, but they cannot serve as a substitute for a deed or other written instrument in terms of assuring marketability of title, satisfying the statute of frauds, or securing a priority over subsequent purchasers or lienors. When accompanied by a document characterized in the affidavit as a deed or true copy of a deed, however, the filing of both the affidavit and attachment qualifies as a filing in connection with which the taxes specified in the State Real Estate Transfer Tax Act may be imposed.

It is my opinion, therefore, that no tax may be imposed by a County Register of Deeds under the State Real Estate Transfer Tax Act, 1993 PA 330, MCL 207.521 *et seq.* upon the filing of an affidavit attesting to a lost deed and related facts unless the affidavit attaches a document that is or purports to be the deed or a true copy of the deed.

MIKE COX
Attorney General

DRIVER'S LICENSE: Permanent Residency Requirement for Driver's Licenses**MICHIGAN DEPARTMENT OF STATE:****MICHIGAN VEHICLE CODE:**

Only a resident of Michigan may be issued a Michigan driver's license. A person who is not a lawful resident of the United States cannot be a resident of this State for purposes of obtaining a driver's license under sections 51a and 303(1)(h) of the Michigan Vehicle Code, MCL 257.51a and MCL 257.303(1)(h).

Opinion No. 7210

December 27, 2007

Honorable Rick Jones
State Representative
The Capitol
Lansing, MI

You ask whether, in light of OAG, 1995-1996, No 6883, p 120 (December 14, 1995) (OAG No 6883), the Michigan Secretary of State is required to issue a driver's license to an illegal alien¹ living in Michigan.

When OAG No 6883 was issued, section 303(1)(h)² of the Michigan Vehicle Code, MCL 257.303(1)(h), prohibited the Secretary of State from issuing a driver's license to "a nonresident." That prohibition was added by 1988 PA 346. The legislative history of 1988 PA 346 was reviewed, and it revealed no indication that this prohibition was directed at illegal aliens. OAG No 6883 at p 120. Additionally, citing *Plyler v Doe*, 457 US 202, 230; 102 S Ct 2382; 72 L Ed 786 (1982), OAG No 6883 suggested that denying a driver's license to an illegal alien might violate the Equal Protection Clause of the United States Constitution. OAG No 6883 at p 120. OAG No 6883 concluded that the Secretary of State "may not refuse a driver's license to an otherwise qualified person solely because that person is an illegal alien."³ You ask whether this opinion remains valid today.

Recent developments in state and federal law, as well as the changing imperatives of national security since OAG No 6883 was issued, warrant a reexamination of this subject.⁴

Initially, it is worth observing the truism in modern society that a driver's license does more than evidence an individual's competence to operate a motor vehicle. It is accepted as proof of identity and is routinely used in myriad circumstances, includ-

¹ The term "illegal alien" is defined as: "1. a foreigner who has entered or resides in a country unlawfully or without the country's authorization. 2. a foreigner who enters the U.S. without an entry or immigrant visa, esp. a person who crosses the border by avoiding inspection or who overstays the period of time allowed as a visitor, tourist, or businessperson." *Dictionary.com Unabridged* (v 1.1).

² Section 303(1)(h) was formerly section 303(m).

³ The Legislature has not changed the wording of MCL 257.51a since OAG 6883 was issued.

⁴ This opinion does not address the validity of foreign-issued driver's licenses. For more on this topic, see OAG, 2005-2006, No 7181, p 56 (October 6, 2005). This opinion addresses only whether an illegal alien may obtain a driver's license in Michigan under the specific provisions and definitions set forth in the Michigan Vehicle Code.

ing cashing a check, closing on a loan, gaining employment, and securing access to a commercial airplane. At one time, the federal government assigned social security numbers for certain valid nonwork purposes, including for the purpose of obtaining a state-issued driver's license that required an applicant to provide a social security number as a condition of receiving the license. In 2003, this policy ended. In explaining the rationale behind the policy change, the Social Security Administration cited the problems of fraud and misuse arising from the issuance of social security numbers (SSNs) so that illegal aliens could obtain driver's licenses: "Our experience has revealed that fraud and misuse regarding SSNs for nonwork purposes has been almost exclusively in relation to SSNs issued for driver licensing." 68 Federal Register 55304 (codified at 20 CFR 422.104 effective October 27, 2003).

In light of these implications to state and national security unique to driver's licenses and the potential for fraud resulting from the improper issuance of a driver's license, it is essential that those involved in executing the law issue a driver's license only to persons who are legally entitled to be granted that privilege.⁵

The requirements to obtain a driver's license are set forth in Chapter 3 of the Michigan Vehicle Code, MCL 257.301-MCL 257.328.⁶ All persons seeking a driver's license, whether an original or a renewed license, must file an application with the Department of State. MCL 257.307.

Section 303(1)(h), which had required that an applicant be "a resident," has been amended twice since OAG No 6883 was issued. 1996 PA 387 added language to exclude from qualification for a driver's license "a foreign exchange student." Ten years later in 2006 PA 298, the Legislature again amended section 303(1)(h) by adding the words "but not limited to" to emphasize that the exclusion of "nonresidents" is not limited to foreign exchange students but extends to all persons who do not qualify as residents:

(1) The secretary of state shall not⁽⁷⁾ issue a license under this act to any of the following persons:

* * *

⁵ The question of whether an illegal alien may be issued a Michigan driver's license may be resolved by state legislation proposed in response to the enactment of the REAL ID Act of 2005, 119 Stat 302, 8 USC 1101, *et seq.* This federal law establishes new regulations for the issuance of state driver's licenses. Under the Act, federal agencies will not accept state-issued driver's licenses as proof of identity if they fail to meet the minimum federal requirements. Among those requirements is that the driver's license applicant prove his or her lawful status in the United States. The rationale providing the impetus for the federal requirement was explained by several members of Congress supporting the legislation. Among their statements were that the REAL ID Act was intended to "address the use of a driver's license as a form of identification to a Federal official such as an airport screener at a domestic airport." (Rep. James F. Sensenbrenner, 151 Cong Rec H 453 (2005)); "this bill prevents terrorists and others from getting driver's licenses by requiring applicants to prove that they are in the country legally. Driver's licenses can be used to board an aircraft, open a bank account and get a job. To preserve our security, we must deny terrorists the ability to obtain this form of identification." (Rep. Lamar S. Smith, 151 Cong Rec H 453 (2005)); and "[n]o longer will we allow terrorists free access to state-issued identity documents as a way to use the tools of our freedom against us." (Rep. Candice S. Miller 151 Cong. Rec. H 453 (2005)).

⁶ Throughout this opinion, an operator's or chauffeur's license will be referred to as a "driver's license."

⁷ The Legislature's use of the words "shall not" in a statute indicates a mandatory and imperative directive. *Burton v Reed City Hosp Corp*, 471 Mich 745, 752; 691 NW2d 424 (2005).

(h) A nonresident, including, *but not limited to*, a foreign exchange student. [MCL 257.303(1)(h); emphasis added.]

Section 34 of the Michigan Vehicle Code, MCL 257.34, defines "nonresident" to mean "every person who is not a resident of the state." Section 51a of the Michigan Vehicle Code, MCL 257.51a, defines "resident" as follows:

"Resident" means every person who resides in a settled or permanent home or domicile with the intention of remaining in this state. A person who obtains employment in this state is presumed to have the intention of remaining in this state. This definition shall apply to the provisions of this act only.

Neither the Michigan Court of Appeals nor the Michigan Supreme Court has considered whether an illegal alien may fall within that definition of "resident." The critical question *not* addressed in OAG No 6883 is whether a "resident" for purposes of the Michigan Vehicle Code must be a permanent resident.⁸

MCL 257.51a defines a resident as a "person who resides in a settled or permanent home or domicile with the intention of remaining in this state." The terms "domicile" and "residence" ordinarily are synonymous. *Workman v Detroit Automobile Inter-Ins Exchange*, 404 Mich 477, 495; 274 NW2d 373 (1979). Similarly, "settled" means "to take up residence." *Dictionary.com Unabridged (v 1.1)*. By using the phrase "settled or permanent home" followed by the phrase "with the intention of remaining in this state," the Legislature stated a clear intent that a "resident" for purposes of the Michigan Vehicle Code must be permanent and not temporary or transient.

This notion of permanence has long been accepted by the courts in other contexts when discussing what constitutes "residence." For example, in *Wright v Genesee Circuit Judge*, 117 Mich 244, 245; 75 NW 465 (1898), the Court defined "residence" as the "place where one resides; an abode; a dwelling or habitation; especially, a settled or permanent home or domicile." In *Beecher v Detroit Common Council*, 114 Mich 228, 230; 72 NW 206 (1897), the Court explained that a "temporary abode in a place does not establish a residence there." Based on the specific definition found in section 51a of the Vehicle Code that expressly contemplates permanence and the long-standing recognition in case law that residence entails permanence, it must be concluded that only a permanent resident is eligible to receive a driver's license in Michigan.⁹

The question then becomes whether an illegal alien may legally be considered a permanent resident of this State.

As a general rule, determining whether a person is a permanent resident involves an analysis of the subjective intent of the individual claiming residency. Moreover, the question is generally one of fact. *Triple E Produce Corp v Mastronardi Produce, Ltd*, 209 Mich App 165; 530 NW2d 772 (1995). However, when considering questions involving aliens, a different analysis is required.

⁸ It is worth emphasizing that the definition of "resident" analyzed here "shall apply to the provisions of [the Michigan Vehicle Code] only." MCL 257.51a (emphasis added).

⁹ For exceptions, see discussion regarding *Toll v Moreno*, 458 US 1, 10; 102 S Ct 2977; 73 L Ed 2d 563 (1982), *infra*.

It is important to recognize that Congress has plenary authority to control immigration and regulate the conduct of aliens in the United States. *Harisades v Shaughnessy*, 342 US 580; 72 S Ct 512; 96 L Ed 586 (1952). The extent of Congress's exclusive authority concerning immigration matters was explained in *Hines v Davidowitz*, 312 US 52, 62; 61 S Ct 399; 85 L Ed 581 (1941):

That the supremacy of the national power in the general field of foreign affairs, including power over immigration, naturalization and deportation, is made clear by the Constitution, was pointed out by the authors of *The Federalist* in 1787, and has since been given continuous recognition by this Court. When the national government by treaty or statute has established rules and regulations touching the rights, privileges, obligations or burdens of aliens as such, the treaty or statute is the supreme law of the land. No state can add to or take from the force and effect of such treaty or statute, for Article 6 of the Constitution provides that "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." The Federal Government, representing as it does the collective interests of the forty-eight states, is entrusted with full and exclusive responsibility for the conduct of affairs with foreign sovereignties. "For local interests the several States of the Union exist, but for national purposes, embracing our relations with foreign nations, we are but one people, one nation, one power." [Internal footnotes and citations omitted.]

The principle that federal law is supreme on matters of immigration and alien status was repeated in *Takahashi v Fish & Game Comm'n*, 334 US 410, 419; 68 S Ct 1138; 92 L Ed 1478 (1948):

The Federal Government has broad constitutional powers in determining what aliens shall be admitted to the United States, the period they may remain, regulation of their conduct before naturalization, and the terms and conditions of their naturalization. Under the Constitution the states are granted no such powers; they can neither add to nor take from the conditions lawfully imposed by Congress upon admission, naturalization and residence of aliens in the United States or the several states. [Citation omitted; emphasis added.]

Toll v Moreno, 458 US 1, 10; 102 S Ct 2977; 73 L Ed 2d 563 (1982), illustrates the exclusive authority of the federal government with regard to whether an alien is, or is not, a resident. The Court addressed whether a state could deny residency status to a lawfully admitted alien for the purpose of securing in-state tuition at a state university. Emphasizing the preeminence of the federal government in such matters, the Court concluded that such a state policy was impermissible:¹⁰

Our cases have long recognized the preeminent role of the Federal Government with respect to the regulation of aliens within our borders. Federal authority to regulate the status of aliens derives from various

¹⁰ In light of *Toll* and the cases relied on therein, the State may not deny residency status to aliens lawfully admitted into the United States if the terms of their admission allow them to establish a domicile in the United States. Their residency status must be determined in the same fashion as any other person lawfully residing in the State.

sources, including the Federal Government's power "[to] establish [a] uniform Rule of Naturalization," U.S. Const., Art. I, § 8, cl. 4, its power "[to] regulate Commerce with foreign Nations", id., cl. 3, and its broad authority over foreign affairs. [Citations omitted.]

Relevant to your question, Congress has created a specific alien status of "lawfully admitted for permanent residence," which is defined as "the status of having been lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws, such status not having changed." 8 USC 1101(a)(20). Congress has also established a set of complex rules that determines the alien's ability to remain in the United States.

One of these provisions, which allowed an alien to petition the United States Attorney General for discretionary relief from an order of deportation, was under review in *Loc v Immigration and Naturalization Service*, 681 F2d 107, 109 (CA 2, 1982). Under the then existing law, such relief could be granted if the alien had established a lawful domicile in the United States for seven consecutive years. The Court in *Loc* reasoned that the petitioner established domicile when he established an intent to remain in the United States. However, the Court noted he "established lawful domicile only when his intent to remain was legal under the immigration laws." Since the petitioner had overstayed his visa and was in the country illegally, that period could not count toward the seven-year residency requirement. Similarly, an alien in the country on a student visa that by its terms required that the alien return home after the expiration of the visa "cannot lawfully possess an intent to be domiciled in this country" during the visa period. *Brown v Immigration and Naturalization Service*, 856 F2d 728, 731 (CA 5, 1988). See also *Melian v Immigration and Naturalization Service*, 987 F2d 1521, 1525 (CA 11, 1993) ("for an alien's domicile to be considered 'lawful,' he must at least comply with this country's immigration laws"); *Castellon-Contreas v Immigration and Naturalization Service*, 45 F3d 149, 153 (CA 7, 1995) ("In order to have 'lawful domicile,' then, an alien must have the ability, under the immigration laws, to form the intent to remain in the United States indefinitely. . . . Thus an alien who enters the country illegally cannot have a 'lawful intent to remain here.'")¹¹

Michigan law must be interpreted against that background of federal law when considering questions involving aliens. It would be inconsistent with that body of law to find that a person in this country illegally, who has not secured permanent alien status from the federal government, can be regarded as a permanent resident in Michigan. There is nothing in the language or history of the Michigan Vehicle Code to indicate the Legislature intended to do so.

In an entirely different context, not fraught with national security and false identification concerns, or a statutory definition mandating permanency of residence, the Michigan Court of Appeals allowed illegal aliens to be considered residents. In *Cervantes v Farm Bureau General Ins Co of Michigan*, 272 Mich App 410, 412; 726 NW2d 73 (2006), the Court examined a provision of the Michigan Insurance Code that allowed recovery of personal protection insurance benefits for injuries sustained in a motor vehicle accident by a person named in the personal protection insurance

¹¹ This concept of requiring that a person must have the legal capacity to form a lawful intent also has a basis in contract law. The Restatement of the Law (Second) Conflict of Laws, § 15 provides that in order to acquire a domicile of choice, the person must have the legal capacity to do so, as well as the physical presence and present intent.

policy, the person's spouse, and a relative of either who was "domiciled" in the same household. The Court found that an illegal alien could be deemed domiciled in Michigan under that statute. The statute, MCL 500.3114(1), does not contain any express notion of permanency nor did the Court's opinion address the supreme power of the federal government on matters of alien residency. In that context of the Insurance Code, the Court used a general test for "domicile" which required the application of a series of non-exclusive factors, citing *Workman, supra*. The Court rejected the argument that "an illegal alien cannot be domiciled in the household of a Michigan insured because, being subject to apprehension and deportation, that person can have no intention of remaining within the state," stating that this "would exalt the subjective intent of a person to a determinative status in contravention of *Workman, supra*." But with regard to the issuance of driver's licenses, it is the terms of the Michigan Vehicle Code, not a series of common law factors, that controls whether an applicant is qualified.

Further limiting the application of its ruling, the Court observed that, even if the illegal aliens in question were not considered to be domiciled in Michigan, they would still receive the insurance benefits, under a different provision of the Insurance Code:

Had we concluded that illegal aliens cannot be "domiciled" in the home of an insured person under MCL 500.3114(1), plaintiffs would still receive those benefits from the insurer of the vehicle that they occupied at the time of the accident under MCL 500.3114(4)(a). See *Workman, supra* at 493-494. Thus, this is an internecine dispute between Founders, insurer of the Garcia automobile, and Farm Bureau, insurer of the relatives of plaintiffs with whom plaintiffs were allegedly domiciled, regarding which of them has to provide coverage under the provisions of MCL 500.3114. *The broader question whether illegal aliens should receive coverage at all is not before us.*¹² [Emphasis added.]

The Court stated that the question whether illegal aliens should, or should not, receive personal injury protection benefits should be resolved by the Legislature. Since *Cervantes* was not addressing a statutory definition of "resident," an identification document with national security implications, or the exclusive authority of the federal government to dictate how an alien can achieve permanent residency status, the opinion is not applicable to your question.

Finally, the concerns expressed in OAG No 6883 that the Equal Protection Clause of the United States Constitution, as interpreted in *Plyler v Doe*, 457 US 202, 230; 102 S Ct 2382; 72 L Ed 786 (1982), might prevent a state from denying a driver's license to an illegal alien, have been resolved by the federal courts. The United States Court of Appeals for the Sixth Circuit, the circuit in which Michigan is situated, addressed the applicability of *Plyler* in *League of United Latin American Citizens (LULAC) v Bredesen*, 500 F3d 523, 527 (CA 6, 2007). Citing *Plyler*, the Court stated that "[I]llegal aliens are not a suspect class and any differential treatment of them

¹² MCL 500.3114(4)(a) does not contain any residency requirement for an injured person to recover damages:

(4) Except as provided in subsections (1) to (3), a person suffering accidental bodily injury arising from a motor vehicle accident while an occupant of a motor vehicle shall claim personal protection insurance benefits from insurers in the following order of priority:

(a) The insurer of the owner or registrant of the vehicle occupied.

would be subject only to rational basis scrutiny." 500 F3d at 531 n 6. For all of the reasons cited in this opinion, there can be no doubt that a rational basis exists for denying driver's licenses to illegal aliens. Accordingly, OAG No 6883 is superceded by this opinion and should no longer be followed.¹³

It is my opinion, therefore, that only a resident of Michigan may be issued a Michigan driver's license. A person who is not a lawful resident of the United States cannot be a resident of this State for purposes of obtaining a driver's license under sections 51a and 303(1)(h) of the Michigan Vehicle Code, MCL 257.51a and MCL 257.303(1)(h).

MIKE COX
Attorney General

¹³ The analysis set forth in this opinion may not apply under circumstances where a fundamental right is involved. Nor would this opinion necessarily govern in circumstances where permanent residence is not required.

PLATS: The scope of permissible "public uses" of platted roads ending at the shore of a lake

DEDICATIONS:

CONST 1963, ART 3, § 7:

REAL PROPERTY:

While the Legislature has the authority to modify the law, any legislative modification of the judicially established rules of property law that have shaped the rights and expectations of property owners regarding the meaning of "public use" in the context of platted roads ending at the shore of a lake has the potential to impact existing property rights and would be subject to the constitutional protections against the taking of property without due process and just compensation.

Opinion No. 7211

January 30, 2008

Honorable John Stakoe
State Representative
The Capitol
Lansing, MI 48909

You have asked whether the Legislature has the power "to revisit" determinations made by the Michigan Court of Appeals in court cases concerning the scope of permissible "public uses" of roads that end at the shore of a lake in platted subdivisions. The specific cases underlying your question are *Jacobs v Lyon Twp (Jacobs I)*, 181 Mich App 386, 391; 448 NW2d 861 (1989), *Jacobs v Lyon Twp (After Rem) (Jacobs II)*, 199 Mich App 667; 502 NW2d 382 (1993), and *Higgins Lake Property Owners Ass'n v Gerrish Twp*, 255 Mich App 83; 662 NW2d 387 (2003), all of which involved evidentiary and legal determinations regarding the scope of permissible uses at particular road ends on Higgins Lake.

Before addressing your question, some background information about plats and the law regarding the dedication of land in plats for public use is helpful.

In the two *Jacobs* cases and the *Higgins Lake Property Owners Ass'n* case, the property at issue fronted on Higgins Lake and had been subdivided and platted, or mapped, by the proprietors of the property in accordance with state statutes that allowed the creation of such plats. "Proprietor" is the term used to describe the owner of the lands that are subdivided by a plat. See, e.g., the Land Division Act, 1967 PA 288, MCL 560.101 *et seq*, at section 102(o), MCL 560.102(o). In addition to creating lots, the proprietors of the plats involved in these cases designated roads on the plats to provide access to the lots and to the shore of Higgins Lake. The roads ran approximately perpendicular to the shore of Higgins Lake and ended there. *Jacobs I*, 181 Mich at 387; *Higgins Lake Property Owners Ass'n*, 255 Mich App at 88.

As part of the platting process, the proprietors set forth words of dedication on the plats, thereby defining who could use certain common areas on the plats, such as roads, alleys, and parks, and how those lands could be used. As to the plats involved in the *Jacobs I* and *Higgins Lake Property Owners Ass'n* cases, the words of dedica-

tion simply indicated that the roads in the plats were for "public use." *Jacobs I*, 181 Mich at 389; *Higgins Lake Property Owners Ass'n*, 255 Mich App at 89.

A dedication of land in a plat "for public use" not only describes who may use the land and how it may be used but also serves as an offer of a gift of that land for public use. *Wayne County v Miller*, 31 Mich 447, 448-449 (1875). Under the laws that governed the creation of plats at the time the plats in the *Jacobs I* and *Higgins Lake Property Owners Ass'n* cases were recorded, lands dedicated by plats were deemed to be held in trust by the local unit of government having jurisdiction over that land. The Plat Act, 1839 PA 91, as amended by 1887 PA 309, stated:

The maps so made and recorded in compliance with the provisions of this act shall be deemed a sufficient conveyance to vest the fee of such parcels of land as may be therein designated for public uses in the city or village within the incorporate limits of which the land platted is included, or if not included within the limits of any incorporated city or village, then in the township within the limits of which it is included in trust to and for the uses and purposes therein designated, and for no other use or purposes whatever.

This former provision of the then Plat Act is similar to that found currently in section 253(1) and (2) of the Land Division Act, MCL 560.253(1)(2), which states:

(1) When a plat is certified, signed, acknowledged and recorded as prescribed in this act, every dedication, gift or grant to the public or any person, society or corporation marked or noted as such on the plat shall be deemed sufficient conveyance to vest the fee simple of all parcels of land so marked and noted, and shall be considered a general warranty against the donors, their heirs and assigns to the donees for their use for the purposes therein expressed and no other.

(2) The land intended for the streets, alleys, commons, parks or other public uses as designated on the plat shall be held by the municipality in which the plat is situated in trust to and for such uses and purposes.¹¹

Under the statute by which the plats had been created and case law dealing with dedication, it has become well established that where land has been given for a public use, the permissible uses to which that property may be put are governed by the intent of the person who dedicated that land. In the case of a plat, the intent of the dedicator is determined from the language used in the dedication and the surrounding circumstances. *Jacobs II*, 199 Mich App at 672. The intent of any donor is inherently fact-specific and must be determined on a case-by-case basis according to the available evidence. Where the plat simply states that the roads are for public use and are shown on the plat to end at a body of water, the courts have consistently applied the principles reiterated in the *Jacobs* cases regarding the scope of permissible uses of those roads.

¹¹ The same or similar language first appeared in the territorial acts of March 12, 1821, and April 12, 1827, and continued in 1839 PA 91, the Plat Act of 1929, 1929 PA 172, and the Subdivision Control Act of 1967, 1967 PA 288, which is now called the Land Division Act. See *Kirchen v Remenga*, 291 Mich 94, 111; 288 NW 344 (1939), and *West Michigan Park Ass'n v Dep't of Conservation*, 2 Mich App 254, 262; 139 NW2d 758 (1966).

In addition to dedications to the public through the recording of a plat, there may also be "dedications" of land for the exclusive private use of persons designated in the dedication. See *Martin v Beldean*, 469 Mich 541, 546-548; 677 NW2d 312 (2004).

Regardless of whether the land has been dedicated for public use or for private use by the recording of the plat, private rights arise in the lot owners who purchase their land in reliance on the words of the plat. As noted in *Pulcifer v Bishop*, 246 Mich 579, 582-583; 225 NW 3 (1929):

But it is also the rule in this and other States that the platting and sale of lots constitute a dedication of streets, etc., delineated on the plat, as between the grantors and the purchasers from them.

It is said in Dillon on Municipal Corporations (5th Ed.), § 1090:

"In this connection it must be kept in view that the platting and sale create certain rights in the grantees of the original owner, which, as between the grantor and the grantee, are irrevocable in their nature.

* * *

"But other decisions recognize a *clearly defined distinction* between the rights acquired by the *public* through dedication effected by platting and sale, and the *private rights* acquired by the grantees by virtue of the grant or covenant contained in a deed which refers to a plat, or bounds the property upon a street through the grantor's lands. These decisions adopt the view that where lands are platted and sales are made with reference to the plat, the acts of the owner in themselves merely create private rights in the grantees entitling the grantees to the use of the streets and ways laid down on the plat or referred to in the conveyance. But these rights are purely in the nature of private rights founded upon a grant or covenant, and no public rights attach to such streets or lands until there has been an express or implied acceptance of the dedication, evidenced either by general public user, or by the acts of the public authorities. In this view, the making of the plat and the sale of lands with reference thereto are merely evidence of an intent to dedicate, which like every other common law dedication, to be made complete and carried into effect so as to create public rights, must be accepted and acted upon by the public." Citing *Grandville v. Jenison*, 84 Mich. 54. [Emphasis in original.]

Thus, private rights arise in dedicated or reserved areas of the plat upon the sale of lots within the plat. It is well established that a purchaser of property in a recorded plat receives not only the interest as described in a deed to the property but also whatever rights are described in the plat. *Nelson v Roscommon County Rd Comm*, 117 Mich App 125, 132; 323 NW2d 621 (1982). The Court in *Nelson* further explained that lot owners in plats have inherent rights to use the streets laid down in the plat and that those rights are in the nature of easements. The corollary to this principle is that owners within a plat have rights in limiting the use of such areas to their dedicated purposes such as occurred in both *Jacobs* cases and the *Higgins Lake Property Owners Ass'n* case. See also *West Michigan Park Ass'n*, n 1 *supra*, and cases cited therein.

Jacobs II is regarded as the leading case concerning rights in dedicated streets ending at water, summarized by the Court as follows:

Publicly dedicated streets that terminate at the edge of navigable waters are generally deemed to provide public access to the water. *Thies v Howland*, 424 Mich 282, 295; 380 NW2d 463 (1985);² *McCardel v Smolen*, 404 Mich 89, 96; 273 NW2d 3(1978); *Backus v Detroit*, 49 Mich 110; 13 NW 380 (1882). The members of the public who are entitled to access to navigable waters have a right to use the surface of the water in a reasonable manner for such activities as boating, fishing, and swimming. An incident of the public's right of navigation is the right to anchor boats temporarily. *Thies, supra* at 288. The right of a municipality to build a wharf or dock at the end of a street terminating at the edge of navigable waters is based upon the presumption that the platter intended to give access to the water and permit the building of structures to aid in that access.³ *Thies, supra* at 296. The extent to which the right of public access includes the right to erect a dock or boat hoists or the right to sunbathe and lounge at the road end depends on the scope of the dedication. *McCardel, supra* at 97; *Thom v Rasmussen*, 136 Mich App 608, 612; 358 NW2d 569 (1984). The intent of the dedicator is to be determined from the language used in the dedication and the surrounding circumstances. *Thies, supra* at 293; *Bang v Forman*, 244 Mich 571, 576; 222 NW 96 (1928). [*Jacobs II*, 199 Mich App at 671-672.]

² In *Thies*, the Court ruled that public ways that terminate at the edge of a navigable body of water are treated differently from those that run parallel to the shore. *Thies*, 424, *supra* at 295.

³ However, it is not to be inferred that the municipality has the right to appropriate the road ends to any use inconsistent with the dedication. *Backus, supra* at 120.

The *Jacobs II* Court held that, where platted streets are dedicated "for the use of the public," a nonexclusive public dock could be erected at the road end, but individuals could not erect boat hoists there or sunbathe or lounge. 199 Mich App at 670, 673.

In the *Jacobs I* case, the Court of Appeals had held that the construction of a public boat dock at the shore of a dedicated, platted road was within the scope of the dedicated public use and that the use of surface waters adjoining the road end for swimming, wading, fishing, and boating and to temporarily anchor boats were also within the scope of the dedicated public use. *Jacobs I*, 181 Mich App at 391. But the Court also held that the "construction of boat hoists, seasonal boat storage and the use of road-ends for lounging and picnicking exceed the scope and intent of the dedication of property for use as streets." *Id.* (Emphasis added.) *Jacobs II* continued these holdings in the subsequent decision on appeal after remand.

Returning to your question regarding whether the Legislature may modify a rule of property law that has been developed regarding the dedication of platted road ends upon which persons have relied when acquiring interests in platted lands, it appears that you are asking whether the Legislature may retrospectively broaden the parameters of what constitutes permissible "public use" when these words have been used in a plat dedication. This issue was addressed in *Jacobs I*. Lyon Township enacted an ordinance that the Court described as follows:

In 1987, apparently in response to the ongoing shoreline conflict, defendant township enacted Ordinance 31 which purports to govern public water and land-related activity at lake road-ends. In short, the ordinance provides for the erection of no more than one nonexclusive private dock at each road-end which must be maintained for public use, prohibits overnight mooring, prohibits permanent

mooring posts, permits the erection of boat hoists, prohibits parking on the roadway, and prohibits the dry storage of boats, boat hoists, docks, et cetera on the land at the road-end. The ordinance provides that, except as otherwise prohibited, the general public may use the road-ends for "lounging, picnicking, swimming, fishing and boating, provided such activities do not create a safety hazard, cause unreasonable congestion, interfere with the intended use, or otherwise disturb the peace." [181 Mich App at 388-389.]

The lot owners in the plat under review in *Jacobs I* sued the township, claiming that the uses and activities permitted by the ordinance exceeded those contemplated by the dedication of the streets for public use. The Court agreed that certain uses and activities were beyond the scope of the dedication and ruled that the provisions of the ordinance allowing such activities "must be stricken":

In this case, we believe that the construction of boat hoists, seasonal boat storage and the use of road-ends for lounging and picnicking exceed the scope and intent of the dedication of property for use as streets. Those activities are not necessary to either the use and maintenance of the streets, or to provide public access to the water. As our Supreme Court noted in *McCardel [v Smolen]*, 404 Mich 89; 273 NW2d 3 (1978):

Lounging and picnicking on this wide boulevard, activities which need not involve use of the water, are not riparian or littoral rights. We agree with the Court of Appeals that "[t]hose activities are in no way directly related to a true riparian use of the waters of Higgins Lake; even assuming that the defendants choose to lounge and picnic on the boulevard because of the lake's proximity. In that context, the only 'use' of the water is the enjoyment of its scenic presence." . . .

The question whether the public has the right to enter and leave the water from the boulevard, like the question whether they may lounge and picnic on the boulevard, depends, rather, on the scope of the dedication. [404 Mich 97.]

Plaintiffs also claim that the public beach and party activities on the road-ends created a nuisance and plaintiffs seek abatement of those activities. We need not review the trial court's ruling on plaintiffs' nuisance claim in light of our decision that *the portions of the ordinance permitting those activities beyond the scope of the dedication in this case must be stricken*. [181 Mich App at 391-392; emphasis added.]

In reaching its decision, the Court of Appeals noted the court decisions holding that road ends at lakes are presumed to be intended as a means of access to a lake, and that municipalities could erect docks at the road ends to facilitate public access to a lake or river. *Jacobs*, 181 Mich App at 390. But the Court went on to note that a municipality has no right to appropriate road ends to any use inconsistent with the dedication, citing *Backus v Detroit*, 49 Mich 110, 115; 13 NW 380 (1882).²

The decision in *Jacobs I* is also consistent with *Baldwin Manor, Inc v City of Birmingham*, 341 Mich 423, 428; 67 NW2d 812 (1954), where the Michigan

² A municipality has no proprietary interest in the dedicated areas. See *Village of Kalkaska v Shell Oil Co*, 433 Mich 348; 446 NW2d 91 (1989), and cases cited therein.

Supreme Court held that the City of Birmingham was precluded from building a road through a park which, if built, would "make impossible, or at least impracticable, the use of parcels No 1 and No 2 for park purposes." The Court relied on the legal encyclopedia Corpus Juris Secundum (CJS) to summarize the law concerning government's ability to alter a dedication:

Likewise, in 26 CJS, Dedication, § 65, pp 154, 155, it is said:

"Except as appears below,³ if a dedication is made for a specific or defined purpose, *neither the legislature*, a municipality or its successor, nor the general public *has any power to use the property for any other purpose than the one designated*, whether such use be public or private, and whether the dedication is a common-law or a statutory dedication; and this rule is not affected by the fact that the changed use may be advantageous to the public. This can only be done under the right of eminent domain. On the other hand, the municipality cannot impose a more limited and restricted use than the dedication warrants." [341 Mich at 430-431; emphasis added.]

Similarly, statutory changes to property rights created by established rules of property law may not be applied retroactively if that would result in an adverse impact on those rights. In *Gorte v Transportation Dep't*, 202 Mich App 161, 167; 507 NW2d 797 (1993), the Court of Appeals held that a statute precluding a claim of adverse possession against the State did not apply to the plaintiff where application of the statute would result in abrogating or impairing the plaintiff's vested right. The Court of Appeals found that, because plaintiff's right had vested before the effective date of the statute, the plaintiff could successfully assert his claim of adverse possession against the State.

The Court's rulings in *Jacobs I* and *II* and *Higgins Lake* were based on over 100 years of common law precedent, and any alteration of the property interests identified in those decisions must, therefore, be considered in that context. The rights and expectations of property owners are legitimately grounded in long-standing recognition of those rights and expectations. See, e.g., *Bott v Natural Resources Comm*, 415 Mich 45; 327 NW2d 838 (1982). As discussed above, Michigan law prohibits marina-like operations, such as permanent boat mooring or hoists, and sunbathing and lounging, at road ends dedicated "for public use" unless such activities are authorized by the dedication. Thus, a statutory change allowing these activities at road ends in already existing plats could have an adverse impact upon the rights of the property owners within the plat, particularly those whose properties are situated next to these road ends.

Const 1963, art 3, § 7 provides that the "common law and the statute laws now in force . . . shall remain in force until they expire by their own limitations, or are changed, amended or repealed." Thus, the Legislature has the ability to modify the law. *Rusinek v Schultz, Snyder, & Steele Lumber Co*, 411 Mich 502, 506-508; 309 NW2d 163 (1981). However, the Legislature is subject to constitutional limitations. Both the United States and Michigan Constitutions prohibit the taking of private property without just compensation and due process of law. US Const, Am V; Const 1963, art 10, § 2.

The Fifth Amendment of the United States Constitution provides, in pertinent part: "nor shall private property be taken for public use, without just compensation."

³ It is not necessary to address the exceptions noted in 26 CJS § 65 to answer your question.

This prohibition is applied to the states through the Due Process Clause of the Fourteenth Amendment. *Chicago, B & Q R Co v Chicago*, 166 US 226, 234; 17 S Ct 581; 41 L Ed 979 (1897). Similarly, the Michigan Constitution provides:

Private property shall not be taken for public use without just compensation therefore being first made or secured in a manner prescribed by law. If private property consisting of an individual's principal residence is taken for public use, the amount of compensation made and determined for that taking shall be not less than 125% of that property's fair market value, in addition to any other reimbursement allowed by law. Compensation shall be determined in proceedings in a court of record. [Const 1963, art 10, § 2.]

Of course, whether any of these constitutional limitations would be implicated by a particular legislative action seeking to alter the meaning of "public use" is fact-dependent and cannot be answered in the abstract. Generally, however, when property dedicated for a particular purpose is appropriated for an entirely different purpose, this may afford grounds for a court action to enjoin the inconsistent use or secure compensation for the interference with valuable property rights. See *Ford v Detroit*, 273 Mich 449, 452; 263 NW 425 (1935). See also *Austin v VanHorn*, 245 Mich 344, 347; 222 NW 721 (1929); *Sanborn v McClean*, 233 Mich 227; 206 NW 496 (1925); and *Allen v Detroit*, 167 Mich 464, 469-470; 133 NW 317 (1911).

It is my opinion, therefore, that, while the Legislature has the authority to modify the law, any legislative modification of the judicially established rules of property law that have shaped the rights and expectations of property owners regarding the meaning of "public use" in the context of platted roads ending at the shore of a lake has the potential to impact existing property rights and would be subject to the constitutional protections against the taking of property without due process and just compensation.

MIKE COX
Attorney General

COUNTY CLERKS: Requirement to provide social security number on marriage license applications**MARRIAGES:****SOCIAL SECURITY NUMBERS:**

Under section 2(1) of the Marriage License Act, MCL 551.102(1), a county clerk may issue a marriage license to an applicant who fails to provide his or her social security number on the application if the person has never been issued a social security number and so states on the affidavit for license to marry or in a separate sworn statement made a part of the application.

Where the applicant for a marriage license does not provide a social security number on the application for the license, the county clerk is not authorized to investigate the underlying reason why the applicant has failed to provide a social security number. However, the Act does not prohibit a county clerk from forwarding significant information to the appropriate authorities where, in the opinion of the clerk, the circumstances warrant that action.

Opinion No. 7212

March 19, 2008

Honorable Wayne Kuipers
State Senator
The Capitol
Lansing, MI

You have asked several related questions concerning marriage licenses and social security numbers. You first ask whether a county clerk may issue a marriage license if an applicant for the license fails to provide a social security number on his or her marriage application.

Michigan's Marriage License Act (Act), 1887 PA 128, MCL 551.101 *et seq.*, requires "all parties intending to be married to obtain a marriage license from the county clerk of the county in which either the man or the woman resides." MCL 551.101. Section 2(1) of the Act mandates that the "party applying for a license to marry shall make and file the application in the form of an affidavit with the county clerk as the basis for issuing the license." MCL 551.102(1). This section also requires the State Registrar¹ to prepare and furnish to each county clerk blank application forms, specifically including spaces for the provision of each applicant's social security number:

The state registrar *shall* furnish to each county clerk of this state blank application forms of an affidavit containing the requisite allegations, under the laws of this state, of the competency of the parties to unite in the bonds of matrimony, *and as required to comply with federal law, containing a space requiring each applicant's social security number.* A party applying

¹ The State Registrar is appointed by the Director of the Michigan Department of Community Health and is the head of that department's Division for Vital Records and Health Statistics. The State Registrar is the officer charged with the duty of administering and controlling the only system of vital statistics for this State. MCL 333.2813(2)(a).

for a license to marry shall make and file the application in the form of an affidavit with the county clerk as a basis for issuing the license. [MCL 551.102(1); emphasis added.]

The Act also provides that a social security number is not required of a person who demonstrates "he or she is exempt under law from obtaining a social security number or to an applicant who for religious convictions is exempt under law from disclosure of his or her social security number." MCL 551.102(3). But your question does not involve the application of these statutory exemptions.² Your question asks me to address the circumstance where a person has no social security number and is not claiming an "exempt[ion] under law."

The requirement that applicants for a marriage license provide their social security numbers was added to the Act by 1998 PA 333 to comply with federal law, specifically 42 USC 666(a)(13)(A).³ This law governs the process by which grants are made to participating states for the Child Support Enforcement Program. Enacting section 2 of 1998 PA 333 directed the State to seek relief from the requirement to collect social security numbers and, if successful, to refrain from enforcing the requirement at both the state and local level:

The family independence agency [the predecessor agency to the Department of Human Services] shall request from the federal government an exemption from the provisions regarding the recording of social security numbers added by this 1998 amendatory act, which are intended to be used for the collection of child support, as required by federal law in order for this state to receive certain federal funds. Upon the granting of the exemption, those provisions referred to by this enacting section shall not be utilized or enforced by the state or a local governmental entity.

By using this language, the Legislature left no doubt about its intent to limit Michigan's obligation to comply with the social security number requirement of 42 USC 666(a)(13) to the extent required by federal law.

² While our research has discovered a number of prohibitions rendering a person ineligible to obtain a social security number or exempting a person from participating in the social security insurance program, extensive research of federal and state law has disclosed no current "exempt[ions] under law" from obtaining or disclosing a social security number.

³ Section 466(a)(13)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub L No 104-193 § 317, 110 Stat 2105 (1996) (codified as amended at 42 USC 666(a)(13)(A)), states in relevant part:

(a) Types of procedures required

In order to satisfy section 654(20)(A) [42 USC 654(20)(A)], each State must have in effect laws requiring the use of the following procedures, consistent with this section and with regulations of the Secretary, to increase the effectiveness of the program which the State administers under this part [the Child Support Enforcement Act, 42 USC 651 *et seq.*]:

* * *

(13) Recording of social security numbers in certain family matters

Procedures requiring that the social security number of –

(A) any applicant for a professional license, driver's license, occupational license, recreational license, or *marriage license be recorded on the application.* [42 USC 666(a)(13)(A); emphasis added.]

The State sought relief from the collection requirement, but the request was denied by the United States Department of Health and Human Services. On appeal to federal district court, that denial was upheld. See *Michigan Dep't of State v United States*, 166 F Supp 2d 1228 (WD Mich, 2001).

Because the Michigan Legislature added the social security number requirement to "comply with federal law," any guidance issued by the federal government with respect to this requirement is instructive. The U.S. Department of Health and Human Services, Office of Child Support Enforcement, issued interpretive guidance to State IV-D Directors and Regional Program Managers (who administer child support enforcement plans under Title IV-D of the Social Security Act) in Policy Interpretation Question PIQ-99-05, dated July 14, 1999, which warrants quoting at length:

It has come to our attention that there is some confusion regarding the issue of inclusion of social security numbers on license applications and other documents.

Section 466(a)(13) of the Social Security Act (Act) requires States to implement procedures requiring that the social security number(s) of any applicant for a professional, driver's, occupational, recreational or marriage license be recorded on the application. . . . *Some States have asked how this requirement applies to those applicants or individuals that do not have social security numbers.*

We interpret the statutory language in section 466(a)(13) of the Act to require that States have procedures which require an individual to furnish any social security number that he or she may have. *Section 466(a)(13) of the Act does not require that an individual have a social security number as a condition of receiving a license, etc.* We would advise States to require persons who wish to apply for a license who do not have social security numbers to submit a sworn affidavit, under penalty of perjury, along with their application stating that they do not have a social security number. . . .

This is consistent with the position we took in PIQ-97-04 regarding the requirement for inclusion of social security numbers on voluntary paternity acknowledgement affidavits. . . . [Emphasis added.]

Under this federal guidance, governmental agencies are advised to require a person wishing to apply for a marriage license who does not have a social security number to submit an affidavit, under penalty of perjury, that the person does not have a social security number. In Michigan, the application for a marriage license under MCL 551.102(1) is itself "in the form of an affidavit," and it is titled "Affidavit for License to Marry."⁴

The Social Security Administration adopted the same approach as the U.S. Department of Health and Human Services when it revised its rules regarding the assignment of social security numbers for nonwork purposes in 2003:

⁴ See MCL 551.108, which states: "Any person applying for a marriage license who shall swear to a false statement therein, shall be guilty of perjury, and shall be prosecuted therefor under the general laws of the state."

[W]e believe that while section 466(a)(13) of the Social Security Act, 42 U.S.C. 666(a)(13) concerning the recording of SSNs on driver's licenses and other documents, does require that States have procedures which require recording an individual's SSN that he or she may have, this section of the Act does not require that an individual be issued an SSN if the person is not otherwise eligible for one as a condition of receiving a license. This interpretation of 42 U.S.C. 666(a)(13) is also held by the Department of Health and Human Services, Office of Child Support Enforcement (OCSE), which enforces this statutory provision. See the memorandum from the Commissioner of OCSE, dated July 14, 1999 [PIQ-99-05, *supra*]. [68 Federal Register 55304; emphasis added.]

Based on the above guidance, federal law does not require the collection of a social security number from a person who has never been issued one in order for the State to comply with 42 USC 666(a)(13)(A).

It is my opinion, therefore, in answer to your first question, that, under section 2(1) of the Marriage License Act, MCL 551.102(1), a county clerk may issue a marriage license to an applicant who fails to provide his or her social security number on the application if the person has never been issued a social security number and so states on the affidavit for license to marry or in a separate sworn statement made a part of the application.

You next ask whether a county clerk is obligated to investigate the underlying reason why an applicant for a marriage license does not report a social security number on the application and, if so, whether the county clerk is required to report those findings.

A county clerk is an elected official who has only those powers and duties as are conferred by law. Const 1963, art 7, § 4. *Lapeer County Clerk v Lapeer Circuit Court*, 469 Mich 146, 156; 665 NW2d 452 (2003). See also *Sittler v Michigan College of Mining & Technology Bd of Control*, 333 Mich 681, 687; 53 NW2d 681 (1952).

The duties and functions of a county clerk concerning the issuance of marriage licenses as delineated in the Act were considered in OAG, 1977-1978, No 5409, p 730 (December 18, 1978).⁵ That opinion addressed the question whether a county clerk was afforded the discretion to examine marriage licenses and certificates of marriage submitted to the clerk's office for recording in order to determine whether the applicants had complied with all the requirements of the Act. OAG No 5409 concluded that "the [A]ct provides county clerks with practically no discretion to look behind the representations made on the sworn application unless it appears that the parties are not legally entitled to be married." OAG No 5409 at 731, citing *Sabbe v Wayne County*, 322 Mich 501; 33 NW2d 921 (1948); *Toms v Judge of Recorder's Court of Detroit*, 237 Mich 413; 212 NW 69 (1927); and *Wilson v Circuit Judge of Genessee County*, 87 Mich 493; 49 NW 869 (1891). The opinion went on to explain that the Act did allow a county clerk to look behind a sworn affidavit to corroborate the ages of applicants for a marriage license and to refuse to issue a license where the clerk has personal knowledge that the parties are not legally entitled to be married.

However, the Act does not authorize a county clerk to investigate reasons for not providing social security numbers. A county clerk's duties under the Marriage License

⁵ The only change to the relevant statute that was enacted after OAG No 5409 issued was the addition of the provision requiring marriage license applicants to provide their social security numbers.

Act are ministerial and are limited to those expressly conferred by law. Nothing may be read into an unambiguous statute that is not within the manifest intent of the Legislature as derived from the words of the statute itself. *Omne Financial, Inc v Shacks, Inc*, 460 Mich 305, 311; 596 NW2d 591 (1999). A review of the Act discloses the county clerk's duty to collect a social security number. The clerk also has a clear duty to protect the confidentiality of social security numbers placed on marriage license applications. Indeed, the unlawful disclosure of a person's social security number could subject the clerk to civil and criminal penalties. MCL 445.86. But nothing in the plain language of the Act gives a county clerk any discretionary authority to investigate why an applicant does not have a social security number.

It is my opinion, therefore, in answer to your second question, that, where the applicant for a marriage license does not provide a social security number on the application for the license, the county clerk is not authorized to investigate the underlying reason why the applicant has failed to provide a social security number. However, the Act does not prohibit a county clerk from forwarding significant information to the appropriate authorities where, in the opinion of the clerk, the circumstances warrant that action.

MIKE COX
Attorney General

COUNTY OFFICES: Whether a county officeholder's conviction on the charge of extortion by a public officer creates a vacancy in the office by operation of law.

EXTORTION:

OATH OF OFFICE:

MICHIGAN ELECTION LAW:

MICHIGAN PENAL CODE:

VACANCIES IN OFFICE:

A county drain commissioner's conviction on the charge of extortion by a public officer under section 214 of the Michigan Penal Code, MCL 750.214, created a vacancy in that office by operation of section 206 of the Michigan Election Law, MCL 168.206, and section 3 of chapter 15 of the Revised Statutes of 1846, MCL 201.3, because extortion constitutes "an offense involving the violation of his oath of office" within the meaning of these laws.

Opinion No. 7213

March 20, 2008

Honorable Lorence Wenke
State Representative
The Capitol
Lansing, Michigan 48909

You have asked whether the office of county drain commissioner is deemed vacated by operation of law upon the officeholder's conviction on the charge of extortion by a public officer under section 214 of the Michigan Penal Code, MCL 750.214.

A true copy of the amended judgment of sentence for the particular conviction prompting your inquiry was provided to my staff and shows that the district court judge presiding over this prosecution found the defendant Kalamazoo County Drain Commissioner guilty of violating MCL 750.214 and imposed a fine of \$200 plus \$265 in costs.

As your letter advises, after learning of the drain commissioner's conviction, members of the Kalamazoo County Board of Commissioners sent a letter to the Governor requesting that she remove the drain commissioner from office in accordance with section 207 of the Michigan Election Law, MCL 168.207. This provision authorizes the Governor to remove from office various county officers, including drain commissioners, for enumerated reasons including when the officer is guilty of extortion.¹

Upon consulting with the Attorney General's office, the Governor declined the removal request, explaining in a reply letter that "the Department of Attorney General indicates that the office may already have been vacated due to the drain commissioner's conviction for extortion."² The reply letter cited two statutes requiring that a public office "shall become vacant" upon the incumbent's conviction of any offense involving a "violation of his oath of office," MCL 168.206 and MCL 201.3. The let-

¹ This provision states in its entirety:

The governor may remove any and all county officers named in section 200 of this chapter when he shall be satisfied from sufficient evidence submitted to him, as hereinafter provided, *that such officer has been guilty* of official misconduct, or of wilful neglect of duty, or of *extortion*, or habitual drunkenness, or has been convicted of being drunk, or whenever it shall appear by a certified copy of the judgment of a court of record of this state that such officer, after his election or appointment, shall have been convicted of a felony; but the governor shall take no action upon any such charges made to him against any such officer until the same shall have been exhibited to him in writing, verified by the affidavit of the party making them, that he believes the charges to be true. But no such officer shall be removed for such misconduct or neglect until charges thereof shall have been exhibited to the governor as above provided and a copy of the same served on such officer and an opportunity given him of being heard in his defense: Provided, That the service of such charges upon the person or persons complained against shall be made by handing to such person or persons a copy of such charges, together with all affidavits or exhibits which may be attached to the original petition if such person or persons can be found; and if not, by leaving a copy at the last place of residence of such person or persons, with some person of suitable age, if such person can be found; and if not, by posting it in some conspicuous place upon his last known place of residence. No officer who has been removed in accordance with the provisions of this section shall be eligible to election or appointment to any office for a period of 3 years from the date of such removal. [MCL 168.207; emphasis added.]

² Letter dated January 29, 2008, from Kelly Keenan, Legal Counsel to the Governor, to the Kalamazoo County Board of Commissioners.

ter went on to state that the Department of Attorney General indicated that the use of a public office to extort funds in violation of MCL 750.214 would be directly contrary to an oath of office to faithfully discharge the duties of that office. The reply letter then suggested, however, that the county board "may wish to seek the guidance of the county attorney regarding whether a vacancy exists," which prompted the county to seek your assistance in securing an opinion of the Attorney General to clarify this matter.

Turning to your question, the Michigan Constitution requires all public officers to take an oath to faithfully discharge the duties of their respective offices:

All officers, legislative, executive and judicial, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of . . . according to the best of my ability. No other oath, affirmation, or any religious test shall be required as a qualification for any office or public trust. [Const 1963, art 11, § 1.]³

Section 204 of the Michigan Election Law expressly requires elected county officers, including the drain commissioner, to take and subscribe to this constitutionally prescribed oath of office:

Every person elected to an office named in section 200 of this act [county clerk, county treasurer, register of deeds, prosecuting attorney, sheriff, drain commissioner, and surveyor] before entering upon the duties of his office, shall take and subscribe to the oath as provided in section 1 of article 11 of the state constitution and, with the exception of the prosecuting attorney, shall give bond in the amount and manner prescribed by law and shall deposit said oath with the county clerk and said bond with the county treasurer. The county treasurer shall file his bond with the county clerk. [MCL 168.204.]

An officeholder's failure to faithfully discharge the duties of his office in violation of the oath he takes is addressed in two separate statutes pertinent to your question. The first, MCL 201.3, is the more broadly applicable of the two and is found in section 3 of the Revised Statutes of 1846, chapter 15, which states:

Every office shall become vacant, on the happening of any of the following events, before the expiration of the term of such office:

1. The death of the incumbent;
2. His resignation;
3. His removal from office;
4. His ceasing to be an inhabitant of this state; or, if the office be local, of the district, county, township, city, or village, for which he shall have been appointed, or within which the duties of his office are required to be discharged;

³ The Address to the People, which was furnished by the delegates to the Constitutional Convention to explain the purpose of the various sections, indicates that this provision presents no change from the similar provision of the 1908 Constitution, except for an improvement in phraseology. 2 Official Record, Constitutional Convention of 1961, p 3404. Similar provisions were found in the 1835 and 1850 Constitutions. See Const 1908, art 16, § 2; Const 1850, art 18, § 1; Const 1835, art 12, § 1.

5. *His conviction of any infamous crime, or of any offense involving a violation of his oath of office;*

6. The decision of a competent tribunal, declaring void his appointment, or,

7. His refusal or neglect to take his oath of office, or to give, or renew any official bond, or to deposit such oath, or bond, in the manner and within the time prescribed by law. [Emphasis added.]⁴

The second statute, section 206 of the Michigan Election Law, MCL 168.206, specifically governs county offices and is substantially similar to MCL 201.3 in providing that the office shall be deemed vacant upon the incumbent committing an infamous crime or violating his oath of office:

The office of county clerk, county treasurer, register of deeds, prosecuting attorney, sheriff, drain commissioner, surveyor or coroner in any county in this state shall become vacant upon the happening of any of the following events: Death of the incumbent; his resignation; his removal from office for cause; his ceasing to be a resident of the county in which his office is located; his conviction of an infamous crime or an offense involving the violation of his oath of office; the decision of a competent tribunal declaring his election or appointment void; his refusal or neglect to take and subscribe to the constitutional oath of office and deposit the same in the manner and within the time prescribed by law; or his refusal or neglect to give bond in the amount and manner and within the time prescribed by law. [Emphasis added.]

Both of these statutes use the term "shall" in describing what happens when one of the specified events takes place: the office "shall" become vacant. When used in this context, the word "shall" is unambiguous and denotes a mandatory, rather than a discretionary, action. See *People v Grant*, 445 Mich 535, 542; 520 NW2d 123 (1994). Moreover, the cardinal rule of statutory construction is to discern and give effect to the Legislature's intent as expressed in the language of the statute. Where, as here, that language is unambiguous, the statute must be enforced as written and no further construction is required or permitted. *Halloran v Bhan*, 470 Mich 572, 576-578; 683 NW2d 129 (2004).

A previous version of MCL 201.3 – 1 Comp Laws 1929, section 3350 – was examined by the Michigan Supreme Court in *Attorney General ex rel O'Hara v Montgomery*, 275 Mich 504; 267 NW 550 (1936). This case was a *quo warranto* action in which the right of the incumbent county clerk to remain in office was challenged on the ground that the vacancy he was appointed to fill resulted from the improper removal of his predecessor from office based on the predecessor's felony conviction.

In ruling for the incumbent and finding that his predecessor's felony conviction resulted in the automatic vacation of his office thereby rendering removal unnecessary, the Supreme Court offered guidance that is relevant in addressing your present question. The Court stated that removal is a deprivation of office by the act of a competent superior officer acting within the scope of his authority but that, when an office

⁴ Const 1963, art 4, § 38 states that the "Legislature may provide by law the cases in which any office shall be vacant and the manner of filling vacancies where no provision is made in this constitution."

is vacant, a person "could not be removed therefrom," because a person "may not be removed from an office he is not in." 275 Mich at pp 511-512. In other words, the office becomes vacant "by the conduct, action or status of the erstwhile occupant." *Id.* The Court explained that the purpose underlying the statute recognizes that "the security of government depends upon respect for laws and the confidence of the people in public officers." *Id.* Significantly, it also observed that the law does not say an officer *may* be removed from office or require somebody to first declare a vacancy exists; rather "[i]t establishes a legislative rule, a declaration that every office shall become vacant" upon the happening of the described event. *Id.*, at pp 512-513.⁵

In light of the above authorities, the question becomes whether an officeholder convicted of the crime of extortion by a public officer has been convicted of an "infamous" crime or an "offense involving the violation of his oath of office," thereby causing his office to be vacated by operation of MCL 201.3 and MCL 168.206.

MCL 750.214 describes the crime of extortion by a public officer⁶ as follows:

EXTORTION BY PUBLIC OFFICERS – Any person who shall wilfully and corruptly demand and receive from another for performing any service, or any official duty, for which the fee or compensation is established by law, any greater fee or compensation than is allowed or provided for the same, and any public officer, for whom a salary is provided by law in full compensation for all services required to be performed by him, or by his clerks or deputies, who shall wilfully and corruptly demand and receive from any person any sum of money as a fee or compensation for any services required by law to be performed by him in his said office, or by his clerks or deputies, shall be guilty of a misdemeanor; but no prosecution for such offense shall be sustained unless it shall be commenced within 1 year next after the offense was committed.

Your question may be answered by first addressing whether a public officer's conviction of extortion under MCL 750.214 establishes a violation of the officeholder's oath of office. The constitutional oath requires the public officer to "faithfully discharge the duties" of his office. As stated in the statute quoted above, a person is guilty of extortion who "shall wilfully and corruptly demand and receive . . . for performing any service, or any official duty . . . any greater fee or compensation than is allowed" by law. MCL 750.214. See *People v Ritholz*, 359 Mich 539, 552; 103 NW2d 481 (1960) (explaining that extortion is the exaction of money, under color of official rights, from an unwilling payor).

Based on the above, the conclusion is inescapable that one who uses his or her public office to extort funds violates the officeholder's oath to "faithfully discharge the duties" of that office.⁷ The willful and corrupt conduct of a public officer convict-

⁵ See also OAG, 1983-1984, No 6233, p 331 (June 26, 1984) (concluding that a township officer convicted of an infamous crime is not subject to removal from office because the office becomes vacant upon the officer's conviction).

⁶ This should be distinguished from MCL 750.213, which defines the crime of "MALICIOUS THREATS TO EXTORT MONEY" as a felony.

⁷ Having found that a county drain commissioner's conviction of the crime of extortion by a public officer constitutes an offense involving the violation of the officeholder's oath of office, it is unnecessary to determine whether it also constitutes a "conviction of an infamous crime" within the meaning of MCL 201.3 or MCL 168.206.

ed under MCL 750.214 is the antithesis of the faithful discharge of the officer's duties owed to the public. This is also the only conclusion that advances the evident purpose of MCL 168.206 and MCL 201.3 to preserve the integrity of public office.⁸

It is my opinion, therefore, that a county drain commissioner's conviction on the charge of extortion by a public officer under section 214 of the Michigan Penal Code, MCL 750.214, created a vacancy in that office by operation of section 206 of the Michigan Election Law, MCL 168.206, and section 3 of chapter 15 of the Revised Statutes of 1846, MCL 201.3, because extortion constitutes "an offense involving the violation of his oath of office" within the meaning of these laws.

MIKE COX
Attorney General

⁸It should be noted that a public officer in actual occupancy of a public office and performing the duties of that office during a period of some irregularity or in a manner causing the incumbency to be illegal may nevertheless be regarded as a *de facto* officer whose actions cannot be questioned on jurisdictional grounds in a collateral action. *Greyhound Corp v Public Service Comm*, 360 Mich 578, 589-595, 606, 610; 104 NW2d 395 (1960) (Opinion of Carr, J. joined by Kelly, J., and concurred in by Souris, J., and by Smith, Black, and Edwards, JJ.) (holding that one in actual occupancy of an office and performing its duties under apparent claim of right to do so is not subject to having his acts challenged notwithstanding that a vacancy may exist, from a legal standpoint, which may be filled by appointment). See also OAG, 1977-1978, No 5362, p 618 (September 13, 1978).

GENERAL PROPERTY TAX ACT: Exemption from state real estate transfer taxes**STATE REAL ESTATE TRANSFER TAX ACT:****REAL PROPERTY:****TAXATION:**

An exemption from the requirement imposed by the State Real Estate Transfer Tax Act, MCL 207.521 *et seq.*, to pay state real estate transfer taxes upon the transfer or sale of real property may be claimed under MCL 207.526(t) if, on the date a parcel occupied as a principal residence is transferred, its state equalized value is less than or equal to its state equalized value on the date the owner purchased or acquired the parcel *and* the property is sold for not more than its true cash value at the time of sale.

Opinion No. 7214

April 3, 2008

Honorable Martin J. Griffin
State Representative
The Capitol
Lansing, MI

You have requested my opinion concerning the requirements for claiming an exemption from the state real estate transfer tax when owners transfer their interests in their principal residences.

The State Real Estate Transfer Tax Act (Act), 1993 PA 330, MCL 207.521 *et seq.*, imposes a tax upon each instrument of conveyance transferring an interest in real property. MCL 207.523. The burden of the tax is placed upon the seller. MCL 207.523(2). The tax is due at the time the deed, easement, assignment, or other instrument of conveyance is offered to the Register of Deeds for recording. MCL 207.533.¹

Certain conveyances, however, are exempt from this tax.² MCL 207.526. As you note in your letter, section 6(t) of the Act, MCL 207.526(t),³ provides an exemption for qualifying principal residences:

The following written instruments and transfers of property are exempt from the tax imposed by this act:

* * *

¹ The tax is \$3.75 for each \$500.00 or fraction of \$500.00 of the total value of the interests in real property being transferred. MCL 207.525. (This equates to approximately $\frac{3}{4}$ of 1% of the value of the property.)

² For questions regarding whether a particular conveyance is exempt from this tax and for guidance regarding other frequently asked questions, see the Department of Treasury's website at <http://www.michigan.gov/taxes/0,1607,7-238-43868---F,00.html>.

³ No similar exemption is found in the County Real Estate Transfer Tax Act, 1966 PA 134, MCL 207.501 *et seq.*

(t) A written instrument conveying an interest in property for which an exemption is claimed under section 7cc of the general property tax act, 1893 PA 206, MCL 211.7cc [this applies to a "principal residence"], if the state equalized valuation of that property is equal to or lesser than the state equalized valuation on the date of purchase or on the date of acquisition by the seller or transferor for that same interest in property.

Section 6(t) also requires that a penalty be assessed if certain circumstances relating to the property's "true cash value" are present:

If after an exemption is claimed under this subsection, the sale or transfer of property is found by the treasurer to be at a value other than the true cash value, then a penalty equal to 20% of the tax shall be assessed in addition to the tax due under this act to the seller or transferor. [MCL 207.526(t).]

Your letter advises that the struggling housing market has resulted in increased reliance on this provision and created the potential for its inconsistent application by county registers of deeds. You therefore ask for guidance concerning the correct application of this exemption.

Analysis begins by examining the section of the General Property Tax Act (GPTA), MCL 211.1 *et seq.*, referred to in MCL 207.526(t) above. Section 7cc of the GPTA provides an exemption from local school operating tax for principal residences:

A principal residence is exempt from the tax levied by a local school district for operating purposes to the extent provided under section 1211 of the revised school code, 1976 PA 451, MCL 380.1211, if an owner of that principal residence claims an exemption as provided in this section. [MCL 211.7cc(1).]

This exemption, added to the GPTA by 1994 PA 237, and the state real estate transfer tax first imposed by 1993 PA 330 were enacted along with other laws to implement the significant shift in tax burdens for the funding of public education that was approved by the electorate as Proposal A in 1993.⁴

A "principal residence"⁵ is defined by section 7dd(c) of the GPTA, MCL 211.7dd(c):

"Principal residence" means the 1 place where an owner of the property has his or her true, fixed, and permanent home to which, whenever absent, he or she intends to return and that shall continue as a principal residence until another principal residence is established.

Each parcel of real property, including land occupied as a principal residence, is assigned four different values for each tax year (calendar year)⁶: (1) a true cash value; (2) an assessed value; (3) a state equalized value; and (4) a taxable value. Throughout

⁴ Proposal A amended Const 1963, art 9, § 11, which describes the source of funding for the state school aid fund, distributions from that fund, and the state guarantee with respect to providing funding to local school districts for school operating purposes.

⁵ Initially the term utilized was "homestead." Since the enactment of 2003 PA 140 (effective January 1, 2004), the term "principal residence" has been utilized.

⁶ For real property and personal property subject to tax under the GPTA, the tax year is the calendar year. See OAG, 1965-1966, No 4463, p 207 (February 21, 1966). See also 1 OAG 1955, No 2074, p 257 (May 11, 1955).

this opinion, these terms may be referred to by their corresponding acronyms TCV (true cash value), AV (assessed value), SEV (state equalized value), and TV (taxable value).

"True cash value" is defined in the GPTA:

As used in this act, "true cash value" means the usual selling price at the place where the property to which the term is applied is at the time of assessment, being the price that could be obtained for the property at private sale, and not at auction sale except as otherwise provided in this section, or at forced sale. [MCL 211.27(1).]

The local assessor annually reaches a tentative determination of the true cash value and assessed value as well as the taxable value for a parcel for the current calendar year, considering its status and condition as of the 31st day of December of the immediately preceding year known as the "tax day." MCL 211.2 and 211.29. These tentative value determinations are to be made by the assessor and entered on the assessment roll not later than the first Monday in March. MCL 211.24. Each parcel's assessed value is set at 50% of its "true cash value." MCL 211.27a. The taxable value is then established in accordance with MCL 211.27a, which allows for various adjustments under specified circumstances.

At least ten days prior to the meeting of the local board of review, the assessor is required to give notice to each owner or person or persons listed on the assessment roll of the assessor's tentative determinations in accordance with MCL 211.24c(1) and (2), which states:

(1) The assessor shall give to each owner or person or persons listed on the assessment roll of the property a notice by first-class mail of an increase in the tentative state equalized valuation or the tentative taxable value for the year. The notice shall specify each parcel of property, the tentative taxable value for the current year, and the taxable value for the immediately preceding year. The notice shall also specify the time and place of the meeting of the board of review. The notice shall also specify the difference between the property's tentative taxable value in the current year and the property's taxable value in the immediately preceding year.

(2) The notice shall include, in addition to the information required by subsection (1), all of the following:

- (a) The state equalized valuation for the immediately preceding year.
- (b) The tentative state equalized valuation for the current year.
- (c) The net change between the tentative state equalized valuation for the current year and the state equalized valuation for the immediately preceding year.
- (d) The classification of the property as defined by section 34c.
- (e) The inflation rate for the immediately preceding year as defined in section 34d.
- (f) A statement provided by the state tax commission explaining the relationship between state equalized valuation and taxable value. If the assessor believes that a transfer of ownership has occurred in the immediately preceding

year, the statement shall state that the ownership was transferred and that the taxable value of that property is the same as the state equalized valuation of that property.

A person objecting to these tentative values may appeal to the local board of review. MCL 211.28. The board, by law, is required to meet in March. MCL 211.29. If aggrieved by the board's determination, an appeal may be taken to the Michigan Tax Tribunal. MCL 211.30(4). At its March meeting, the board reviews the tentative values, hears any appeals, and after making any changes or corrections it finds appropriate, approves the values to be set forth on the assessment roll. MCL 211.30.

The values approved by the board are subject to equalization at the county and state levels to assure that, in the aggregate, property is uniformly assessed at 50% of true cash value by all taxing authorities. See Const 1963, art 9, § 3 and MCL 211.34. Generally, equalization at both levels seeks to achieve uniformity of property tax assessment among the cities or townships within a county, in the case of intracounty equalization, and among all counties within the State, in the case of state equalization. *Washtenaw County v State Tax Comm*, 422 Mich 346, 351 n 1; 373 NW2d 697 (1985). This process concludes in May (absent any pending appeal), MCL 211.34, and establishes the SEV, TV, AV, and TCV that apply throughout that entire calendar year.

On the date a parcel occupied as a principal residence is transferred, it has an established SEV or one that is in the process of being established as discussed above. If the SEV for the property at the time of transfer by the owner is less than or equal to that property's SEV on the date the owner purchased or acquired the property, the seller may claim an exemption under MCL 207.526(t), provided that the property is sold for not more than its true cash value.

Some hypothetical examples will help to illustrate how the exemption is to be applied under commonly arising factual scenarios. Each will assume that a husband and wife purchased or acquired real property in 2006 and conveyed the parcel to another person in 2008. It is further assumed that the husband and wife occupied the property as their principal residence, exempted from school operating millage under section 7cc of the General Property Tax Act, MCL 211.7cc.

EXAMPLE 1:

SEV when acquired in 2006 = \$74,000.00.

SEV when transferred in 2008 = \$72,000.00.

TCV in 2008 = \$144,000.00.

Transfer or sale price in 2008 = \$140,000.00.

OUTCOME: This transfer qualifies for exemption from the state real estate transfer tax because the SEV for 2008, the year of sale, is less than the SEV for 2006, the year of acquisition, *and* the sale price does not exceed the true cash value.

EXAMPLE 2:

SEV when acquired in 2006 = \$74,000.00.

SEV when transferred in 2008 = \$72,000.00.

TCV in 2008 = \$144,000.00.

Transfer or sale price in 2008 = \$148,000.00.

OUTCOME: This transfer is not exempt under MCL 207.526(t) because the sale price exceeds the true cash value for 2008, the year of sale.

EXAMPLE 3:

SEV when acquired in 2006 = \$74,000.

SEV when sold in 2008 = \$75,000.

OUTCOME: This transfer, regardless of the sale price, is not exempt under MCL 207.526(t) because the SEV for 2008, the year of sale, exceeds the SEV for 2006, the year of acquisition.

In summary, to determine whether a transfer of an interest in real property is eligible for the exemption under MCL 207.526(t), the following must be established:

- (a) The property must have been occupied as a principal residence, classified as exempt from taxes for school operating purposes under MCL 211.7cc;
- (b) The property's SEV for the calendar year in which the transfer is made must be less than or equal to the property's SEV for the calendar year in which the transferor acquired the property; and
- (c) The property cannot be transferred for a consideration exceeding its true cash value for the year of transfer.

You have also asked about the applicability of the penalty provision of MCL 207.526(t), which states:

If after an exemption is claimed under this subsection, the sale or transfer of property is found by the treasurer to be at *a value other than the true cash value*, then a penalty equal to 20% of the tax shall be assessed in addition to the tax due under this act to the seller or transferor. [Emphasis added.]

This provision has been interpreted by the Michigan Department of Treasury as calling for an assessment of tax and the imposition of the prescribed penalty only if *the sale price is in excess of the true cash value*.⁷ In its February 1998, publication entitled STATE REAL ESTATE TRANSFER TAX QUESTIONS & ANSWERS, the Department of Treasury explains:

Homestead Property^[8]

[A] transfer of homestead property for which a homestead exemption is claimed under the School Code of 1976 or the State Education Tax Act is exempt under

⁷ This interpretation is consistent with the rule of construction that recognizes language in a statute "does not stand alone, and thus it cannot be read in a vacuum." *Sweatt v Dep't of Corrections*, 468 Mich 172, 179; 661 NW2d 201 (2003). Statutory text must be read in context with the entire act and "assigned such meanings as are in harmony with the whole of the statute, construed in the light of history and common sense." *Id.*, quoting *Arrowhead Dev Co v Livingston County Rd Comm*, 413 Mich 505, 516; 322 NW2d 702 (1982).

⁸ As indicated in n 5 earlier, as a result of amendments, the "homestead" exemption is now a "principal residence" exemption, and the exemption is now found at section 7cc of the GPTA, MCL 211.7cc, rather than in the School Code and State Education Tax Act.

MCL 207.526(t) of the SRETT [State Real Estate Transfer Tax] Act only if both of the following conditions are satisfied:

- a. The sale price is *not in excess of the true cash value of the property* assigned to the property by the local assessor.
- b. The current SEV is equal to or less than the SEV for the property on the date the transferor acquired the property. [Emphasis added; Official State of Michigan Department of Treasury Michigan Tax Guide, pp 375, 379 (Thomson-West 2006).]

This interpretation best effectuates the legislative intent in accordance with the governing rules of statutory construction.⁹ The plain language of the exemption evidences a clear legislative purpose to afford tax relief to persons selling their homes when the market or true cash value of their homes, as evidenced by a comparison of the SEV at the time of acquisition and the time of sale, has fallen. Given that evident purpose, an intent cannot logically be ascribed to the Legislature to penalize seller-homeowners when the price they secure in selling their homes is less than or equal to the property's diminished true cash value. Only where an exemption is claimed *and* the consideration received by the seller exceeds true cash value does the penalty provision call for assessment of the tax along with a penalty.

Your question also raises timing issues that warrant consideration. Because true cash value, taxable value, assessed value, and state equalized value represent tentative values from January 1 of a given tax year until finalized by the local board of review in March, and equalization is concluded in May, the question arises how parties may proceed with confidence in (a) determining whether to assert eligibility for the exemption and (b) proceeding with closing on the property sale or transfer before the values become final.

In the absence of any court cases or interpretive guidance provided by the Michigan Department of Treasury, but recognizing the need for uniformity in the application of MCL 207.526(t) in the interim, the most prudent course to follow is for the parties to utilize the tentative values set forth in the assessment roll figures until the time the values become final. The tentative values are available not later than the first Monday in March, but the assessors may have the tentative values at an earlier date.¹⁰ If the transfer is effectuated before the tentative values are entered on the assessment roll or otherwise available, the values from the preceding year should be utilized. If the seller does not claim an exemption and later determines that the finalized SEV and true cash values would justify a claim, a refund may be sought at that time from the Michigan Department of Treasury.

In that regard, it should be noted that the State Real Estate Transfer Tax Act is administered under the Revenue Act, MCL 205.1 *et seq.* MCL 207.536. The Revenue Act governs administration of the several public acts imposing state taxes, including the state real estate transfer tax. Thus, claims of refund are to be made under the Revenue Act, consistent with that act's deadlines for filing refund claims.

⁹ See, e.g., *Halloran v Bhan*, 470 Mich 572, 576-578; 683 NW2d 129 (2004) (the courts must discern and give effect to the Legislature's intent as expressed in the statutory language).

¹⁰ Any questions regarding the tentative or final values determined for a particular parcel may be addressed to the local assessor's office having jurisdiction over the parcel. Assessors often will be able to advise what the tentative SEV is for a principal residence very early in the calendar year.

It is my opinion, therefore, that an exemption from the requirement imposed by the State Real Estate Transfer Tax Act, MCL 207.521 *et seq.*, to pay state real estate transfer taxes upon the transfer or sale of real property may be claimed under MCL 207.526(t) if, on the date a parcel occupied as a principal residence is transferred, its state equalized value is less than or equal to its state equalized value on the date the owner purchased or acquired the parcel *and* the property is sold for not more than its true cash value at the time of sale.

MIKE COX
Attorney General

CONST 1963, ART 7, § 5: Constitutional requirement that county officer have principal office at county seat

SHERIFFS:

A county sheriff's principal office must be maintained at the county seat as required by Const 1963, art 7, § 5. The mere designation of one of several offices throughout the county as the principal office is not sufficient to meet this requirement. To satisfy the constitutional requirement, the office must, in fact, serve as the sheriff's principal or primary office.

Opinion No. 7215

June 30, 2008

Honorable Jud Gilbert
State Senator
The Capitol
Lansing, MI

Honorable Phillip Pavlov
State Representative
The Capitol
Lansing, MI

In separate requests, you each have asked for guidance concerning the requirement in Const 1963, art 7, § 5 that the principal office of certain county officers be located at the county seat. You ask whether the mere designation of one of several offices throughout the county as the principal office is sufficient to meet this requirement, and, if not, you ask what factors should be considered in determining whether an office is the "principal" office of a sheriff for purposes of complying with Const 1963, art 7, § 5.

Const 1963, art 7, § 5, found within the Constitution's article on local government, provides: "The sheriff, county clerk, county treasurer and register of deeds shall hold their principal offices at the county seat." In the Address to the People, the framers at the Constitutional Convention of 1961 explained this provision to the voters, stating that it represented a revision of the 1908 Constitution. By adding the word "principal" to art 7, § 5, "these county officers will be enabled to establish addi-

tional offices in other parts of the county, if needed." 2 Official Record, Constitutional Convention 1961, p 3390.¹

Similar to this constitutional provision, various statutory provisions also recognize that, in order to perform his myriad duties, the sheriff may maintain more than one office within the county, provided his principal office is located at the county seat. For example, MCL 45.16 provides that a jail may be located anywhere in the county:

Each organized county shall, at its own cost and expense, provide at the county seat thereof a suitable courthouse, and a suitable and sufficient jail and fireproof offices and all other necessary public buildings, and keep the same in good repair. However, and notwithstanding the provisions of section 11 of Act No. 156 of the Public Acts of 1851, as amended, being section 46.11 of the Compiled Laws of 1948, *a jail may be located anywhere in the county.* [Emphasis added.]

Additionally, MCL 51.83 provides that the sheriff shall maintain an office at the place where the courts of the county are held:

It shall be the duty of the sheriff of every county to keep an office at the place where the courts for such county are held, of which he shall file a notice in the office of the clerk of the county; and to keep the same open during the usual business hours of each day, Sundays excepted.

However, the requirement that the principal office must remain at the county seat is recognized in MCL 46.11, which provides in relevant part:

A county board of commissioners, at a lawfully held meeting, may do 1 or more of the following:

* * *

(b) Determine the site of, remove, or designate a new site for a county building. *The exercise of the authority granted by this subdivision is subject to any requirement of law that the building be located at the county seat.* [Emphasis added.]

Therefore, while sheriffs may establish and maintain more than one office within the county in which they serve, they may not maintain their principal office outside the county seat.

Your question asks what factors other than physical location should be considered in determining whether the office designated as the "principal" office is, in fact, the principal office as required by art 7, § 5. The Michigan Constitution and relevant statutes identified above do not define the term "principal office," nor do they speci-

¹ The Address to the People was prepared in accordance with the requirements of 1961 PA 8, which directed the Constitutional Convention of 1961 to explain the changes it was proposing to the 1908 Constitution and the reason for the changes and to circulate copies of the Address in pamphlet form. 2 Official Record, Constitutional Convention 1961, p 3357. The text of the Convention's commentary that accompanied each provision of the proposed constitution in the Address to the People is available in the Official Record at pages 3355-3411 and can also be found in published volumes of the Michigan Compiled Laws Annotated under the heading "Convention Comment" corresponding to each provision.

fy those activities that must take place at the principal office. The term, therefore, must be construed using established principles of constitutional interpretation. "The first rule a court should follow in ascertaining the meaning of words in a constitution is to give effect to the plain meaning of such words as understood by the people who adopted it." *Bond v Ann Arbor School Dist*, 383 Mich 693, 699; 178 NW2d 484 (1970). "[W]e adopt the meaning which the ordinary citizens who ratified the constitution would attach to the words under consideration." *Kuhn v Dep't of Treasury*, 384 Mich 378, 384; 183 NW2d 796 (1971). Words in the Constitution must be given the meaning most reasonably derived from their context or setting. See *Koontz v Ameritech Services, Inc*, 466 Mich 304, 318; 645 NW2d 34 (2002).

In the context of art 7, § 5, the term "principal" is a word of common usage and understanding. *Merriam-Webster's Collegiate Dictionary, 10th Edition* (2001) defines "principal" as "most important, consequential, or influential: CHIEF." *Black's Law Dictionary, Revised 4th Edition* (1968) offers a similar definition: "Chief; leading; most important or considerable; primary; original. Highest in rank, authority, character, importance, or degree." In addition, *Roget's Super Thesaurus, 2nd Edition* (1998), regards the following words as synonyms for the word "principal": "main, major, chief, leading, primary, dominant, foremost, supreme, star, key, most important."

In a Letter Opinion of Attorney General Frank J. Kelley to Prosecuting Attorney Wesley J. Nykamp, dated April 11, 1975, the following discussion was provided concerning a sheriff's principal office:

The term "principal office" referred to in Const 1963, art 7, § 5, does not necessarily mean the place where the majority of the functions and duties of the sheriff are carried out; it refers to the place where the sheriff maintains his office and spends most of his time while carrying out the functions of his office. As noted above, the adjective "principal" was appended to the word "office" to permit the establishment of additional offices in other parts of the county. Thus, in view of the modern and rapid means of transportation and communication, there is no reason why the sheriff may not locate his principal office away from the jail and, inasmuch as the legislature has specifically authorized construction of a jail outside the county seat, 1846 RS, ch 13, § 16, *supra*, Ottawa County may construct its jail at a place other than Grand Haven [the county seat] so long as the sheriff maintains his principal office in that city.

While this 1975 opinion refers to the time the sheriff spends carrying out the functions of his office, this temporal component must be read reasonably as recognizing that the law enforcement duties of a sheriff are not solely administrative and can require that considerable time be spent out of the office. In any event, the mere designation of an office as the "principal" office is not controlling for constitutional purposes; the office must actually be the sheriff's chief, primary, or main office to meet the requirements of art 7, § 5.²

In the absence of Michigan case law defining what among the many activities and duties of a sheriff must take place at the sheriff's principal office, a number of factors might reasonably be considered in resolving the inherently factual question of

² See *People v Barber*, 14 Mich App 395, 401; 165 NW2d 608 (1968) (the character of a thing is determined by its substantive nature and not by the label attached to it).

whether the designated principal office is, in fact, the "principal" office for purposes of complying with art 7, § 5. They include, for example: the location where the administrative records and files used by a sheriff on a daily basis are maintained; the location where the sheriff's secretary or executive staff report to work on a regular basis; the location where the public wishing to conduct business with the sheriff's office would be expected to appear; and the location where the day-to-day duties and administrative functions of the sheriff that must be carried on in an office setting are conducted. It must also be borne in mind that the manner in which sheriffs most efficiently organize their various offices may vary greatly depending on the overall size of their departments, the population and geography of their counties, the experiences that dictate the law enforcement needs of their counties, and numerous other factors, all of which may play a role in determining which of several offices is the "principal" office.

It is my opinion, therefore, that a county sheriff's principal office must be maintained at the county seat as required by Const 1963, art 7, § 5. The mere designation of one of several offices throughout the county as the principal office is not sufficient to meet this requirement. To satisfy the constitutional requirement, the office must, in fact, serve as the sheriff's principal or primary office.

MIKE COX
Attorney General

ELECTRIC TRANSMISSION LINE CERTIFICATION ACT: Requirement to obtain certificate of public convenience and necessity before commencing condemnation under Electric Transmission Line Certification Act

CONDEMNATION:

An electric utility company wishing to construct a transmission line must obtain a certificate of public convenience and necessity from the Michigan Public Service Commission before instituting condemnation proceedings, if, under the particular circumstances, a certificate is required by 1929 PA 69, MCL 460.501 *et seq*, or the Electric Transmission Line Certification Act, 1995 PA 30, MCL 460.561 *et seq*. Thus, a company must obtain a certificate from the Commission before commencing condemnation proceedings if:

- 1) An electric utility has 50,000 or more residential customers in this State or is an affiliated transmission company or an independent transmission company, and the line is a "major transmission line";**
- 2) An electric utility company of any size, an affiliated transmission company, or an independent transmission company voluntarily applies for a certificate for a non-major transmission line; or**

3) The construction of the transmission line falls within section 2 of 1929 PA 69, MCL 460.502.

Section 5 of 1923 PA 238, MCL 486.255, requires an independent transmission company or an affiliated transmission company to exercise its power of condemnation in accordance with applicable provisions of the Electric Transmission Line Certification Act, 1995 PA 30, MCL 460.561 *et seq.*, and the Uniform Condemnation Procedures Act, 1980 PA 87, MCL 213.51 *et seq.* To the extent a company is required by the Electric Transmission Line Certification Act to obtain a certificate of public convenience and necessity before commencing condemnation proceedings, section 3(2) of 1923 PA 238, MCL 486.253(2), requires it to do so.

A company may seek a limited license to conduct preconstruction activity on property in accordance with the terms of section 11 of the Electric Transmission Line Certification Act, MCL 460.571, and section 4 of the Uniform Condemnation Procedures Act, MCL 213.54, even though it has not yet applied to the Michigan Public Service Commission for a certificate of public convenience and necessity under the Electric Transmission Line Certification Act.

Opinion No. 7216

June 30, 2008

Honorable Bruce Caswell
State Representative
The Capitol
Lansing, Michigan

You have asked several questions regarding the issuance of a certificate of public convenience and necessity (certificate) by the Michigan Public Service Commission (Commission).

You first ask whether an electric utility company wishing to construct a transmission line is required to obtain a certificate under the Electric Transmission Line Certification Act (Certification Act), 1995 PA 30, MCL 460.561 *et seq.*, in order to condemn property.¹ This statute is one of several that apply to electric utility companies seeking to construct transmission lines. This opinion will generally address the principles of law that govern this area, but the details of each of the various statutes should be reviewed by an electric utility company before it begins any specific undertaking.²

The power to condemn private property has been conferred on electric utility companies, among others, by 1923 PA 238 (Act 238), MCL 486.251 *et seq.* Section 4 of Act 238, MCL 486.254, provides that the power of condemnation may be exercised in accordance with Act 238 by corporations organized and duly authorized to carry on the electric business as a public utility:

¹ Your first and second questions have been combined and restated as one.

² This opinion does not address the circumstances under which federal law may allow an electric utility company to condemn property and construct a transmission line without a certificate of public necessity and convenience from the Commission. See, e.g., 16 USC 824p.

Corporations heretofore lawfully organized, among other things, for any of the purposes specified in section 1 hereof; *corporations heretofore lawfully organized, or that may hereafter be lawfully organized and duly authorized to carry on the electric or gas business as a public utility* in the state of Michigan; and foreign corporations heretofore lawfully organized or that may hereafter be lawfully organized, among other things, for any of the purposes specified in section 1 hereof, and duly authorized to carry on business in the state of Michigan *shall have and are hereby given the right to condemn private property in accordance with the provisions of this act and subject to the same conditions and requirements as herein specified.* [Emphasis added.]

Section 3(2) of Act 238, MCL 486.253(2), addresses the requirement to obtain a certificate before condemnation proceedings are commenced:

If 1929 PA 9, MCL 483.101 to 483.120, 1929 PA 69, MCL 460.501 to 460.506, or the electric transmission line certification act, 1995 PA 30, MCL 460.561 to 460.575, requires a certificate of necessity to be obtained from the Michigan public service commission, then the corporation shall, before commencing any condemnation proceedings, first make application to, and obtain from the commission a certificate as required under those acts. [Emphasis and underscoring added.]

Thus, if one of these three public acts requires that a certificate be obtained from the Commission, the company must obtain that certificate before it may commence condemnation proceedings. Each of these public acts must therefore be examined to respond to your question.

1929 PA 9, MCL 483.101 *et seq.*, applies to the transportation of natural gas and not to the transmission of electricity and, accordingly, is not relevant to your question.

1929 PA 69, MCL 460.501 *et seq.*, requires a utility to obtain a certificate before it undertakes certain business in areas already served by a utility:

No public utility shall hereafter begin the construction or operation of any public utility plant or system thereof nor shall it render any service for the purpose of transacting or carrying on a local business either directly, or indirectly, by serving any other utility or agency so engaged in such local business, in any municipality in this state where any other utility or agency is then engaged in such local business and rendering the same sort of service, or where such municipality is receiving service of the same sort, until such public utility shall first obtain from the commission a certificate that public convenience and necessity requires or will require such construction, operation, service, or extension. [MCL 460.502; emphasis added.]

If this provision applies to a proposed transmission line, then section 3(2) of Act 238, MCL 486.253(2), requires that the certificate be obtained before condemnation proceedings may be commenced.

The Certification Act has several provisions requiring utilities to obtain a certificate from the Commission in connection with the proposed construction of transmission lines.

Section 2(g) and (k) of the Certification Act, MCL 460.562(g) and (k), define both a "major transmission line" and a "transmission line," as follows:

As used in this act:

* * *

(g) "Major transmission line" means a transmission line of 5 miles or more in length wholly or partially owned by an electric utility, affiliated transmission company, or independent transmission company through which electricity is transferred at system bulk supply voltage of 345 kilovolts or more.

* * *

(k) "Transmission line" means all structures, equipment, and real property necessary to transfer electricity at system bulk supply voltage of 100 kilovolts or more.

If the transmission line to be constructed is a "major transmission line," plans to construct it must be submitted in accordance with the requirements of section 4(1) of the Certification Act, MCL 460.564(1):

If an electric utility that has 50,000 or more residential customers in this state, affiliated transmission company, or an independent transmission company plans to *construct a major transmission line* in this state in the 5 years after planning commences, the electric utility, affiliated transmission company, or independent transmission company *shall submit a construction plan to the commission*. An electric utility with fewer than 50,000 residential customers in this state may submit a plan under this section.

Thus, if a major transmission line is to be constructed by an electric utility with 50,000 or more residential customers in this State, an affiliated transmission company, or an independent transmission company, the company "shall submit a construction plan to the commission." Use of the word "shall" makes submission of the plan mandatory.³

Section 4(1) of the Certification Act also permits a smaller electric utility company to voluntarily submit such a plan for a major transmission line⁴ to the Commission: "An electric utility with fewer than 50,000 residential customers in this state *may* submit a plan under this section." MCL 460.564(1).

If a plan has been submitted for a major transmission line under section 4 – whether to comply with a mandate or voluntarily – section 5 of the Certification Act, MCL 460.565, prohibits the company from beginning construction until the Commission issues a certificate⁵:

³ "The phrases 'shall' and 'shall not' are unambiguous and denote a mandatory, rather than discretionary action." *Roberts v Mecosta County Gen Hosp*, 466 Mich 57, 65; 642 NW2d 663 (2002).

⁴ Section 4(1)(a) of the Certification Act, MCL 460.564(1)(a), requires that the plan provide "[t]he general location and size of all major transmission lines to be constructed in the 5 years after planning commences."

⁵ Section 2(b) of the Certification Act, MCL 460.562(b), defines "certificate" to be "a certificate of public convenience and necessity issued for a major transmission line under this act or issued for a transmission line under section 9."

An electric utility, affiliated transmission company or independent transmission company *shall not begin construction of a major transmission line for which a plan has been submitted under section 4 until the commission issues a certificate* for that transmission line. Except as otherwise provided in section 9, a certificate of public convenience and necessity under this act is not required for constructing a new transmission line other than a major transmission line or for reconstructing, repairing, replacing, or improving an existing transmission line, including the addition of circuits to an existing transmission line. [Emphasis added.]

In part reiterating that requirement, section 7(1) of the Certification Act, MCL 460.567(1), requires application to the Commission for a certificate for a proposed major transmission line as follows:

An electric utility that has 50,000 or more residential customers in this state, an affiliated transmission company, or an independent transmission company *shall apply to the commission for a certificate for a proposed major transmission line*. An applicant may withdraw an application at any time. [Emphasis added.]

Accordingly, if a plan has been submitted for a major transmission line under section 4 of the Certification Act and an application for a certificate has been filed under section 7(1) of the Certification Act, then a company is required to obtain a certificate for a proposed major transmission line and section 3(2) of Act 238, MCL 486.253(2), prohibits the company from instituting condemnation proceedings until the Commission issues a certificate.⁶

If a transmission line is not a major transmission line, section 9(1) of the Certification Act, MCL 460.569(1), allows an electric utility company to voluntarily file an application with the Commission for a certificate for that line:

An electric utility, affiliated transmission company, or independent transmission company *may file an application with the commission for a certificate for a proposed transmission line other than a major transmission line*. *If an electric utility, affiliated transmission company, or independent transmission company applies for a certificate under this section, the electric utility, affiliated transmission company, or independent transmission company shall not begin construction of the proposed transmission line until the commission issues a certificate* for that transmission line. [Emphasis added.]

As this provision indicates, if an electric utility company chooses to seek a certificate for a non-major transmission line, it "shall not" begin construction until the commis-

⁶ Section 2(3) of the Uniform Condemnation Procedures Act, 1980 PA 87 (UCPA), MCL 213.52, reinforces section 3(2) of Act 238 by providing that, if a private agency is required by law to secure a certificate of public necessity from the Public Service Commission before it may acquire property, it must secure that certificate before it can institute condemnation proceedings:

If a private agency is required by law to secure a certificate of public necessity from the public service commission or other public agency before it may acquire property, the private agency shall not institute judicial proceedings to acquire the property until it has secured the required certificate.

Subsections (h) and (j) of section 1 of the UCPA, MCL 213.51(h) and (j), define both "private agency" and "public agency." To the extent that an electric utility company has the power to condemn property but is not part of a governmental unit or subdivision, it is a "private agency."

sion issues the certificate. Thus, once it voluntarily applies for a certificate, it is then "required" to secure it. As provided in section 3(2) of Act 238, MCL 486.253(2), that company shall obtain a certificate from the Commission "before commencing any condemnation proceedings."

It must be noted that there are good reasons for an electric utility company to voluntarily seek a certificate from the Commission. For example, section 10(2) of the Certification Act, MCL 460.570(2), bars the imposition of restrictive zoning ordinances or limitations after the application has been filed:

A zoning ordinance or limitation imposed after an electric utility, affiliated transmission company, or independent transmission company files for a certificate shall not limit or impair the transmission line's construction, operation, or maintenance.

Section 10(1) of the Certification Act, MCL 460.570(1), provides that, once issued, the certificate takes precedence over a conflicting local prohibition or regulation:

If the commission grants a certificate under this act, that certificate shall take precedence over a conflicting local ordinance, law, rule, regulation, policy, or practice that prohibits or regulates the location or construction of a transmission line for which the commission has issued a certificate.

Finally, section 10(3) of the Certification Act, MCL 460.570(3), provides that, in a condemnation proceeding, the certificate is "conclusive and binding as to the public convenience and necessity" and the compatibility of the transmission line "with the public health and safety or any zoning or land use requirements":⁷

In an eminent domain or other related proceeding arising out of or related to a transmission line for which a certificate is issued, a certificate issued under this act is conclusive and binding as to the public convenience and necessity for that transmission line and its compatibility with the public health and safety or any zoning or land use requirements in effect when the application was filed.

It is my opinion, therefore, in answer to your first question, that an electric utility company wishing to construct a transmission line must obtain a certificate of public convenience and necessity from the Michigan Public Service Commission before instituting condemnation proceedings, if, under the particular circumstances, a certificate is required by 1929 PA 69, MCL 460.501 *et seq.*, or the Electric Transmission Line Certification Act, 1995 PA 30, MCL 460.561 *et seq.* Thus, a company must obtain a certificate from the Commission before commencing condemnation proceedings if:

- 1) An electric utility has 50,000 or more residential customers in this State or is an affiliated transmission company or an independent transmission company, and the line is a "major transmission line";
- 2) An electric utility company of any size, an affiliated transmission company, or an independent transmission company voluntarily applies for a certificate for a non-major transmission line; or

⁷ It is not within the scope of this opinion to address the requirement of Const 1963, art 10, § 2: "In a condemnation action, the burden of proof is on the condemning authority to demonstrate, by the preponderance of the evidence, that the taking of a private property is for a public use"

3) The construction of the transmission line falls within section 2 of 1929 PA 69, MCL 460.502.

You next ask whether section 5 of Act 238, MCL 486.255, requires a company to follow the provisions of the Certification Act regarding certification before initiating condemnation proceedings.

Section 5 of Act 238 authorizes an independent transmission company or an affiliated transmission company to condemn property, but it makes the exercise of that power subject to the Certification Act and the Uniform Condemnation Procedures Act (UCPA), 1980 PA 87, MCL 213.51 *et seq.*⁸ Section 5 provides:

(1) Subject to the electric transmission line certification act, 1995 PA 30, MCL 460.561 to 460.575, and the uniform condemnation procedures act, 1980 PA 87, MCL 213.51 to 213.75, an independent transmission company or an affiliated transmission company shall have the power to condemn property that is necessary to transmit electric energy for public use except for both of the following:

(a) An independent transmission company or affiliated transmission company shall not circumvent a private agreement that existed on [July 12, 2004] under which the independent transmission company or affiliated transmission company leases rights-of-way for its electric transmission facilities from the utility.

(b) An independent transmission company or affiliated transmission company shall not condemn property owned by an electric or gas utility or municipally owned utility in a manner which unreasonably disrupts the ability of the electric or gas utility or municipally owned utility to continue to provide service to its customers. If a dispute exists under this subdivision, the condemnation shall not proceed until the Michigan public service commission determines that no unreasonable disruption is involved. [MCL 486.255(1)(a) and (b).]

By granting the power of condemnation "subject to" the two named public acts, the Legislature has required that the company comply with any applicable terms of those two acts in its exercise of the condemnation power.⁹ To the extent that the certification requirements of the Certification Act apply to a given undertaking, the company is required to comply with those requirements to exercise the power of condemnation. Section 5 of Act 238 does not purport to impose additional certification requirements beyond those imposed by the Certification Act.¹⁰

⁸ The UCPA sets forth the standards and procedures to be followed in regard to condemnation proceedings; it does not, by its own terms, impose any requirement to obtain a certificate. Section 2(3) of the UCPA, MCL 213.52, does require a private agency to comply with any certification requirements imposed by any other law.

⁹ "Random House Webster's College Dictionary (2001 ed), defines 'subject' when used as an adjective in six ways. The most applicable is the fourth definition, 'dependent upon something (usu. fol. by to): *His consent is subject to your approval.*' This definition, in essence, gives to the word 'subject' the meaning, 'dependent upon.'" *Mayor of the City of Lansing v Public Service Comm'n*, 470 Mich 154, 160; 680 NW2d 840 (2004).

¹⁰ As indicated in n 6, the UCPA does not impose a requirement that a utility secure a certificate from the Public Service Commission; it requires that, if a private agency is required by law to obtain such a certificate before commencing condemnation proceedings, it must do so.

As section 5 of Act 238 provides, the company's exercise of the condemnation power is also subject to the UCPA. That is a detailed and complex law that must be reviewed and applied to the particular circumstances of any given condemnation proceeding. A few general observations will illustrate some of the rights that a property owner has under the UCPA.

Before a company can even begin negotiations to acquire property under the UCPA, it must first establish the amount it believes to be just compensation and give the owner a written good faith offer to purchase the property for that full amount. If the company had an appraisal prepared, the owner and its attorney have a right to review it. If no appraisal was prepared, the company must provide a written statement and summary showing the basis for the amount established as just compensation and allow the owner and attorney to review it. MCL 213.55. To help in the negotiations and serve as an expert witness in a condemnation trial, the property owner may hire its own appraiser to value the property and demand that the company pay the appraiser's fees, as part of any agreed settlement, or reimburse the reasonable fees charged by the appraiser, at the conclusion of a condemnation lawsuit. MCL 213.66. If the owner might be required to move because of the taking of its property, the company must provide a written explanation of the owner's legal rights, including its entitlement to being paid a moving allowance. MCL 213.55. Only after negotiations between the company and owner have proved unsuccessful may the company file a lawsuit to condemn the property. MCL 213.55.

The condemnation lawsuit must be filed in a county where the property is located. MCL 213.55. With certain exceptions, the court will order that the owner be paid the estimated just compensation before the owner must surrender possession of the property. MCL 213.58 and MCL 213.59. If the lawsuit is not dismissed upon a legal challenge made by the property owner, the case will progress to a trial. MCL 213.56. The owner may demand that the amount of its just compensation be determined by a jury after it hears the appraisal testimony of the company and of the owner. MCL 213.62. Once an award of just compensation is made, the court may divide it among the parties who have an interest in the property. MCL 213.63. The owner is entitled to receive interest for the part of the award that exceeds the amount of estimated just compensation previously paid by the company. MCL 213.65. The company will also be required to reimburse the owner's reasonable attorney fees, up to one-third of the difference between the ultimate award (including interest) and the amount of the written good faith offer. MCL 213.66.

It is my opinion, therefore, in answer to your question, that section 5 of 1923 PA 238, MCL 486.255, requires an independent transmission company or an affiliated transmission company to exercise its power of condemnation in accordance with applicable provisions of the Electric Transmission Line Certification Act, 1995 PA 30, MCL 460.561 *et seq.*, and the Uniform Condemnation Procedures Act, 1980 PA 87, MCL 213.51 *et seq.* To the extent a company is required by the Electric Transmission Line Certification Act to obtain a certificate of public convenience and necessity before commencing condemnation proceedings, section 3(2) of 1923 PA 238, MCL 486.253(2), requires it to do so.

Your final question asks whether a company that has not applied for or obtained a certificate under the Certification Act may seek and obtain a limited license for pre-construction activities as described in section 11 of the Certification Act, MCL 460.571.

Before addressing your specific question, it would be useful to explain the nature and purpose of a limited license that an electric utility company might seek under section 11 of the Certification Act, as well as to explain the rights of the property owner.

Section 11 allows an electric utility, affiliated transmission company, or independent transmission company to seek a limited license to enter upon private property "to conduct preconstruction activity," defined as:

"Preconstruction activity" means any activity on a proposed route conducted before construction of a transmission line begins. Preconstruction activity includes surveys, measurements, examinations, soundings, borings, sample-taking, or other testing procedures, photography, appraisal, or tests of soil, groundwater, structures, or other materials in or on the real property for contamination. Preconstruction activity does not include an action that permanently or irreparably alters the real property on or across the proposed route. [MCL 460.562(i).]

The company may seek that license under section 4 of the UCPA, MCL 213.54(3), which provides in part regarding its purpose:

An agency¹¹ or an agent or employee of an agency may enter upon property before filing an action for the purpose of making surveys, measurements, examinations, tests, soundings, and borings; taking photographs or samplings; appraising the property; conducting an environmental inspection; conducting archaeological studies pursuant to section 106 of title I of the national historic preservation act, Public Law 89-665, 16 U.S.C. 470f; or determining whether the property is suitable to take for public purposes.

Section 11 of the Certification Act, MCL 460.571, imposes restrictions on limited licenses to protect the interests of the property owner and provides that the court may grant the license "upon such terms as justice and equity require":

The limited license may be granted upon such terms as justice and equity require. An electric utility, affiliated transmission company, or independent transmission company that obtains a limited license shall provide each affected land owner with a copy of the limited license. A limited license shall include a description of the purpose of entry, the scope of activities permitted, and the terms and conditions of entry with respect to the time, place, and manner of entry. [MCL 460.571.]

Section 4(4) of the UCPA contains similar requirements and mandates that the entry onto the property be done "in a manner that minimizes any damage to the property and any hardship, burden, or damage" to the person possessing the property:

The court may grant a limited license for entry upon such terms as justice and equity require, including the following:

- (a) A description of the purpose of the entry.
- (b) The scope of activities that are permitted.
- (c) The terms and conditions of the entry with respect to the time, place, and manner of the entry.

¹¹ The word "agency" "means a public agency or private agency." MCL 213.51(c). The term includes an electric utility company that has the power to condemn property. See n 6.

(5) An entry made under subsection (3) or (4) shall be made in a manner that minimizes any damage to the property and any hardship, burden, or damage to a person in lawful possession of the property. [MCL 213.54.]

Section 4(3) of the UCPA ensures that, if damages are done to the property, the company that gets the limited license will pay them; it also gives additional rights to the owner:

The entry may be made upon reasonable notice to the owner and at reasonable hours. An entry made pursuant to this subsection shall not be construed as a taking. The owner or his or her representative shall be given a reasonable opportunity to accompany the [company's] agent or employee during the entry upon the property. The [company] shall make restitution for actual damage resulting from the entry. [MCL 213.54.]

To specifically address your final question – whether a company that has not applied for or obtained a certificate under the Certification Act may receive a limited license for preconstruction activities as described in section 11 of the Certification Act, MCL 460.571 – it is necessary to review the relevant text of that section:

In a civil action in the circuit court under section 4 of the uniform condemnation procedures act, 1980 PA 87, MCL 213.54, *the court may grant a limited license* to an electric utility, affiliated transmission company, or independent transmission company for entry on land to conduct preconstruction activity related to a proposed major transmission line or a transmission line *if the electric utility, affiliated transmission company, or independent transmission company has scheduled or held a public meeting in connection with a certificate sought under section 7 or 9 and if written notice of the intent to enter the land has been given to each affected landowner* on whose property the electric utility, affiliated transmission company, or independent transmission company wishes to enter. [MCL 460.571; emphasis added.]

This provision allows a circuit court to grant a limited license for entry on land to conduct preconstruction activity related to a proposed major transmission line or a transmission line if two conditions are met. First, the electric utility, affiliated transmission company, or independent transmission company must have scheduled or held a public meeting. Second, the company must have given written notice of intent to enter the land to each affected landowner on whose property the company wishes to enter.

A clarification is needed because of the apparent inconsistency between the requirement in section 11 that the public meeting be scheduled or held "in connection with a certificate *sought* under section 7 or 9" and the requirement in the Certification Act that the public meeting be scheduled or held *before* application is made for a certificate. Specifically, section 6(1) of the Certification Act requires an electric utility, affiliated transmission company, or independent transmission company, before applying for a certificate, to schedule and hold a public meeting in each municipality through which the proposed line would pass:

Before applying for a certificate under section 5, an electric utility, affiliated transmission company, or independent transmission company *shall schedule and hold a public meeting* in each municipality through which a proposed major transmission line for which a plan has been submitted under section 4 would pass. A public meeting held in a township satisfies the requirement that a pub-

lic meeting be held in each affected village located within the township. [MCL 460.566(1); emphasis added.]

Additionally, section 11(b) of the Certification Act, MCL 460.571(b), provides that a court shall not deny a limited license because the company has not yet applied for a certificate:

The court shall not deny a limited license for entry to conduct preconstruction activity¹² for any of the following reasons:

* * *

(b) The electric utility, affiliated transmission company, or independent transmission company has not yet applied for a certificate.

Section 7(2) of the Certification Act, MCL 460.567(2), sets forth the required content of an application for a certificate, providing in part:

An application for a certificate shall contain all of the following:

* * *

(b) A detailed description of the proposed major transmission line, its route, and its expected configuration and use.

(c) A description and evaluation of 1 or more alternate major transmission line routes and a statement of why the proposed route was selected.

* * *

(e) The estimated overall cost of the proposed major transmission line.

The purposes for seeking a limited license under section 4(3) of the UCPA to enter upon land include the gathering of information needed to appraise the property to determine its likely cost and to generally determine whether the property is suitable:

An agency or an agent or employee of an agency may enter upon property before filing an action for the purpose of making surveys, measurements, examinations, tests, soundings, and borings; taking photographs or samplings; appraising the property; conducting an environmental inspection; conducting archaeological studies pursuant to section 106 of title I of the national historic preservation act, Public Law 89-665, 16 U.S.C. 470f; or determining whether the property is suitable to take for public purposes. [MCL 213.54(3).]

Such an evaluation would be needed to decide upon the best route for the proposed transmission line and the likely cost of acquiring the property interests needed for it. This is information needed before an application for a certificate can be completed in accordance with section 7(2) of the Certification Act, MCL 460.567(2).

¹² "Preconstruction activity" is a defined term in section 2(i) of the Certification Act, MCL 460.562(i); it includes the activities that would be conducted under a limited license obtained pursuant to section 4 of the UCPA. MCL 213.54.

In determining the meaning of the word "sought" in MCL 460.571 found in the phrase "if the electric utility, affiliated transmission company, or independent transmission company has scheduled or held a public meeting in connection with a certificate *sought* under section 7 or 9," the appropriate principles of statutory construction must be applied.

Since the word "sought" is not defined in the Certification Act, it is appropriate to use a dictionary definition. In doing so, the definition should be selected that is contextually related to the language that surrounds the word to be defined. *G C Timmis & Co v Guardian Alarm Co*, 468 Mich 416, 430, n 12; 662 NW2d 710 (2003). The word "sought" is generally defined as the past tense and past participle of the word "seek." Given that section 6(1) of the Certification Act expressly requires that the company schedule and hold a public meeting *before* applying for a certificate, the definition of "seek" that best fits these circumstances is "to try to acquire."¹³ That is, the company will have begun the process of trying to acquire a certificate, and the scheduling and holding of a public meeting is a part of that undertaking, even though the company may not have actually applied for the certificate when it seeks a limited license under section 11 of the Certification Act. It would frustrate the intent of the Legislature by contradicting the plain and unambiguous language of sections 6(1) and 11(b) of the Certification Act to construe the word "sought" in section 11 of the Certification Act to mean that the company must have already applied for the certificate.

It is an established principle of statutory construction that a court will examine all the relevant provisions of the statutes with the goal of producing a consistent and harmonious result. *Eyde Bros Development Co v Eaton County Drain Comm'r*, 427 Mich 271, 293; 398 NW2d 297 (1986). As explained in *Tyler v Livonia Pub Schools*, 459 Mich 382, 390-391; 590 NW2d 560 (1999):

Contextual understanding of statutes is generally grounded in the doctrine of *noscitur a sociis*: "it is known from its associates," see Black's Law Dictionary (6th ed), p 1060. This doctrine stands for the principle [of interpretation] that a word or phrase is given meaning by its context or setting.

Under the doctrine of *noscitur a sociis*, a phrase must be read in context and in light of the phrases around it, not in a vacuum. Simply stated, its context gives it meaning. *Apsey v Memorial Hosp*, 477 Mich 120, 130; 730 NW2d 695 (2007). These rules recognize that "[a]lthough a phrase or a statement may mean one thing when read in isolation, it may mean something substantially different when read in context." *G C Timmis & Co v Guardian Alarm Co*, 468 Mich at 421.

It is my opinion, therefore, in answer to your final question, that a company may seek a limited license to conduct preconstruction activity on property in accordance with the terms of section 11 of the Electric Transmission Line Certification Act, MCL 460.571, and section 4 of the Uniform Condemnation Procedures Act, MCL 213.54, even though it has not yet applied to the Michigan Public Service Commission for a certificate of public convenience and necessity under the Electric Transmission Line Certification Act.

MIKE COX
Attorney General

¹³ www.Merriam-Webster.com/dictionary.

CONST 1963, ART 1, § 24: Purposes for which revenues in the Crime Victim's Rights Fund may be used**CRIME VICTIMS:****LEGISLATURE:****CRIME VICTIM'S RIGHTS FUND ACT:**

Const 1963, art 1, § 24 does not create a constitutionally dedicated fund or itself restrict the purposes for which monies in the Crime Victim's Rights Fund created under the Crime Victim's Rights Fund Act, 1989 PA 196, MCL 780.901 *et seq*, may be used. Standing alone, art 1, § 24 does not prevent the Legislature from using revenues in excess of those needed to pay for crime victim rights, for other purposes. However, the Legislature should be aware of the limitations imposed by Const 1963, art 8, § 9, which requires that fines assessed for any breach of the penal laws be used to support libraries. If excess revenue in the Crime Victim's Rights Fund is used for purposes other than to enforce and pay for the crime victim rights enumerated in art 1, § 24, the use could face scrutiny to determine if the assessments conflict with art 8, § 9 or other constitutional provisions.

Opinion No. 7217

July 8, 2008

Honorable Bruce Caswell
State Representative
The Capitol
Lansing, MI 48909

You have asked a series of questions concerning the Crime Victim's Rights Fund (Fund) created by the Crime Victim's Rights Fund Act (Act), 1989 PA 196, MCL 780.901 *et seq*. You first ask whether assessment revenue collected in the Fund may be used to fund services beyond those services necessary or reasonably related to the specific crime victim rights enumerated in Const 1963, art 1, § 24.

You state that your questions are prompted by the introduction of House Bill 5355, which would expand the purposes for which money in the Fund could be spent to include the sex offender registry, the Amber alert missing child notification system, prevention and treatment services for sexual assault victims, and costs associated with polygraph examinations and forensic science expert witness testimony.¹

Const 1963, art 1, § 24, was added to the Michigan Constitution in 1988 to afford crime victims certain constitutionally protected rights to be enforced by laws enacted by the Legislature:

1) Crime victims, *as defined by law*, shall have the following rights, *as provided by law*:

¹ Because the Attorney General typically does not opine on pending legislative bills, this opinion will not specifically address HB 5355. See OAG, 2007-2008, No 7203, p 41, n 4 (April 25, 2007). Rather, it will attempt to provide guiding principles that can be used more broadly to address issues presented by HB 5355 as well as future proposed legislation.

The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process.

The right to timely disposition of the case following arrest of the accused.

The right to be reasonably protected from the accused throughout the criminal justice process.

The right to notification of court proceedings.

The right to attend trial and all other court proceedings the accused has the right to attend.

The right to confer with the prosecution.

The right to make a statement to the court at sentencing.

The right to restitution.

The right to information about the conviction, sentence, imprisonment, and release of the accused.

(2) The legislature *may provide by law* for the enforcement of this section.

(3) The legislature may provide for an assessment against convicted defendants to pay for crime victims' rights. [Emphasis added.]

Const 1963, art 1, § 24(3), thus, empowers the Legislature to impose an assessment on convicted defendants to pay for certain enumerated crime victims' rights. To accomplish that purpose, the Crime Victim's Rights Fund is created by section 4 of the Act "as a separate fund in the state treasury." MCL 780.904(1). The State Treasurer "shall credit to the fund all amounts received under this act and as provided by law." MCL 780.904(1). The Treasurer is directed to invest money in the Fund and all earnings from the Fund must be credited to the Fund.

Assessment revenue is provided for under section 5 of the Act:

The court shall order each person charged with an offense that is a felony, a serious misdemeanor, or a specified misdemeanor, that is resolved by conviction, by assignment of the defendant to youthful trainee status, by a delayed sentence or deferred entry of judgment of guilt, or in another way that is not an acquittal or unconditional dismissal *to pay an assessment.* [MCL 780.905(1); emphasis added.]

The revenue generated by the Act is the result of an assessment of \$60 imposed on each person convicted of a felony, \$50 on those convicted of certain misdemeanors, and \$20 on some juvenile offenders. MCL 780.905(1)(a) and (b) and (3). MCL 780.905(4) states that "[e]xcept as otherwise provided under this act, an assessment under this section shall be used to pay for crime victim's rights services." MCL 780.901(b) defines crime victim's rights services as "services required to implement fully the crime victim's rights act [1985 PA 87]."² The Crime Victims Services

² The Crime Victim's Rights Act (CVRA), 1985 PA 87, MCL 780.751 *et seq.*, together with art 1, § 24, "underscore the rights of crime victims . . . in Michigan." *People v Peters*, 449 Mich 515, 524; 537 NW2d 160 (1995). The CVRA, while enacted before art 1, § 24 was adopted, is regarded as one of the statutes that implements the crime victim rights afforded by art 1, § 24. See *People v Cobbs*, 443 Mich 276, 285, n 8; 505 NW2d 208 (1993).

Commission³ has the duty to "[i]nvestigate and determine the amount of revenue needed to pay for crime victim's rights services." MCL 780.903(a). You advise that the Crime Victims Services Commission will adequately fund the crime victim's rights services as required by the Act. Your concern is with use of the "excess" revenue.⁴

As a general rule, if the use of a fund is not constitutionally restricted, the fund is subject to the control of the Legislature. This principle was explained in *Michigan Sheriffs' Ass'n v Dep't of Treasury*, 75 Mich App 516; 255 NW2d 666 (1977), in which the Sheriffs' Association challenged a transfer of funds from the Marine Safety Fund to the State Waterways Fund, arguing that fees collected by the State and placed in a fund established for a specified purpose could not be utilized for any other purpose. The Court of Appeals disagreed, explaining that a fund does not become immune from appropriation merely by designating a purpose for which it may be expended. *Id.*, at 529. The Court, relying on case authority from other states, concluded that the fact that the Legislature may provide that amounts, when collected, shall be placed in a certain fund does not ordinarily preclude a later Legislature from ordering it paid into another fund or from abolishing it altogether.⁵ *Id.*, at 528-529 quoting *Dep't of Public Welfare v Haas*, 15 Ill 2d 204; 154 NE2d 265 (1958). In so ruling, however, the Court emphasized that a fund *would* become immune from transfer or diversion by a subsequent Legislature if the diversion impaired a contractual or trust obligation, such as arises where the State holds retirement funds or funds obtained to repay specific indebtedness such as revenue bonds, or if the diversion conflicted with a constitutional provision. *Id.*, at 529-530.⁶

³ The Crime Victims Services Commission was originally created by 1976 PA 223, MCL 18.351 *et seq.* Then named the Crime Victims Compensation Board, it was situated within the Michigan Department of Management and Budget. It obtained its current name in 1996 PA 519 and was later transferred to the Michigan Department of Community Health by Executive Order 1997-10 (identified as E.R.O. 1997-9 and compiled at MCL 780.921).

⁴ HB 5355 proposes to use only the excess assessment balance to fund the proposed law enforcement initiatives. In the context of your question, excess revenue is the money that has been determined by the Crime Victims Services Commission not to be necessary to pay for crime victim's rights services. MCL 780.903(a). To further clarify the meaning of "excess" monies as used in this opinion, it warrants mentioning that the Legislature sets the parameters within which crime victims are compensated for their losses and provided other services. For example, certain property losses suffered by crime victims are not compensable, nor are losses that exceed \$15,000 in amount or burial expenses that exceed \$2,000. See MCL 18.361.

⁵ "[O]ne legislature cannot limit the power of successor legislatures to appropriate funds." *Frederick v Presque Isle County Circuit Judge*, 439 Mich 1, 14; 476 NW2d 142 (1991), citing *Harsha v Detroit*, 261 Mich 586, 590; 246 NW 849 (1933). The *Sheriff's Ass'n* case was followed by the Iowa Supreme Court in *Des Moines Metropolitan Area Solid Waste Agency v Branstad*, 504 NW2d 888, 890; 1993 Iowa Sup LEXIS 198 (1993).

⁶ OAG, 1979-1980, No 5558, p 380, 381-382 (September 10, 1979), applied the holding in *Michigan Sheriffs' Ass'n* to a transfer of constitutionally protected funds. Attorney General Frank J. Kelley opined that an executive or legislative transfer, diversion, or final appropriation of road program funds to programs other than road programs would be in direct contravention of Const 1963, art 9, § 9, which specifies the purposes for which those funds may be used. See also OAG, 1997-1998, No 6971, p 112 (January 29, 1998), tracing the history of funding for the Michigan Veterans' Trust Fund from statutorily based to constitutionally based and the different limitations applicable to each.

As its plain language reveals, art 1, § 24 does not create a dedicated fund or speak in terms limiting the Legislature's power in this area.⁷ To the contrary, the emphasized language in art 1, § 24 subsection (1) expressly empowers the Legislature to "defin[e] by law" who shall qualify as a crime victim and to "provid[e] by law" for the nine enumerated rights.

Similarly, under subsection (2), the Legislature may "provide by law for the enforcement" of art 1, § 24. The implementation details are left to the Legislature's discretion. But it is for the courts to determine whether the Legislature has implemented art 1, § 24 consistent with the meaning of its terms. *WPW Acquisition Co v City of Troy*, 466 Mich 117, 125-126; 643 NW2d 564 (2002). Therefore, to the extent that the Legislature intends to authorize uses of the Fund to pay for the constitutionally enumerated crime victim's rights, it must consider whether each proposed use is within the language of art 1, § 24, given the principles of constitutional construction that guide the Court.

The primary rule of constitutional construction is to give effect to the intent of the people of the State of Michigan who ratified the Constitution by applying what is known as the rule of common understanding. *Wayne County v Hathcock*, 471 Mich 445, 468; 684 NW2d 765 (2004).

Whether any given use of the Crime Victim's Rights Fund is within the purposes of art 1, § 24 will turn on whether that use fairly comports with the description of the enumerated rights. The courts must ultimately determine whether what the Legislature has done meets the constitutional standard. *Goldstone v Bloomfield Twp Public Library*, 479 Mich 554, 562, n 6; 737 NW2d 476 (2007). Where the Court finds that the Legislature has acted reasonably in the implementation of a constitutional provision, consistent with the meaning of its terms, the Court will defer to the judgment of the Legislature. *Id.*, at 565.

If, as your question suggests, the Legislature should authorize excess revenue in the Crime Victim's Right Fund to be spent for purposes other than those enumerated in art 1, § 24, consideration must then be given to Const 1963, art 8, § 9 and the case law interpreting it.

Const 1963, art 8, § 9 strictly limits the purposes for which "fines assessed" for a breach of the penal laws may be used:

The legislature shall provide by law for the establishment and support of public libraries which shall be available to all residents of the state under regulations adopted by the governing bodies thereof. *All fines assessed and collected in the several counties, townships and cities for any breach of the penal laws shall be exclusively applied to the support of such public libraries, and county law libraries as provided by law.* [Emphasis added.]

Art 8, § 9 requires all penal fines to be exclusively applied to the support of libraries, and art 1, § 24 authorizes assessments against convicted defendants to support crime victim rights. When two provisions of the Constitution appear to conflict,

⁷ In contrast, see Const 1963, art 9, §§ 37-39, which provide details concerning the Michigan Veterans' Trust Fund. Examples of constitutionally dedicated funds include the transportation fund, Const 1963, art 9, § 9, and the state school aid fund, Const 1963, art 9, § 11.

it is the court's duty to reconcile them as far as possible with an eye to accomplish the result intended by the pertinent sections when construed together. *Kunzig v Liquor Control Comm*, 327 Mich 474, 480-481; 42 NW2d 247 (1950). Here, while art 8, § 9 requires that penal fines be applied to the support of libraries, to the extent the assessment authorized under art 1, § 24 could arguably be regarded as a "penal fine," art 1, § 24 can be harmonized with art 8, § 9 as providing an express exception to the otherwise applicable general rule.

The question remains whether assessments imposed on convicted defendants may be used for purposes other than paying for and enforcing the crime victim rights enumerated in art 1, § 24. Under art 8, § 9, the Legislature is not free to make its own disposition of "penal fines" or to allow charges against "penal fines" for expenses. *Saginaw Public Libraries Bd v Judges of the 70th Dist Court*, 118 Mich App 379, 388-389; 325 NW2d 777 (1982). Moreover, whether a particular charge is named a "cost" or "fee" or "assessment" or "fine" is not determinative of its character; rather, its substantive nature will control whether it is a "penal fine" that must be applied to the support of libraries. As explained by the Court in *People v Barber*, 14 Mich App 395, 401; 165 NW2d 608 (1968), "legislative labeling cannot preclude judicial determination, or excuse a court from its responsibility to give realistic construction to terms employed in statutes." The Court in *Saginaw Public Libraries* further instructed, however, that nothing in the history of art 8, § 9 or its predecessors requires all sums of money received for violations of state law to be "fines" within the meaning of the constitutional provision.

In the *Barber* case, the Court struck down as violative of art 8, § 9 a statute that imposed an "assessment" in an amount equal to ten percent of every fine, penalty, and forfeiture imposed and collected by the courts for most criminal offenses to be deposited into the law enforcement officers training fund. The Court explained that costs, to be taxable as costs and not penal fines payable to the support of libraries, must bear some direct relation to actual costs incurred in a given prosecution. 14 Mich App at 402. The Court also expressed the concern that any effort to require the courts to collect assessments from criminal defendants that were not penal fines or costs bearing some direct relationship to the costs incurred in prosecution could place the courts in a tax-collecting role in violation of the governmental separation of powers as set forth in Const 1963, art 3, § 2.⁸ 14 Mich App at 405. Subsequently, the Court in *Saginaw Public Libraries* distinguished the *Barber* case and determined that a \$5 judgment fee was compensatory in nature and not a "penal fine" within the meaning of art 8, § 9 to the extent it represented a "reasonable base cost by the state, under a statute permitting its collection in a fixed amount." 118 Mich App at 389-390.

Thus, while not all revenues collected by the courts in connection with violations of the State's penal laws must be applied to support libraries according to the *Saginaw Public Libraries* case, to the extent such revenues are not used to pay for the crime victims' rights enumerated in art 1, § 24, the "assessments" imposed on each person convicted of a felony, certain misdemeanors, and other offenses pursuant to

⁸ Const 1963, art 3, § 2 states: "The powers of government are divided into three branches: legislative, executive and judicial. No person exercising powers of one branch shall exercise powers properly belonging to another branch except as expressly provided in this constitution."

the Act could face scrutiny to determine whether they are "fines assessed . . . for any breach of the penal laws" within the meaning of art 8, § 9. If the particular use of the Fund's revenues does not reasonably implement art 1, § 24, the expenditure may be found to violate art 8, § 9, if not applied to the support of public libraries and county law libraries, or art 3, § 2.⁹

It is my opinion, therefore, in answer to your first question, that Const 1963, art 1, § 24 does not create a constitutionally dedicated fund or itself restrict the purposes for which monies in the Crime Victim's Rights Fund created under the Crime Victim's Rights Fund Act, 1989 PA 196, MCL 780.901 *et seq.*, may be used. Standing alone, art 1, § 24 does not prevent the Legislature from using revenues in excess of those needed to pay for crime victim rights, for other purposes. However, the Legislature should be aware of the limitations imposed by Const 1963, art 8, § 9, which requires that fines assessed for any breach of the penal laws be used to support libraries. If excess revenue in the Crime Victim's Rights Fund is used for purposes other than to enforce and pay for the crime victim rights enumerated in art 1, § 24, the use could face scrutiny to determine if the assessments conflict with art 8, § 9 or other constitutional provisions.

This answer to your first question makes response to your remaining questions unnecessary.

MIKE COX
Attorney General

⁹ The Crime Victim's Rights Fund receives money not only from assessments pursuant to section 5 of the Act, MCL 780.905, but also from federal criminal fines. See: Crime Victim Services Commission Annual Report FY 2006, http://www.michigan.gov/documents/Ar99-00_9713_7.PDF (last checked June 6, 2008), p 3; 18 USC 3663(c). Care must, therefore, also be taken to ensure that there is no diversion of federal monies from the Fund.

CHARTER SCHOOLS: State school aid "per pupil funding" paid to charter schools upon expiration of authorizing contract**PUBLIC SCHOOL ACADEMIES:****REVISED SCHOOL CODE:****STATE SCHOOL AID ACT:**

A public school academy may continue to receive its current fiscal year allotment of state school aid "per-pupil funding" after the contract issued by the authorizing body expires if the public school academy has provided the required minimum hours of pupil instruction prior to the expiration of the contract. Eligibility to receive funding is to be determined in accordance with the facts existing at the time the contract expires and consistent with section 101 of the State School Aid Act, MCL 388.1701.

Opinion No. 7218

August 12, 2008

Honorable Lisa Wojno
State Representative
The Capitol
Lansing, MI

You have asked whether a public school academy may continue to receive state school aid "per-pupil funding" after the contract issued by its authorizing body expires.

The Revised School Code, 1976 PA 451, MCL 380.1 *et seq.*, provides for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts. In 1993 PA 362, the Legislature enacted Part 6A of the Revised School Code, MCL 380.501 – 380.507, governing public school academies. Public school academies are commonly referred to as "charter schools."

Section 501(1) of the Revised School Code, MCL 380.501(1), defines a public school academy as a "public school" and a "school district" for purposes of state school aid. In order to organize and operate a public school academy, section 502(3) of the Revised School Code, MCL 380.502(3), requires a person or entity to obtain a contract from an authorizing body.¹ Section 501(2)(d) of the Revised School Code, MCL 380.501(2)(d), defines "contract" to mean "the executive act taken by an authorizing body that evidences the authorization of a public school academy" and

¹ The term "authorizing body" means any of the following that issues a contract as provided in Part 6A: (i) the board of a school district that operates grades K to 12; (ii) an intermediate school board; (iii) the board of a community college; and (iv) the governing board of a state public university. MCL 380.501(2)(a).

that "confirm[s] the status of a public school academy as a public school in this state." This contract is often referred to as a "charter."²

The State School Aid Act, 1979 PA 94, MCL 388.1601 *et seq.*, governs the appropriation, allocation, and distribution of state funds to local school districts and public school academies. Each year, the Legislature and the Governor approve the school aid budget for the next state fiscal year. Section 3(6) of the State School Aid Act, MCL 388.1603(6), includes public school academies in the definition of "district." Under section 20(6) of the State School Aid Act, MCL 388.1620(6), a public school academy is eligible to receive state education money such as the foundation allowance that is calculated on a per-pupil basis.

You ask whether a public school academy may continue to receive state school aid "per-pupil funding" after the contract issued by the authorizing body expires. Public school academy contracts or charters that are not renewed often expire on June 30, the end of the "school fiscal year." Reading all the above provisions together, if a public school academy's charter expires, it would not be entitled to receive state school aid money for the next state fiscal year because it would no longer be a public school or school district under the Act or the Revised School Code.

Whether a public school academy may continue to receive state school aid attributable to the fiscal year in which its contract expires presents a different question. Appropriations under the State School Aid Act are made on a "fiscal year" basis. Section 4(3) of the State School Aid Act, MCL 388.1604(3), defines "fiscal year" to mean "the state fiscal year that commences October 1 and continues through September 30." But public schools operate on a "school fiscal year." Section 6(11) of the State School Aid Act, MCL 388.1606(11), defines the "school fiscal year" as "a fiscal year that commences July 1 and continues through June 30." In accordance with section 17b of the State School Aid Act, MCL 388.1617b, a public school academy's total allotment of the fiscal year school aid payments are distributed in 11 installments on the 20th of each month commencing in October and ending in August. Although the school fiscal year ends June 30, section 17b(1) of the State School Aid Act, MCL 388.1617b(1), directs that payments received in July and August are for the preceding school fiscal year ending June 30.

The total amount of a public school academy's foundation allowance for a given year is based on the number of pupils in "membership." Section 6(4) of the State School Aid Act, MCL 388.1606(4), defines membership for a public school academy as 75% of the full-time students in regular attendance on the membership count day for the current school year plus 25% of the count from the previous supplemental count day. Section 101(3)(a) of the State School Aid Act, MCL 388.1701(3)(a), requires that each district provide at least 1,098 hours of pupil instruction to be entitled to its total state aid allocation. Section 101(6) of the State School Aid Act, MCL

² MCL 380.502(6) provides:

An authorizing body shall not charge a fee, or require reimbursement of expenses, for considering an application for a contract, for issuing a contract, or for providing oversight of a contract for a public school academy in an amount that exceeds a combined total of 3% of the total state school aid received by the public school academy in the school year in which the fees or expenses are charged. An authorizing body may provide other services for a public school academy and charge a fee for those services, but shall not require such an arrangement as a condition to issuing the contract authorizing the public school academy.

388.1701(6), provides that the district forfeits from its remaining installments in the current fiscal year a proportion of the funds due to the district if it fails to comply with the required minimum hours of pupil instruction.

The language used by the Legislature in all these statutes is plain and unambiguous. Accordingly, construction is neither necessary nor permitted, and the provisions must be enforced as written. *Lash v Traverse City*, 479 Mich 180, 187; 735 NW2d 628 (2007).

Thus, a public school academy's eligibility to continue to receive current fiscal year state school aid "per-pupil funding" after the contract issued by the authorizing body expires is to be determined in accordance with the facts existing at the time the contract expires and consistent with section 101 of the State School Aid Act, MCL 388.1701. A public school academy that has provided the required minimum hours of pupil instruction prior to expiration of the contract is entitled to receive its total state aid allocation for the fiscal year under MCL 388.1701(3). This includes any installments distributed after the expiration of the contract. A public school academy that has not provided the required minimum hours of pupil instruction prior to expiration of the contract is not entitled to receive its total state aid allocation. It may still be eligible to receive state school aid payments, however, if the amount it has received when the contract expires is less than its current fiscal year state aid allocation as adjusted for the amount forfeited under section 101(6) of the State School Aid Act, MCL 388.1701(6).

As a charter school winds down its operations, it is instructive to note that any school aid payments received after the public school academy's contract expires must be applied to pay the reasonable debts incurred in the operation of the public school academy. Section 18(1) of the State School Aid Act, MCL 388.1618(1), requires money received under the act to be applied to salaries and other compensation of teachers and other employees, supplies, and school operating expenditures. The Michigan Department of Education may also withhold funds in accordance with sections 7 and 18(1) of the State School Aid Act, MCL 388.1607 and MCL 388.1618(1), if it determines expenditures are not reasonable. Finally, under section 18b(1) of the State School Aid Act, MCL 388.1618b(1), the public school academy is required to transfer the remaining funds and property "acquired substantially" with school aid funds to the State. MCL 388.1816b directs the State Treasurer to deposit in the State School Aid Fund the money transferred to the State and the net proceeds from the sale of any property transferred to the State.

It is my opinion, therefore, that a public school academy may continue to receive its current fiscal year allotment of state school aid "per-pupil funding" after the contract issued by the authorizing body expires if the public school academy has provided the required minimum hours of pupil instruction prior to the expiration of the contract. Eligibility to receive funding is to be determined in accordance with the facts existing at the time the contract expires and consistent with section 101 of the State School Aid Act, MCL 388.1701.

MIKE COX
Attorney General

CHARTER SCHOOLS: Application of the exceptions to the single-site requirement in MCL 380.524(1) to urban high school academies

URBAN HIGH SCHOOL ACADEMIES:

REVISED SCHOOL CODE:

SCHOOLS AND SCHOOL DISTRICTS:

An urban high school academy duly chartered under Part 6C of the Revised School Code, 1976 PA 451, MCL 380.1 *et seq*, that operates a middle school and a high school at two different locations with different configurations of grades at the two schools is not subject to the 125-pupil-per-grade restriction or the one-mile-radius limitation contained in section 524(1) of the Code, MCL 380.524(1). The 125-pupil and one-mile radius conditions only apply under circumstances where the same configuration of grades is operated at more than one site. The academy may operate at multiple sites with different configurations of grades under a single contract if authorized to do so by its authorizing body.

An urban high school academy duly chartered under Part 6C of the Revised School Code, 1976 PA 451, MCL 380.1 *et seq*, that operates two elementary schools (both offering kindergarten through grade 5), one middle school, and one high school, each at separate locations, may operate under a single authorizing contract provided that the two elementary schools offering the same configuration of grades have a combined total enrollment not exceeding 125 pupils per grade and are both located within a one-mile radius of the academy's central administrative office. The 125-pupil-per-grade restriction and the one-mile-radius limitation contained in section 524(1) of the Revised School Code, MCL 380.524(1), do not apply to either the high school or the middle school because they operate different configurations of grades.

An urban high school academy duly chartered under Part 6C of the Revised School Code, 1976 PA 451, MCL 380.1 *et seq*, that operates grades 6 through 12 (including a middle school and a high school) at a single location where its central administrative office is also located is not subject to the 125-pupil-per-grade restriction or the one-mile-radius limitation of MCL 380.524(1) because these conditions apply solely to circumstances where the same configuration of grades is offered at multiple locations under a single contract.

Opinion No. 7219

August 27, 2008

Honorable Wayne Kuipers
State Senator
The Capitol
Lansing, MI

You have asked three questions concerning the application of section 524(1) of the Revised School Code, MCL 380.524(1), to the siting of urban high school academies. Information supplied with your request presents the following factual scenario involving three different schools operating at various locations:

1. The governing board of a state public university, as an authorizing body under the Code, has issued three contracts to an urban high school academy corporation organized under the Code and the Michigan Nonprofit Corporation Act, 1982 PA 162, MCL 450.2101 to 450.3192, to operate three separate and unique schools (referred to as School "A," School "B," and School "C").¹

2. School "A" is authorized to operate a Kindergarten through grade 12 configuration. Initially, School "A"'s grade configuration will consist of a middle school with grades 6 and 7 at one location. The middle school will ultimately include grades 6, 7, and 8 and enroll more than 125 students per grade. School "A"'s central administrative office is located at the middle school. School "A" is planning to operate a high school (grades 9 through 12) at a location more than a one mile radius from School "A"'s central administrative office. School "A" plans to enroll more than 125 students per grade at both the middle and high school locations. School "A" will only operate at the middle school and high school location, and there will be no overlap of grades between these two sites.

3. School "B" is authorized to operate a Kindergarten through grade 12 configuration at four locations. The four locations consist of a high school location (grades 9-12), a middle school location (grades 6-8), and two separate elementary school locations (two schools operating grades K-5). School "B"'s central administrative office is located at School "B"'s high school location. All four locations are within a one mile radius of School "B"'s central administrative office. School "B" only plans to overlap grades at the two elementary school locations. In order to comply with section 524(1) of the Code, MCL 380.524(1), School "B" will limit enrollment at the two elementary school locations to 125 students per grade. However, the current[] plan is to enroll more than 125 students per grade at the middle school and high school locations.

4. School "C" is authorized to operate a Kindergarten through grade 12 and will commence operations in the 2009-2010 school year. Initially, School "C" will consist of grades 6 through 12 at one location. The one location includes a middle school (grades 6-8) and a high school (grades 9-12). School "C"'s central administrative office will be located at this same location. School "C" will enroll more than 125 students per grade and will only operate at one location.

Your request identifies what may be called the single-site requirement in the part of the Revised School Code (Code), 1976 PA 451, MCL 380.1 *et seq*, that applies to urban high school academies, and asks how various exceptions to that requirement that allow an academy to operate at multiple sites under a single authorizing contract apply to Schools A, B, and C described above. Before examining the specific statutory provisions at issue, a brief background discussion concerning charter schools and the development of urban high school academies is useful.

The Code provides for the organization, regulation, and maintenance of schools, school districts, public school academies, urban high school academies, and intermediate school districts. Public school academies, commonly known as charter schools, have existed in Michigan for over ten years. In 1993 PA 362, the Legislature enacted Part 6A of the Code, MCL 380.501 – MCL 380.507, to provide for public school

¹ For purposes of this analysis Schools A, B, and C are considered to be separate urban high school academies each of which operates under a single separate contract.

academies. A public school academy is defined as a "public school" and a "governmental agency." MCL 380.501. See *Council of Organizations & Others for Education about Parochial v Governor*, 455 Mich 557, 567; 566 NW2d 208 (1997).

In 2003 PA 179, the Legislature added Part 6C to the Code, MCL 380.521 – MCL 380.529, to provide for urban high school academies. 2003 PA 179 originated as Senate Bill 393, the rationale for which was to encourage the creation of charter high schools as explained in the following legislative analysis:

In Michigan, the majority of charters are issued by public universities. According to amendments enacted in 1996, universities combined may not issue more than 150 charter school contracts, and no single university may issue more than half of that number. As of June 2003, 148 charters were authorized by State universities (including Central Michigan University, which authorized 57, and Grand Valley State University, which authorized 30), while 12 charters were issued by local school districts, 28 by ISDs, and 12 by community colleges. Community colleges are limited to chartering schools within their jurisdiction, which is the entire State in the case of Bay Mills, a Federal tribally controlled community college.

* * *

[T]o date, most charter school contracts have been issued to K-8 schools, largely because high schools students are more expensive to educate. (The costs of science labs, athletic fields, and auditoriums are among the additional expenses borne by high schools.) This trend is changing gradually: In July 2003, about 72 of all 200 charters encompassed grades beyond 8th, because many charter schools add one grade per year as their students advance. Only 24 of the 200 charters, however, are stand-alone high schools for students in grades 9-12 or 10-12.

In 2002, philanthropist and businessman Robert Thompson pledged \$200 million toward construction of 15 Detroit charter high schools focused on increasing graduation rates. Some believe that the State should take advantage of this opportunity to establish new [public school academies]. [Senate Legislative Analysis, SB 393, September 10, 2003.]

Similar to public school academies under Part 6A, section 521(1) of the Code defines an urban high school academy as a "public school" and a "governmental agency." MCL 380.521(1). Urban high school academies are different from public school academies, primarily because they must include grades 9 through 12 within five years after beginning operations. MCL 380.524(5). Urban high school academies may not operate outside the boundaries of a school district of the first class. MCL 380.522(2).² In addition, an authorizing body is required to give priority to applicants that meet certain requirements, including having net assets of at least \$50,000,000.00. MCL 380.523(1).

Section 522(2) of the Code, MCL 380.522(2), permits the governing board of a state public university to act as an authorizing body to issue a contract for the organ-

² School districts of the first class include those with a pupil membership of at least 100,000 enrolled on the most recent pupil membership count day. MCL 380.402. They are governed by the provisions of Part 6 of the Revised School Code, MCL 380.401 – MCL 380.485. Currently, the Detroit Public Schools is the only district of the first class in Michigan.

ization and operation of an urban high school academy. In order to organize and operate one or more urban high school academies, section 522(4) of the Code requires an entity³ to apply to an authorizing body for a contract. MCL 380.522(4). Section 522(2) of the Code limits the number of urban high school academy contracts that may be issued to not more than 15. MCL 380.522(2). As part of its application, the entity must include a description of, and address for, the proposed building or buildings in which the urban high school academy will be located. MCL 380.522(4)(g). A financial commitment is also required by the entity applying for the contract to construct or renovate the building or buildings that will be occupied by the urban high school academy that is issued the contract. MCL 380.522(4)(g). If an authorizing body issues a contract to an urban high school academy corporation to operate one or more urban high school academies, that contract must contain certain information, including a description of the address of the proposed building or buildings in which the urban high school academy will be located. MCL 380.523(2)(f).

You have asked three questions relating to the application of section 524(1) of the Code to each of three school scenarios identified in the above factual summary.

Your first question may be stated as:

With respect to School "A," because the configurations of grades are not the same at the middle school and high school locations, does that mean the 125 students per grade restriction and the one mile radius limitation contained in section 524(1) of the Code, MCL 380.524(1), do not apply?

In order to answer this question, section 524(1) must first be analyzed in its entirety. This provision addresses the site restrictions and grade configurations of an urban high school academy that must be observed in conjunction with the number of contracts that may be issued under Part 6C of the Code:

(1) An urban high school academy may be located in all or part of an existing public school building. Except as otherwise provided in this subsection, an urban high school academy shall not operate at a site other than the single site requested for the configuration of grades that will use the site, as specified in the contract. However, an authorizing body may include a provision in the contract allowing an urban high school academy to operate the same configuration of grades at more than 1 site. If an urban high school academy operates the same configuration of grades at more than 1 site, each of those sites shall be considered to be operated under a separate contract, and the operation shall be equivalent to the issuance of a contract, for the purposes of the limitation in section 522(2) on the number of contracts that may be issued under this part. For the purposes of this subsection, if an urban high school academy operates classes at more than 1 location, the urban high school academy shall be considered to be operating at a single site if all of the locations are within a 1-mile radius of the urban high school academy's central administrative office and if the total number of pupils enrolled in any particular grade at all of the locations does not exceed 125. [MCL 380.524(1).]

³ "Entity" means a non-profit corporation that is organized under the Nonprofit Corporation Act, 1982 PA 162, MCL 450.2101 *et seq.*, and that has been granted tax-exempt status under section 509(a) of the Internal Revenue Code of 1986, 26 USC 509(a).

Since Michigan courts have not interpreted section 524(1), this provision must be construed using established principles of statutory construction. The primary goal of statutory interpretation is to give effect to the intent of the Legislature. *Brown v Detroit Mayor*, 478 Mich 589, 593; 734 NW2d 514 (2007). Legislative intent is discerned from the statutory text. *People v Lively*, 470 Mich 248, 253; 680 NW2d 878 (2004). The first step is to review the language of the statute. *Brown*, 478 Mich at 593. If the statute is unambiguous on its face, it is presumed that the Legislature intended the meaning expressed, and judicial construction is neither required nor permitted. *Id.* To effectuate the intent of the Legislature, courts "interpret every word, phrase, and clause in a statute to avoid rendering any portion of the statute nugatory or surplusage." *Herald Co v Eastern Michigan Univ Bd of Regents*, 475 Mich 463, 470; 719 NW2d 19 (2006). The statutory language must be read and understood in its grammatical context, unless it is clear that something different was intended. *Herman v Berrien County*, 481 Mich 352, 366; 750 NW2d 570 (2008). Finally, in defining particular words in statutes, both the plain meaning of the critical word or phrase as well as its placement and purpose in the statutory scheme must be considered. *Id.* All words and phrases shall be construed and understood according to the common and approved usage of the language. MCL 8.3a.

Section 524(1) of the Code is composed of five sentences. The first sentence authorizes an urban high school academy to use a public school building. After that, section 524(1) sets forth broad principles that govern the number of sites at which an academy may operate under a single contract. The first two sentences of section 524(1) provide:

An urban high school academy may be located in all or part of an existing public school building. Except as otherwise provided in this subsection, an urban high school academy shall not operate at a site other than the *single site requested for the configuration of grades that will use the site*, as specified in the contract. [MCL 380.524(1); emphasis added.]

These first two sentences of section 524(1) are nearly identical to the language found in Part 6A of the Code, MCL 380.504(1), relating to public school academies.⁴ OAG, 2003-2004, No 7126, p 13 (March 6, 2003), analyzed that language in MCL 380.504(1) and concluded that the second sentence necessarily permits a public school academy to operate at more than one site under a single contract, provided that it operates only a single site for each configuration of grades. Additionally, the academy was allowed to operate only at the site or sites specified in the school's application and contract issued by the authorizing body. OAG No 7126 rejected the conclusion that *all* schools that a public school academy may operate under a single contract must be at one site, because such an interpretation would render the phrase in the second sentence, "for the configuration of grades that will use the site," surplusage in violation of the applicable rule of statutory interpretation:

To give meaning to every word in section 504(1) of the Revised School Code, it must be concluded that the Legislature has limited the number of sites at which a public school academy may conduct its operations to a single site *for each configuration of grades*. A public school academy

⁴ MCL 380.504(1) states: "A public school academy may be located in all or part of an existing public school building. A public school academy shall not operate at a site other than the *single site requested for the configuration of grades that will use the site*, as specified in the application required under section 502 and in the contract." [Emphasis added.]

may not, for example, operate three separate elementary schools under a single contract, all covering the same grades, at three separate locations. The statute does, however, permit a public school academy to operate at more than one site provided it uses only a single site *for each configuration of grades*. [Emphasis added.]

This same construction applies to determining the number of sites an urban high school academy may operate under MCL 380.524(1), which was enacted into law after OAG No 7126 was issued. In the second sentence of this provision, the Legislature used the same language to state a similar prohibition that an urban high school academy "shall not operate at a site other than the single site requested for the configuration of grades that will use the site."⁵ Therefore, to conclude that an urban high school academy may only operate at a single site per contract, without regard to the grade configurations, would also render the phrase "for the configuration of grades that will use the site" surplusage and violate the applicable rule of statutory construction. MCL 380.524(1), accordingly, permits an urban high school academy to operate at more than one site under a single contract provided it operates at a single site for each configuration of grades.

Although the second sentence of section 524(1) prohibits an urban high school academy from operating the same configuration of grades at more than a single site under a single contract, the Legislature provided an exception to this prohibition in the third and fourth sentences of the section, which provide:

However, an authorizing body may include a provision in the contract allowing an urban high school academy to operate the same configuration of grades at more than 1 site. If an urban high school academy operates the same configuration of grades at more than 1 site, each of those sites shall be considered to be operated under a separate contract, and the operation shall be equivalent to the issuance of a contract, for the purposes of the limitation in section 522(2) on the number of contracts that may be issued under this part. [MCL 380.524(1).]

Thus, if a contract allows an urban high school academy to operate the same configuration of grades at more than one site, the fourth sentence of section 524(1) provides that each of those sites are to be treated as being operated under a separate contract for purposes of counting the maximum of 15 allowable contracts.

The fifth and last sentence of section 524(1) then qualifies the fourth sentence under circumstances where the academy's locations are in close proximity to its central administrative office, and enrollment is limited:

For the purposes of this subsection, if an urban high school academy operates classes at more than 1 location, the urban high school academy *shall be considered to be operating at a single site* if all of the locations are within a 1-mile radius of the urban high school academy's central administrative office and if the total number of pupils enrolled in any particular grade at all of the locations does not exceed 125. [MCL 380.524(1); emphasis added.]

⁵ OAG No 7126 was issued March 6, 2003. Part C was added to the Code by the passage of Senate Bill 393. That bill was passed by the Senate on June 18, 2003, and by the House of Representatives on July 17, 2003. Thus, the Legislature was aware of the construction given to MCL 380.504(1) by OAG No 7126 when it enacted the same language in the second sentence of MCL 380.524(1).

As previously noted, the one-site-per-contract limitation only applies if the same configuration of grades is offered at multiple sites. Accordingly, the fifth sentence could have no application except to operation of the same configuration of grades under a single contract at multiple sites; it has no application to grade configurations that are not duplicated at another location.

The plain language of the last sentence in section 524(1) and its placement following the pronouncement that operating the same configuration of grades at more than one site will result in each site operating under separate contracts, demonstrates that the Legislature intended to set forth specific conditions that would allow an urban high school academy that is operating the same configuration of grades at more than a "single site" to be considered as operating at a "single site" and not considered to be operating under separate contracts. The significance of this provision relates to the number of contracts or contract equivalents that result if an urban high school academy operates the same configuration of grades at more than one site pursuant to the fourth sentence of section 524(1). Thus, if an urban high school academy operates the same configuration of grades at more than one site, it is still regarded as operating a single site for that configuration of grades and it is not considered to be operating under a separate contract or contract equivalent for each of those sites "for the purposes of the limitation in section 522(2) on the number of contracts that may be issued under this part" as long as all the sites with the same configuration of grades satisfy the one-mile radius and 125-pupil restrictions.

This construction is further supported by the placement of the fifth sentence at the end of section 524(1) immediately following the Legislature's mandate that, if an urban high school academy operates the same configuration of grades at more than one site, each of those sites shall be considered to be operated under a separate contract and the operation shall be equivalent to the issuance of a contract for the purposes of the 15-contract limitation. The last sentence sets the conditions where the operation of "more than 1 location" will be considered a "single site" and not result in the use of a contract or contract equivalent for purposes of the 15-contract limitation. Accordingly, it must be concluded that the one-mile radius and 125-pupil-per-grade limitations in the last sentence of section 524(1) do not apply to a site or location at which an urban high school is operating an entirely different configuration of grades – one which does not come within the prohibition of the second sentence of section 524(1).

It is my opinion, therefore, in answer to your first question, that an urban high school academy duly chartered under Part 6C of the Revised School Code, 1976 PA 451, MCL 380.1 *et seq.*, that operates a middle school and a high school at two different locations with different configurations of grades at the two schools is not subject to the 125-pupil-per-grade restriction or the one-mile-radius limitation contained in section 524(1) of the Code, MCL 380.524(1). The 125-pupil and one-mile radius conditions only apply under circumstances where the same configuration of grades is operated at more than one site. The academy may operate at multiple sites with different configurations of grades under a single contract if authorized to do so by its authorizing body.

Your request next describes School B as authorized to operate kindergarten through grade 12 at four locations. The four locations consist of a high school location (grades 9 through 12), a middle school location (grades 6 through 8), and two separate elementary school locations (two schools operating kindergarten through grade 5). School B's central administrative office is located at School B's high school

location. All four locations are within a one-mile radius of School B's central administrative office. School B only plans to operate the same configuration of grades at the two elementary school locations. In order to comply with section 524(1) of the Code, MCL 380.524(1), School B will limit the total enrollment at the two elementary school locations to 125 students per grade. It is expected that more than 125 students per grade will be enrolled at the middle school and at the high school.

Based on these facts, your next question becomes:

With respect to School "B," because School "B" will only operate the same configuration of grades, K-5, at the two elementary school locations, does that mean the 125 students per grade restriction and the one mile radius limitation contained in section 524(1) of the Code, MCL 380.524(1), do not apply to School "B"'s middle school and high school locations because those schools do not operate the same configuration of grades?

The previous analysis applies equally to this question. Section 524(1) permits an urban high school academy to operate at more than one site provided it operates at a single site for each configuration of grades. Section 524(1) also permits an authorizing body to allow an urban high school academy to operate the same configuration of grades at more than one site, yet be considered a "single site" if the statutory criteria are met. An urban high school academy that operates the same configuration of grades at more than one site is regarded as operating them at a single site, and is not considered to be operating each of them under a separate contract for purposes of the 15-contract maximum, as long as all of the locations with the same configuration of grades satisfy the one-mile radius and 125-pupil restrictions. The one-mile radius and 125-pupil-per-grade restrictions do not apply to sites or locations that do not duplicate a configuration of grades.

It is my opinion, therefore, in answer to your second question, that an urban high school academy duly chartered under Part 6C of the Revised School Code, 1976 PA 451, MCL 380.1 *et seq.*, that operates two elementary schools (both offering kindergarten through grade 5), one middle school, and one high school, each at separate locations, may operate under a single authorizing contract provided that the two elementary schools offering the same configuration of grades have a combined total enrollment not exceeding 125 pupils per grade and are both located within a one-mile radius of the academy's central administrative office. The 125-pupil-per-grade restriction and the one-mile-radius limitation contained in section 524(1) of the Revised School Code, MCL 380.524(1), do not apply to either the high school or the middle school because they operate different configurations of grades.

Your final question asks:

With respect to School "C," because School "C" operates all of its grades at one location, does that mean the 125 students per grade restriction and the one mile radius limitation contained in section 524(1) of the Code, MCL 380.524(1), does [sic] not apply?

As previously explained, the 125 pupil-per-grade restriction and the one-mile radius limitation contained in the fifth sentence of section 524(1) apply solely to circumstances where the same configuration of grades is offered at multiple locations under a single contract. It has no application to a school operated entirely at a single site.

It is my opinion, therefore, in answer to your third question, that an urban high school academy duly chartered under Part 6C of the Revised School Code, 1976 PA 451, MCL 380.1 *et seq*, that operates grades 6 through 12 (including a middle school and a high school) at a single location where its central administrative office is also located is not subject to the 125-pupil-per-grade restriction or the one-mile-radius limitation of MCL 380.524(1) because these conditions apply solely to circumstances where the same configuration of grades is offered at multiple locations under a single contract.

MIKE COX
Attorney General

JUVENILES: Procedure for admission of a minor court ward to a hospital for psychiatric treatment

CHILDREN AND MINORS:

DEPARTMENT OF HUMAN SERVICES:

MENTAL HEALTH CODE:

TEMPORARY WARD OF THE COURT:

In the case of a minor who is a temporary ward of the court under MCL 712A.2 *et seq*, a child care facility serving as the designee of the Michigan Department of Human Services and providing placement, care, and supervision for the court ward as a person in loco parentis is not required to obtain a court order before requesting emergency admission of the ward to a hospital for psychiatric treatment if the child care facility has reason to believe the child is a "minor requiring treatment" as defined in section 498b(b)(i) and (ii) of the Mental Health Code, MCL 330.1498b(b)(i) and (ii) and that the minor presents a serious danger to self or others. Nor is a court order required to admit the minor ward to the hospital if the appropriate health professionals determine that emergency admission is necessary under section 498h of the Mental Health Code, MCL 330.1498h. If it is determined by the appropriate health professionals that emergency admission of the minor ward for psychiatric treatment is not necessary, the child care facility, as the Department's designee and person in loco parentis, must obtain a court order empowering the facility to request admission of the minor to a hospital in accordance with section 498d(3)(a) of the Mental Health Code, MCL 330.1498d(3)(a).

Opinion No. 7220

October 20, 2008

Honorable Bruce Caswell
State Representative
The Capitol
Lansing, Michigan

You have asked about the procedures for seeking civil admission to a hospital under the Mental Health Code, MCL 330.1498a *et seq.*, for a minor ward of the court placed with the Michigan Department of Human Services (Department or DHS) for care and supervision. In particular, you ask whether a facility caring for a minor court ward must first obtain court approval before requesting hospital admission to provide the minor emergency psychiatric care.

Your question is prompted by an actual situation that arose in your district. You advise that a facility¹ that cares for children with developmental disabilities (the Facility) had a child placed in its care as a temporary ward of the court.² From the facts presented, the minor ward came within the court's jurisdiction under Chapter XIII of 1939 PA 288, MCL 712A.1 – MCL 712A.32, the chapter of the Probate Code specifying the authority and jurisdiction of the family division of the circuit court in proceedings concerning juveniles. It further appears that the court removed the child from the parent or guardian and ordered the child placed with the Department of Human Services for care and supervision, and that the Department

¹ It is assumed that this referenced facility is a "child care organization" licensed by the Department of Human Services under MCL 722.115. A child care organization is a "governmental or nongovernmental organization having as its principal function the receiving of minor children for care, maintenance, training, and supervision." MCL 722.111(a).

² A temporary court ward is a juvenile under 18 years of age concerning whom the circuit court has found under MCL 712A.2(b), by a preponderance of the evidence, either of the following circumstances to exist:

(1) Whose parent or other person legally responsible for the care and maintenance of the juvenile, when able to do so, neglects or refuses to provide proper or necessary support, education, medical, surgical, or other care necessary for his or her health or morals, who is subject to a substantial risk of harm to his or her mental well-being, who is abandoned by his or her parents, guardian, or other custodian, or who is without proper custody or guardianship. . . .

* * *

(2) Whose home or environment, by reason of neglect, cruelty, drunkenness, criminality, or depravity on the part of a parent, guardian, nonparent adult, or other custodian, is an unfit place for the juvenile to live in.

It is useful to clarify the terminology commonly used to describe minor wards. A temporary court ward should be distinguished from a permanent court ward. A permanent court ward is a minor concerning whom the court has made either of the above-mentioned findings and has also found, by clear and convincing evidence, that a ground has been established under MCL 712A.19b(3) to justify termination of parental rights to the minor. A temporary or permanent court ward is sometimes referred to as a "ward of the court" or "court ward" to denote that the minor is under the jurisdiction of the court. A court ward should be further distinguished from a state ward. A state ward is a ward of the Michigan Children's Institute (MCI) created and established by 1935 PA 220, MCL 400.201 to 400.214. A state ward is a minor whose parents' parental rights have been terminated and whom the circuit court has committed to the Department of Human Services for permanency planning, supervision, care, and placement under MCL 400.203. This commitment to the Department divests the court of its jurisdiction over the minor. *In the Matter of Griffin*, 88 Mich App 184, 191-192; 277 NW2d 179 (1979).

subsequently placed the child in foster care.³ For purposes of this opinion, it is assumed that the Facility was acting as the Department's agent or designee pursuant to contract.⁴

The facts further indicate that when the minor ward experienced a psychotic episode over a long holiday weekend, the Facility's staff transported the child to a local hospital⁵ to have him admitted to the psychiatric unit, but they were unsuccessful in securing his admission. While it is understood that the child received appropriate treatment some time later, you report that some of those involved in the incident were under the impression that the minor ward was initially denied admission due to a DHS⁶ regulation that requires the court to first approve this type of treatment and that admission was refused because access to the court was unavailable due to the holiday. Staff inquiries and independent research have confirmed that no such regulation exists. You ask whether court approval is nonetheless required by law under situations such as these.

Your inquiry is best analyzed if broken down into three separate questions: 1) in the situation where a minor who is a temporary ward of the court pursuant to an order placing the child in the Department's physical custody and directing the Department to provide for the child's placement, care, and supervision, whether a facility acting as the Department's designee may request emergency admission to a hospital for psychiatric treatment of the child without a court order authorizing the facility to make that request; 2) if the health professionals determine admission is necessary under these circumstances, whether the child may be admitted without a court order authorizing the admission; and 3) in the situation where admission on an emergency basis is declined by the appropriate health professionals, whether the facility may request hospitalization for psychiatric treatment of the minor ward in some alternative way without a court order authorizing it to make that request.

Answering these questions requires consideration of the Mental Health Code (Code), 1974 PA 258, MCL 330.1001 *et seq.*, which provides civil admission procedures for individuals with mental illness. Chapter 4A of the Code, entitled "Civil Admission and Discharge Procedures for Emotionally Disturbed Minors," governs the hospitalization of minors. MCL 330.1498a – MCL 330.1498t. A minor "shall be hospitalized only pursuant to the provisions of this chapter." MCL 330.1498a.

The procedure for emergency admission of a minor to a hospital for psychiatric treatment is set forth in MCL 330.1498h(1), which specifies the persons who may request emergency admission of a minor requiring treatment:

A minor's parent, guardian, *or person in loco parentis* may request emergency admission of the minor to a hospital, if the person making the request has

³ "Foster care" means "care provided to a juvenile in a foster family home, foster family group home, or child caring institution licensed or approved under 1973 PA 116, MCL 722.111 to 722.128, or care provided to a juvenile in a relative's home under court order." MCL 712A.13a(1)(e).

⁴ The Department may contract with a private agency to perform its duty to provide for the foster care of children. MCL 400.14f and MCL 400.18c.

⁵ It is important to point out that mental health treatment is not the same as medical treatment. The circuit court, a child placing agency, or the Department of Human Services may consent to routine, nonsurgical medical care, or emergency medical and surgical treatment for a minor placed in a child care organization pursuant to MCL 722.124a. This statute, however, does not apply to hospitalization for psychiatric treatment.

⁶ The Michigan Department of Human Services was formerly named the Family Independence Agency.

reason to believe that the minor is *a minor requiring treatment* and that the minor presents a serious danger to self or others. [Emphasis added.]

The Code defines the term "person in loco parentis" as "a person who is not the parent or guardian of a minor, but who has either legal custody of a minor or physical custody of a minor and is providing support and care for the minor." MCL 330.1498c(a). Accordingly, when a minor is removed from the custody of his or her parent or guardian and is placed, by court order, with the Department for care and supervision, the Department or its designee is deemed a person in loco parentis.⁷

The term "minor requiring treatment" is defined to mean either of the following:

(i) A minor with a substantial disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life.

(ii) A minor having a severe or persistent emotional condition characterized by seriously impaired personality development, individual adjustment, social adjustment, or emotional growth, which is demonstrated in behavior symptomatic of that impairment. [MCL 330.1498b(b) (i) and (ii).]

In the factual situation described in your request, the Facility was acting as the Department's designee with respect to the minor and thus qualified as a person in loco parentis for the purpose of requesting admission for emergency psychiatric treatment. Staff at the Facility apparently had reason to believe that the minor in their care fell into one or both of the above categories and presented themselves at the hospital as a person in loco parentis. Section 498h(1) is unambiguous and makes no reference to a court order when a parent, guardian, or person in loco parentis requests emergency admission to a hospital of a "minor requiring treatment" who presents a serious danger to self or others.

The procedure for emergency admission is further described in subsections (2) and (3) of section 498h, MCL 330.1498h. These provisions distinguish between those situations where the particular hospital is under contract to the "community mental health services program"⁸ and where that is not the case:

(2) If the hospital to which the request for emergency admission is made is not under contract to the community mental health services program, the request for emergency hospitalization shall be made directly to the hospital. *If the hospital director agrees that the minor needs emergency admission, the minor shall*

⁷ The Department or its designee, such as a suitable relative caregiver or foster parent or other child care organization that actually has physical custody and is providing care and supervision for the minor, may make the request for emergency admission to the hospital for psychiatric treatment under MCL 330.1498h.

⁸ "Community mental health services programs" are the subject of Chapter 2 of the Mental Health Code, MCL 330.1200a – MCL 330.1245. There "shall be a county community mental health agency, a community mental health organization, or a community mental health authority. A county community mental health agency is an official county agency. A community mental health organization or a community mental health authority is a public governmental entity separate from the county or counties that establish it." MCL 330.1204(1). The purpose of a community mental health services program "shall be to provide a comprehensive array of mental health services appropriate to conditions of individuals who are located within its geographic service area, regardless of an individual's ability to pay." MCL 330.1206(1).

be hospitalized. If the hospital director does not agree, the person making the request may request hospitalization of the minor under section 498d [MCL 330.1498d].

(3) If the hospital to which the request for emergency admission is made is under contract to the community mental health services program, the request shall be made to the preadmission screening unit of the community mental health services program serving in the county where the minor resides. If the community mental health services program has a children's diagnostic and treatment service, the preadmission screening unit shall refer the person making the request to that service. In counties where there is no children's diagnostic and treatment service, the preadmission screening unit shall refer the person making the request to the appropriate hospital. If it is determined that emergency admission is not necessary, the person may request hospitalization of the minor under section 498d [MCL 330.1498d]. *If it is determined that emergency admission is necessary, the minor shall be hospitalized or placed in an appropriate alternative program.* [Emphasis added.]

To determine the meaning of these provisions, the foremost rule of statutory construction requires that the intent of the Legislature be effectuated as expressed in plain statutory language. *Halloran v Bhan*, 470 Mich 572, 576-578; 683 NW2d 129 (2004). The text of these two subsections indicates that, regardless of whether the request for admission is made directly to a hospital under either section 498h(2) or (3) or the request is referred to a children's diagnostic and treatment service under section 498h(3), the outcome regarding hospitalization turns on whether emergency admission is considered necessary by the appropriate health professionals. The italicized language in subsections (2) and (3) of MCL 330.1498h above plainly indicates that if emergency admission is necessary, then the minor "shall be hospitalized." The word "shall" here is unambiguous and denotes a mandatory, rather than discretionary action. *Roberts v Mecosta County Gen Hosp*, 466 Mich 57, 65; 642 NW2d 663 (2002). The italicized text addresses the situation where the minor needs emergency admission in plain language and it does not require a court order. Thus, court approval is not required for emergency admission to a hospital for a minor requiring treatment under MCL 330.1498h(2) or (3).

Returning to the facts presented in your request, the Facility's staff was not required to obtain a court order before seeking emergency admission of the child believed by the Facility's staff to be in need of treatment and presenting a danger to self or others. Similarly, no court order was required to have the child admitted to the hospital if the health professionals determined that emergency admission of the child was necessary. Here, however, the child was not admitted. The question then arises whether the Facility's staff could have pursued an alternative avenue for gaining the admission of the child that did not require a court order after having been denied emergency admission of the minor ward.

The language in both sections 498h(2) and (3) plainly indicates that, if it is determined that emergency admission is *not* necessary, then the person making the request may seek hospitalization of the minor under section 498d, MCL 330.1498d. This section provides the only way under the Code that the person making the request to a hospital or preadmission screening unit of a community mental health services program may seek hospitalization of a minor ward for psychiatric treatment when it has been earlier determined that emergency admission is not necessary. The relevant subsections of MCL 330.1498d thus warrant quoting at length:

(1) Subject to section 498e [MCL 330.1498e⁹] and except as otherwise provided in this chapter, a minor of any age may be hospitalized if both of the following conditions are met:

(a) The minor's parent, guardian, or a person acting in loco parentis for the minor or, in compliance with subsection (2) or (3), the family independence agency [now named the DHS] or county juvenile agency, as applicable, requests hospitalization of the minor under this chapter.

(b) The minor is found to be suitable for hospitalization.

(2) The [DHS] may request hospitalization of a minor who is committed to the [DHS] under 1935 PA 220, MCL 400.201 to 400.214 [concerning the Michigan Children's Institute].

(3) As applicable, [the DHS] may request hospitalization of, or the county juvenile agency may request an evaluation for hospitalization of, a minor who is 1 of the following:

(a) A ward of the court under chapter X [the Michigan Adoption Code] or XHIA of 1939 PA 288, MCL 710.21 to 710.70 and 712A.1 to 712A.32, if the [DHS] or county juvenile agency is specifically empowered to do so by court order.

(b) Committed to the [DHS] or county juvenile agency under the youth rehabilitation services act, 1974 PA 150, MCL 803.301 to 803.309, except that if the minor is residing with his or her custodial parent, the consent of the custodial parent is required. [Emphasis added.]

Where the text of a statute is plain and unambiguous, the Legislature is presumed to have intended the meaning it plainly expressed. *AFSCME v Detroit*, 468 Mich 388, 399; 662 NW2d 695 (2003). Moreover, critical words or phrases as well as their placement and purpose in the statutory scheme are considered. *Sweatt v Dep't of Corrections*, 468 Mich 172, 179; 661 NW2d 201 (2003). Words in a statute should not be construed in a void or read in isolation but should be read together in context to harmonize the meaning, giving effect to the act as a whole. *G. C. Timmis & Co v Guardian Alarm Co*, 468 Mich 416, 420-421; 662 NW2d 710 (2003).

In relevant part, section 498d(1)(a) reads that "a minor . . . may be hospitalized if . . . in compliance with subsection . . . (3), the [Department] . . . requests hospitalization of the minor under this chapter." Section 498d(3)(a) reads in relevant part, "the [Department] may request hospitalization of . . . a minor who is . . . [a] ward of the court under chapter . . . XHIA of 1939 PA 288, MCL . . . 712A.1 to 712A.32, if the [Department] . . . is specifically empowered to do so by court order."

Under the plain language of section 498d(1)(a), a parent, guardian, or person acting in loco parentis may request non-emergency hospitalization without obtaining a court order unless the Department is the person in loco parentis. For a minor court ward placed with the Department for care and supervision under Chapter XHIA, the Legislature plainly expressed under both subsections (1)(a) and (3)(a) of section 498d that the Department "may" request hospitalization *only* if the Department is "specifi-

⁹ MCL 330.1498e describes the process for evaluating a minor for whom a request for hospitalization has been made to determine the minor's suitability for hospitalization.

cally empowered to do so by court order." The Department's agents or designees act as the Department for purposes of this statute. Reading subsections (1)(a) and (3)(a) of section 498d together and in context as required by the applicable rules of statutory construction, even though the Department or its designee is a person acting in loco parentis for a court ward, it is clear that the Legislature intended that the Department obtain a court order to request hospitalization of a court ward for psychiatric treatment under this section.¹⁰ Thus, in the situation where it has been determined by health professionals that emergency admission for psychiatric treatment is not necessary, Chapter 4A of the Mental Health Code requires the Department or its designee to obtain a court order before it may request a minor court ward's admission to a hospital in accordance with MCL 330.1498d(3)(a).

It is my opinion, therefore, that, in the case of a minor who is a temporary ward of the court under MCL 712A.2 *et seq*, a child care facility serving as the designee of the Michigan Department of Human Services and providing placement, care, and supervision for the court ward as a person in loco parentis is not required to obtain a court order before requesting emergency admission of the ward to a hospital for psychiatric treatment if the child care facility has reason to believe the child is a "minor requiring treatment" as defined in section 498b(b)(i) and (ii) of the Mental Health Code, MCL 330.1498b(b)(i) and (ii) and that the minor presents a serious danger to self or others. Nor is a court order required to admit the minor ward to the hospital if the appropriate health professionals determine that emergency admission is necessary under section 498h of the Mental Health Code, MCL 330.1498h. If it is determined by the appropriate health professionals that emergency admission of the minor ward for psychiatric treatment is not necessary, the child care facility, as the Department's designee and person in loco parentis, must obtain a court order empowering the facility to request admission of the minor to a hospital in accordance with section 498d(3)(a) of the Mental Health Code, MCL 330.1498d(3)(a).

MIKE COX
Attorney General

¹⁰ Unlike the situation involving a minor placed with the Department for supervision and care as a temporary court ward where the Department must first secure a court order before requesting non-emergency hospitalization of the ward for psychiatric treatment, the Department is not required to first request a court order in the situation involving a state (Michigan Children's Institute) ward under MCL 330.1498d(2).

PROSECUTING ATTORNEYS: Process for appointing special prosecuting attorney based on disqualifying conflict of interest or other inability to serve

COUNTIES:

CONFLICT OF INTEREST:

If a county prosecuting attorney determines that he or she is disqualified by reason of a conflict of interest or is otherwise unable to perform his or her duties, the prosecuting attorney has a duty to file a petition with the Attorney General requesting the appointment of a special prosecuting attorney under MCL 49.160(1).

Regardless of whether a petition is filed under MCL 49.160(1), the Attorney General has authority under MCL 49.160(2), other statutes including MCL 14.28, MCL 14.30, and MCL 14.101, and the common law, to make an independent determination regarding whether a prosecuting attorney is disqualified or otherwise unable to serve in a matter. If the Attorney General determines that a prosecuting attorney is disqualified or is otherwise unable to serve, the Attorney General may elect to proceed in the matter or may appoint a special prosecuting attorney to perform the duties of the prosecuting attorney in the matter.

Opinion No. 7221

November 7, 2008

Honorable Robert Jones
State Representative
The Capitol
Lansing, MI

You have asked a series of related questions concerning appointment by the Attorney General of a special prosecuting attorney in a situation where the county's prosecuting attorney has a conflict of interest or is otherwise unable to attend to the duties of the office. Your questions relate specifically to MCL 49.160(1), which provides a procedure by which a county prosecuting attorney who determines himself or herself unable to attend to the duties of office shall petition the Attorney General to appoint a special prosecuting attorney, and to MCL 49.160(2), which provides that if the Attorney General determines that a prosecuting attorney is unable to serve, the Attorney General may proceed in the matter or appoint a special prosecuting attorney.¹

Paraphrasing your first question, you ask whether the Attorney General's authority under MCL 49.160(2) to appoint a special prosecuting attorney is dependent upon a prosecuting attorney first filing a petition under MCL 49.160(1).² In order to fully

¹ Your question does not ask about the circumstance where a vacancy arises in the elective office of prosecuting attorney. Under Const 1963, art 6, § 14, the "judges of the circuit court may fill a vacancy in an elective office of . . . prosecuting attorney within their respective jurisdictions."

² Your second question asks whether a court may order a prosecuting attorney to file a petition under MCL 49.160(1). Attorneys have ethical obligations under the Michigan Rules of Professional Conduct, and courts have broad inherent power to control the conduct of attorneys appearing before them. But, as explained in *In re Petition for Appointment of Special Prosecutor*, 122 Mich App 632; 332 NW2d 550 (1983), there are constitutional principles involving the separation of powers that must be considered when a prosecuting attorney's discretionary authority is involved. The full exploration of these considerations is beyond the scope of this opinion. The answers to your third and fourth questions are contained in the answer to your first question.

analyze your questions, it is necessary to examine the present text of MCL 49.160(1) and (2), the text of these provisions before their most recent amendment in 2003, other statutes pertaining to the Attorney General's role as chief law enforcement officer of the State, and historical traditions of practice.

The Michigan Supreme Court has made clear that, when construing a statute, the foremost obligation is to discern and effectuate the intent of the Legislature as expressed in the statutory language. *Halloran v Bhan*, 470 Mich 572, 576-578; 683 NW2d 129 (2004); *Massey v Mandell*, 462 Mich 375, 380-381; 614 NW2d 70 (2000). If the statute's language is clear and unambiguous, it must be assumed that the Legislature intended its plain meaning and the statute must be enforced as written.

These principles must be applied when examining the present text of MCL 49.160, adopted in 2002 PA 706, which involves appointment of a special prosecuting attorney by the Attorney General. MCL 49.160 states in its entirety:

(1) If the prosecuting attorney of a county determines himself or herself to be disqualified by reason of a conflict of interest or is otherwise unable to attend to the duties of the office, he or she shall file with the attorney general a petition stating the conflict or the reason he or she is unable to serve and requesting the appointment of a special prosecuting attorney to perform the duties of the prosecuting attorney in any matter in which the prosecuting attorney is disqualified or until the prosecuting attorney is able to serve.

(2) If the attorney general determines that a prosecuting attorney is disqualified or otherwise unable to serve, the attorney general may elect to proceed in the matter or may appoint a prosecuting attorney or assistant prosecuting attorney who consents to the appointment to act as a special prosecuting attorney to perform the duties of the prosecuting attorney in any matter in which the prosecuting attorney is disqualified or until the prosecuting attorney is able to serve.

(3) A special prosecuting attorney appointed under this section is vested with all of the powers of the prosecuting attorney for the purpose of the appointment and during the period of appointment, including the power to investigate and initiate charges. The cost of prosecution, other than personnel costs, in any matter handled by a special prosecuting attorney shall be borne by the office of the prosecuting attorney who has been determined to be disqualified or otherwise unable to serve.

(4) This section does not apply if an assistant prosecuting attorney has been or can be appointed by the prosecuting attorney pursuant to section 18 of chapter 16 of the code of criminal procedure, 1927 PA 175, MCL 776.18, to perform the necessary duties within the constraints of that section or if an assistant prosecuting attorney has been otherwise appointed by the prosecuting attorney pursuant to law and is not disqualified from acting in place of the prosecuting attorney.

MCL 49.160(1) provides that a prosecuting attorney who determines himself or herself to be disqualified by reason of a conflict of interest or who is otherwise unable

to attend to the duties of the office³ "shall file" with the Attorney General a petition requesting the appointment of a special prosecuting attorney. This imposes a mandatory duty on the prosecuting attorney. "The phrases 'shall' and 'shall not' are unambiguous and denote a mandatory, rather than discretionary action." *Roberts v Mecosta County Gen Hosp*, 466 Mich 57, 65; 642 NW2d 663 (2002).

Significantly, there is nothing in the text of MCL 49.160(2) that cross-references any other provision of the section, unlike subsections (3) and (4), or that requires a petition to be filed before the Attorney General is empowered to determine that a prosecuting attorney is disqualified or is otherwise unable to serve. See *Lansing Mayor v Public Service Comm*, 470 Mich 154, 168; 680 NW2d 840 (2004). Nothing may be read into an unambiguous statute that is not within the manifest intent of the Legislature as derived from the words of the statute itself. *Mecosta County General Hosp*, 466 Mich at 63. Notwithstanding that these are subsections of one provision, the plain text of MCL 49.160(2) states that the Attorney General's power to appoint arises when the Attorney General "determines that a prosecuting attorney is disqualified or otherwise unable to serve"; the Attorney General's authority is not dependent upon the filing of a petition under MCL 49.160(1).

MCL 49.160(2) provides that the Attorney General may "appoint a prosecuting attorney or assistant prosecuting attorney who consents to the appointment to act as a special prosecuting attorney," but it further plainly states that the Attorney General "may elect to proceed in the matter" himself or herself. This latter reference to the broader authority possessed by the Attorney General calls into play well-recognized principles of statutory construction that support a comprehensive approach in analyzing the authority of the Attorney General with respect to appointment of a special prosecuting attorney.

For example, "statutes having a common purpose must be construed in *pari materia* to give the fullest effect to each provision. We must examine all the relevant provisions of the statutes with the goal of producing a consistent and harmonious result." *Eyde Bros Dev Co v Eaton County Drain Comm'r*, 427 Mich 271, 292-293; 398 NW2d 297 (1986) (citations omitted). As the Michigan Supreme Court explained in *Apsey v Mem Hosp*, 477 Mich 120, 129 n 4; 730 NW2d 695 (2007), quoting *Detroit v Michigan Bell Tel Co*, 374 Mich 543, 558; 132 NW2d 660 (1965):

It is the rule that in construction of a particular statute, or in the interpretation of its provisions, all statutes relating to the same subject, or having the same general purpose, should be read in connection with it, as together constituting one law, although enacted at different times, and containing no reference one to the other.

³ It is worth emphasizing that subsection (4) of MCL 49.160 makes clear that the section does not apply if an assistant prosecuting attorney has been otherwise appointed pursuant to law and is not disqualified from acting in place of the prosecuting attorney. See MCL 49.32, which provides:

The prosecuting attorney shall designate 1 assistant prosecuting attorney as chief assistant prosecuting attorney, who shall in case of the absence, disability or sickness of the prosecuting attorney discharge all the functions and perform all the duties of the office of prosecuting attorney, and in case of the absence, disability or sickness of both the prosecuting attorney and the chief assistant prosecuting attorney, next ranking assistant shall discharge all the functions and perform all the duties of the office of prosecuting attorney.

Words of a statute "must be read in context with the entire act, and the words and phrases used there must be assigned such meanings as are in harmony with the whole of the statute, construed in the light of history and common sense." *Arrowhead Dev Co v Livingston County Rd Comm*, 413 Mich 505, 516; 322 NW2d 702 (1982).

A review of earlier versions of MCL 49.160 dating back to at least 1846 reveals that they provided for the appointment of special prosecuting attorneys by the courts rather than by the Attorney General. For example, in 1890 the Supreme Court in *Sayles v Genesee County Circuit Judge*, 82 Mich 84, 89-90; 46 NW 29 (1890), considered the then current predecessor to MCL 49.160 (How. Stat. § 559), which provided:

"The Supreme Court, and each of the circuit courts, may, whenever there shall be no prosecuting attorney for the county, or when the prosecuting attorney shall be absent from the court, or unable to attend to his duties, if either of said courts shall deem it necessary, by an order to be entered in the minutes of such court, appoint some other attorney at law to perform, for the time being, the duties required by law to be performed in either of said courts by the prosecuting attorney, who shall thereupon be vested with all the powers of such prosecuting attorney for that purpose."

In *Sayles*, the Supreme Court construed this statute as permitting a circuit court to appoint a special prosecuting attorney only for cases that were pending; it did not empower a circuit court to appoint a special prosecuting attorney to investigate a charge of crime or for other purposes. The text adopted in 1846 remained unchanged until 1978 and was again under review in *People v Davis*, 86 Mich App 514; 272 NW2d 707 (1978). Relying upon *Sayles*, the Court in *Davis* was constrained to conclude that, even when the prosecuting attorney alleged a conflict of interest, a circuit court lacked the authority to appoint a special prosecuting attorney to conduct a criminal investigation. The Court explained that, "[i]f circuit judges are to have this power, it is up to the Michigan Legislature to so provide." 86 Mich App at 522.

Later that year, MCL 49.160 was broken into four subsections by 1978 PA 535. Subsection (1) pertained to appointments by the Supreme Court, Court of Appeals, and circuit court and subsection (2) pertained to appointments by the circuit court to the probate court, district courts, and other courts in the county:

(1) If the prosecuting attorney of a county is disqualified by reason of conflict of interest or is otherwise unable to attend to the duties of the office, the supreme court, the court of appeals or the circuit court for that county, upon a finding to that effect by the court, may appoint an attorney at law as a special prosecuting attorney to perform the duties of the prosecuting attorney in the respective court in any matter in which the prosecuting attorney is disqualified or until such time as the prosecuting attorney is able to serve.

(2) If the prosecuting attorney of a county is disqualified by reason of conflict of interest or is otherwise unable to attend to the duties of the office, the circuit court for that county, upon a finding to that effect by the court, may appoint an attorney at law as a special prosecuting attorney to perform the duties of the prosecuting attorney in the probate court, the district court, or any other court within the county in any matter in which the prosecuting attorney is disqualified or until such time as the prosecuting attorney is able to serve.

In *In re Petition for Appointment of Special Prosecutor*, 122 Mich App 632; 332 NW2d 550 (1983), the Court of Appeals interpreted these 1978 amendments but also emphasized the limitations that the constitutionally mandated separation of powers doctrine⁴ imposed in this area. The Court held that, like its predecessor, the statute did not confer on the circuit court the power to appoint a special prosecuting attorney except for matters pending "in" the courts. The Court then cautioned, however, that because decisions regarding the initiation of criminal charges are discretionary *executive* acts, deference to separation of powers principles requires that "*judicial* interference with the exercise of this discretion is severely limited." 122 Mich App at 636 (emphasis added). According to the Court, the 1978 version of MCL 49.160(1) and (2) "[did] not allow the circuit court to appoint a special prosecutor to perform the duties of the prosecuting attorney in any matters outside of the aforementioned courts, including the investigation of complaints of a crime or for the purpose of initiating criminal charges." 122 Mich App at 635-636.

Thus, prior to its most recent amendment in 2002 PA 706, MCL 49.160 limited judicial appointment of special prosecutors to matters pending "in court," raised issues about compliance with the separation of powers doctrine, and did not require the special prosecutor to have any prosecutorial experience. As quoted earlier, 2002 PA 706 significantly changed the appointment process. It expanded the circumstances under which a special prosecutor could be appointed to include the investigating and other stages of "any matter" and not simply those already pending "in court," and it vested the authority to appoint a special prosecutor in cases of conflicts of interest or where the prosecutor is unable to attend to his or her duties *exclusively* with the Attorney General.

By vesting this authority in the Attorney General alone, MCL 49.160 is consistent with Michigan's long-standing common law tradition and numerous other statutory provisions that recognize the Attorney General's unique constitutional role as the State's chief legal advisor and law enforcement officer. For example, MCL 14.28 broadly defines the Attorney General's duty to protect the State's interests in court and expressly grants the Attorney General the right to intervene in matters affecting Michigan's citizens:

The attorney general shall prosecute and defend all actions in the supreme court, in which the state shall be interested, or a party . . . and may, when in his own judgment the interests of the state require it, intervene in and appear for the people of this state in any other court or tribunal, in any cause or matter, civil or criminal, in which the people of this state may be a party or interested.

Similarly, MCL 14.101 reinforces and amplifies the Attorney General's intervention power in any action in any court:

The attorney general of the state is hereby authorized and empowered to intervene in any action heretofore or hereafter commenced in any court of the state whenever such intervention is necessary in order to protect any right or interest of the state, or of the people of the state. Such right of intervention shall exist at any stage of the proceeding, and the attorney general shall have the same right to prosecute an appeal, or to apply for a re-hearing or to take any other

⁴ Const 1963, art 3, § 2 states: "The powers of government are divided into three branches; legislative, executive and judicial. No person exercising powers of one branch shall exercise powers properly belonging to another branch except as expressly provided in this constitution."

action or step whatsoever that is had or possessed by any of the parties to such litigation.

And MCL 14.30 directly addresses the Attorney General's general supervisory and advisory role with respect to Michigan's county prosecutors: "The attorney general shall supervise the work of, consult and advise the prosecuting attorneys, in all matters pertaining to the duties of their offices."

Michigan's common law tradition with respect to the Attorney General's authority is consistent with this statutory history. For example, the Michigan Supreme Court has long recognized that "the office of attorney general is ancient in its origin and history, and it is generally held by the States of the Union that the attorney general has a wide range of powers at common law. These are in addition to his statutory powers." *Mundy v McDonald*, 216 Mich 444, 450-451; 185 NW 877 (1921). The Attorney General's statutory powers have been broadly construed, as they involve matters of public policy and discretionary action by the State's "chief law officer." *In re Certified Question (Wayne County v Philip Morris, Inc)*, 465 Mich 537, 543-544; 638 NW2d 409 (2002); *People v O'Hara*, 278 Mich 281, 293-294; 270 NW 298 (1936).

This common law tradition extends to the courts' recognition of the Attorney General's role as the State's chief law enforcement officer and his related duties with respect to prosecuting attorneys. In *People v Bussey*, 80 Mich 501, 502; 45 NW 594 (1890), the Court examined a court rule and several statutes, including the predecessor to MCL 14.30 that required the Attorney General to "consult and advise" the prosecuting attorneys but did not yet include express reference to "supervis[ing]." The Court held that "it was always the practice, as it was the duty, of the Attorney General, to conduct and control all criminal cases in this Court," and emphasized that, even after adoption of another statute conferring authority on the prosecuting attorney to appear in criminal cases, "the management of criminal cases is still under his [the Attorney General's] control." 80 Mich at 503. Indeed, because criminal prosecutions are brought in the name of the People of the State of Michigan, the State is a party in all criminal cases and the Attorney General, as "the official representative of the plaintiff in all criminal cases," is not obligated to separately intervene in order to appear. *People v Monaco*, 475 Mich 1222; 716 NW2d 587 (2006); *People v Foster*, 377 Mich 233, 234-235; 140 NW2d 513 (1966). The courts have held that the Attorney General possesses all the powers of a prosecuting attorney in criminal matters unless specifically withdrawn by the Legislature, *Fieger v Cox*, 274 Mich App 449, 453 n 2; 734 NW2d 602 (2007), may bring an original criminal action, *People v Karalla*, 35 Mich App 541, 544; 192 NW2d 676 (1971), and, in the exercise of his supervisory authority, is ultimately the "exclusive representative" of the people in criminal cases in Michigan's courts if there is a disagreement with the local prosecutor over a case. *Foster*, 377 Mich at 234-235 n 1; MCL 14.30. Similarly, "[t]he authority of the Attorney General to appoint special assistant attorneys general is well established." *Attorney General v Michigan Public Service Comm*, 243 Mich App 487, 490; 625 NW2d 16 (2000).

Returning to your questions, the text of MCL 49.160(2) does not require that a petition be filed before the Attorney General is empowered to determine that a prosecuting attorney is disqualified and to appoint a special prosecuting attorney, and no words may be added to the statute to reach such a conclusion where the Legislature has not elected to include them. Moreover, to read MCL 49.160(2) as being limited by MCL 49.160(1), under which a prosecuting attorney may initiate a disqualifica-

tion, would be contrary to the other governing principles of statutory interpretation and inconsistent with the long-established history and practice with which the Legislature is deemed to be familiar. In addition, it would fail to read MCL 49.160 in harmony with the common law and other statutes, including MCL 14.30, that expressly recognize the Attorney General's authority to supervise prosecuting attorneys and to unilaterally address issues of concern to the State and the people of this State. Under the *in pari materia* doctrine, all these matters must be considered together as constituting one law in order to distill the Legislature's intent. Doing so discloses a clear meaning. While statutes had initially granted courts limited powers to appoint special prosecuting attorneys in pending cases only, present procedures allow the Attorney General to exercise control in a broad array of circumstances, including where a prosecutor submits a petition under MCL 49.160(1) or where the Attorney General determines that the State or the people have an interest. MCL 14.28, MCL 14.30, and MCL 14.101. The Attorney General may either proceed in the matter himself or herself, or may appoint a special prosecuting attorney to perform the duties of the prosecuting attorney in the matter.

It is my opinion, therefore, that if a county prosecuting attorney determines that he or she is disqualified for reasons of a conflict of interest or is otherwise unable to perform his or her duties, the prosecuting attorney has a duty to file a petition with the Attorney General requesting the appointment of a special prosecuting attorney under MCL 49.160(1).

It is my further opinion that, regardless of whether a petition is filed under MCL 49.160(1), the Attorney General has authority under MCL 49.160(2), under other statutes including MCL 14.28, MCL 14.30, and MCL 14.101, and under the common law, to make an independent determination regarding whether a prosecuting attorney is disqualified or otherwise unable to serve in a matter. If the Attorney General determines that a prosecuting attorney is disqualified or is otherwise unable to serve, the Attorney General may elect to proceed in the matter or may appoint a special prosecuting attorney to perform the duties of the prosecuting attorney in the matter.

MIKE COX
Attorney General

**NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT:
Legality of radio-controlled fishing devices under MCL 324.48703(1)**

FISH AND GAME:

A radio-controlled fishing device that enables its operator to catch a fish in the waters of this State by means of a rod and line that is not held directly in the operator's hand or in the operator's immediate physical proximity is not under the operator's "immediate control," and is not a device that may be used for sport fishing under section 48703(1) of the Natural Resources and Environmental Protection Act, MCL 324.48703(1).

Opinion No. 7222

December 22, 2008

Honorable Tony Stamas
State Senator
The Capitol
Lansing, MI

You have asked if the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, MCL 324.101 *et seq.*, bars the use of radio-controlled fishing devices.

You indicate that the device involved is a miniature or small radio-controlled boat that can cast a fishing line, catch a single fish, reel the line in, and bring the fish to the person operating the radio-control unit from a remote location. According to information provided by your office and by searching the Internet, the typical radio-controlled boat is propelled by rechargeable batteries. A transmitter is used to send signals to the receiver mounted in the boat that controls both the boat's motion and the actions of the reel-and-line device. The boat's size ranges from four feet to seven feet long, depending on the type of fish to be caught. Conventional live and artificial lures are used. The range of the radio device is several hundred yards, but as a practical matter, the operator of the control device must be able to maintain sight of the boat in order to properly direct its operations. When a fish is hooked, the operator directs the boat to return to the operator, who then chooses either to keep the fish or release it.

On its website,¹ the United State Patent Office provides the following abstract regarding radio-controlled fishing devices:

A radio controlled fishing bait boat for delivering a baited fishing line to a remote location. The hull has a recessed channel on the lower side in which a propeller and a rudder are mounted. A convex deck cover covers a top portion of the hull. In the interior of the hull, battery-powered electric motors for controlling the propeller and the rudder, batteries, and a controller are arranged. Pivotal hatches are provided in the stern transom for access to bait storage compartments in the interior of the hull. A baited fishing line is loaded into the bait storage compartment. The bait boat is directed to a desired fishing location by use of a hand-held radio transmitter which sends signals to the bait boat to

¹ See the entry for Patent Number 5,806,232, available at: <<http://patft.uspto.gov>> (accessed November 18, 2008).

control its speed and direction. Once the boat has reached the desired fishing location, the fishing line is tugged to pull the baited fishing line out of the bait storage compartment and into the water. The design of the hull and the weight distribution of the boat allow the boat to duck under breaking waves to stably and effectively move through surf to a desired fishing location.

Furthermore, various website advertisements² explain how a radio-controlled boat may be maneuvered to reach areas remote from a boat or onshore location, thus eliminating the need for casting. The most sophisticated versions costing several thousand dollars are equipped with fish-finding radar, water depth and temperature sensors, and global positioning systems.

The Michigan Constitution imposes upon the Legislature the duty to protect the State's natural resources:

The conservation and development of the natural resources of the state are hereby declared to be of paramount public concern in the interest of the health, safety and general welfare of the people. The legislature shall provide for the protection of the air, water and other natural resources of the state from pollution, impairment and destruction. [Const 1963, art 4, § 52.]

As explained in *Tallman v Dep't of Natural Resources*, 421 Mich 585, 621-626; 365 NW2d 724 (1984), Michigan attaches great importance to the preservation and development of its fishery resources. Indeed, the State's commitment to this task "is historically rooted and constitutionally mandated." *Id.*, at p 625. The State's long-standing duty in this regard is as a public trustee to "forever maintain" the "high, solemn and perpetual trust" in the State's fishery resources through its game laws and regulations. *Id.*, at p 621, quoting *Collins v Gerhardt*, 237 Mich 38, 49; 211 NW 115 (1926) (holding that fishing in navigable waters is a public right subject to state game laws). See also section 1601 of the NREPA, MCL 324.1601 (providing that the Department of Natural Resources shall enforce state law regarding fish); *Attorney General v Hermes*, 127 Mich App 777, 785; 339 NW2d 545 (1983); OAG, 1945-1946, No 0-3228, p 267 (March 12, 1945) (opining that the Department of Natural Resources' predecessor agency had jurisdiction to protect fishing in all waters of the State).

The NREPA was enacted to consolidate and recodify Michigan laws relating to the environment and natural resources. Under Part 453 of the NREPA, sport fishing with hook and line is expressly allowed:

In any of the navigable or meandered waters of this state where fish have been or are propagated, planted, or spread at the expense of the people of this state or the United States, the people have the right to catch fish with hook and line during the seasons and in the waters that are not otherwise prohibited by the laws of this state. [MCL 324.45301.]

Subchapter 3 of chapter 2 of the NREPA, MCL 324.44501 *et seq.*, governs fisheries management. Within that subchapter is Part 487 of the NREPA, MCL 324.48701 *et seq.*, which governs sport fishing in Michigan. Answering your question requires analyzing section 48703 of the NREPA, MCL 324.48703(1), which enumerates a broad range of fishing devices that cannot be used for catching fish:

² See, for example: <<http://rcfishingworld.com>> (accessed November 18, 2008).

*A person shall not take, catch, or kill or attempt to take, catch, or kill a fish in the waters of this state with a grab hook, snag hook, or gaff hook, by the use of a set or night line or a net or firearm or an explosive substance or combination of substances that have a tendency to kill or stupefy fish, or by any other means or device other than a single line or a single rod and line while held in the hand or under immediate control, and with a hook or hooks attached, baited with a natural or artificial bait while being used for still fishing, ice fishing, casting, or trolling for fish, which is a means of the fish taking the bait or hook in the mouth. A person shall not use more than 3 single lines or 3 single rods and lines, or a single line and a single rod and line, and shall not attach more than 6 hooks on all lines. The department shall have the authority to decrease the number of rods per angler. However, the department shall not reduce the number of rods per angler to less than 2. For purposes of this part, a hook is a single, double, or treble pointed hook. A hook, single, double, or treble pointed, attached to a manufactured artificial bait shall be counted as 1 hook. The department may designate waters where a treble hook and an artificial bait or lure having more than 1 single pointed hook shall not be used during the periods the department designates. In the Great Lakes or recognized smelt waters, any numbers of hooks, attached to a single line, may be used for the taking of smelt, alewife, or other bait fish. [Emphasis added.]*³

Another section of Part 487 provides that illegal fishing devices shall be confiscated. MCL 324.48711. Furthermore, MCL 324.48738 provides criminal penalties for using unlawful fishing devices.

As evidenced from the plain language in MCL 324.48703(1), to fulfill the State's statutory duty to protect its sport fisheries, the statute expressly prohibits a wide range of fishing devices or methods that would give a person an unfair or unsporting advantage and allows fishing with only a single line, or a single rod and line, which must be either "held in the hand" or kept "under immediate control." MCL 324.48703, however, does not specifically address whether a radio-controlled device is either a prohibited or permitted device for sport fishing. The question, therefore, becomes whether fishing by means of a rod and line mounted on a small boat remotely controlled by radio may reasonably be regarded as fishing with a "single line or single rod and line while held in the hand or *under immediate control*." (Emphasis added.) To answer this question, principles of statutory construction must be employed.

The primary goal of statutory construction is to determine and give effect to the intent of the Legislature as expressed in the statutory language. *Fluor Enterprises, Inc v Dep't of Treasury*, 477 Mich 170, 174; 730 NW2d 722 (2007). The term "immediate control" in MCL 324.48703(1) is not defined in Part 487. Where words are not defined in a statute, they must be construed and understood according to the common and approved usage of the language. MCL 8.3a. To determine that meaning, it is appropriate to consult dictionary definitions. *Title Office, Inc v Van Buren County Treasurer*, 469 Mich 516, 522-523; 676 NW2d 207 (2004).

When used as an adjective to modify the noun "control" as in MCL 324.48703(1), the word "immediate" can have different meanings, which in turn can lead to different conclusions regarding the legality of radio-controlled fishing devices. For example, it can have a temporal connotation, meaning "not separated in

³ This language is drawn from Chapter II, section 1 of 1929 PA 165.

time; acting or happening at once; without delay; instant." Using this definition, a radio-controlled device could be allowed if it remained under the continual control of the operator without any interruption in time. "Immediate" can also have a physical connotation, however, meaning "having nothing coming between; with no intermediary; specif., a) not separated in space; in direct contact; closest; nearest." *Webster's New World Dictionary, Third College Edition* (1988). See also *Webster's Third New International Dictionary* (1976) ("acting or being without the intervention of another object, cause, or agency: DIRECT, PROXIMATE . . . being near at hand: not far apart or distant"). Using these definitions, a radio-controlled fishing device would be prohibited because the fishing line would be separated in space from the operator and would require the intervention of the radio controls as an intermediary.

Another rule of statutory construction provides assistance in resolving which of these definitions to use in ascertaining the intent of the Legislature: the meaning of the words must be understood taking into account the context in which the words appear. *Western Michigan Univ Bd of Control v State*, 455 Mich 531, 539; 565 NW2d 828 (1997). "Immediate control" must, therefore, be understood in the context of Part 487's provisions that protect the State's sport fisheries. As the Michigan Supreme Court in *Sweatt v Dep't of Corrections*, 468 Mich 172, 179-180; 661 NW2d 201 (2003), explained:

The language [undefined in a statute] does not stand alone, and thus it cannot be read in a vacuum. Instead, "it exists and must be read in context with the entire act, and the words and phrases used there must be assigned such meanings as are in harmony with the whole of the statute, construed in the light of history and common sense. When interpreting a statute, we must "consider both the plain meaning of the critical word or phrase as well as 'its placement and purpose in the statutory scheme.'" [Citations omitted.]

Additionally, to ascertain the Legislature's intent, the entire act should be read and meaning must be given, if possible, to every word of the statute to harmonize its provisions and carry out the Legislature's purpose. *Macomb County Prosecutor v Murphy*, 464 Mich 149, 160-161; 627 NW2d 247 (2001). A law is not properly read as a whole when its words and provisions are isolated and given meanings that are independent of the rest of its provisions. *Lansing Mayor v Michigan Public Service Comm*, 470 Mich 154, 168; 680 NW2d 840 (2004). Legislative intent is not to be determined from focusing on isolated words but by construing its terms in accordance with the surrounding text and the statutory scheme. *Breighner v Michigan High School Athletic Ass'n*, 471 Mich 217, 232; 683 NW2d 639 (2004). In seeking the meaning of words in a statute, words and clauses will not be divorced from those which precede and those which follow. *G.C. Timmis & Co v Guardian Alarm Co*, 468 Mich 416, 421-422; 662 NW2d 710 (2003).

Examining the operative language within the overall context of section 48703 and other provisions within Part 487, it is clear that a person is prohibited from catching a fish by the enumerated methods "or by *any* other means or *device*" other than a single line or a single rod and line (emphasis added). This language conveys an intent to ban the use of a particular device unless it is expressly authorized in section 48703(1). Moreover, other language in the same subsection indicates that the means and devices authorized by section 48703 are permitted only "while being used for still fishing, ice fishing, casting, or trolling for fish." Radio-controlled fishing would not appear to reasonably fall within the scope of these fishing methods. Furthermore, the

phrase "under immediate control" appears directly after "held in the hand," suggesting that "immediate" is a physical limitation.

Section 48711 of the NREPA provides further evidence of the Legislature's restrictive intent with regard to devices that are authorized for sport fishing use. This section states in relevant part:

A person shall not have in his or her possession any net, set lines, jack or other artificial light of any kind, dynamite, giant powder, or other explosive substance or combination of substances, hook and line, or any other contrivance or device to be used for the purpose of taking fish in violation of this part or any other act or part. [MCL 324.48711; emphasis added.]

To reiterate, MCL 324.48703(1) allows only a narrow range of devices consisting of a "single line" or "a single rod and line" that must be either "held in the hand or under immediate control." Reading all sections of Part 487 as a whole, the connotation that "immediate control" means control that is "close at hand" or in the operator's immediate physical proximity best effectuates the Legislature's intent. As radio controls are not listed among the devices authorized under MCL 324.48703(1), and as the fishing line positioned on the boat can only be controlled with the intervention of the radio-control device and is necessarily located at a distance from the operator, the fishing line is not under immediate physical control and therefore, such a remote-controlled fishing device is not authorized under section 48703(1) of the NREPA.⁴

As new sport fishing innovations are developed and gain popularity, they may offer new opportunities for participation in the sport. But where the law is written in a way that restricts the devices that can be used for sport fishing, it is for the Legislature alone to authorize their use in Michigan.

It is my opinion, therefore, that a radio-controlled fishing device that enables its operator to catch a fish in the waters of this State by means of a rod and line that is not held directly in the operator's hand or in the operator's immediate physical proximity is not under the operator's "immediate control," and is not a device that may be used for sport fishing under section 48703(1) of the Natural Resources and Environmental Protection Act, MCL 324.48703(1).

MIKE COX
Attorney General

⁴ This office is advised that the Michigan Department of Natural Resources (DNR), the agency charged by law with the responsibility for protecting Michigan's fishing resources, enforces Part 487 of the NREPA consistent with the interpretation provided in this opinion. The DNR interprets "immediate control" to mean that a fishing device must be "close at hand" to be a lawful device under Part 487. The DNR's interpretation of "immediate control" is a reasonable one. An interpretation of a statute by the governmental agency charged with its enforcement is "entitled to respectful consideration and, if persuasive, should not be overruled without cogent reasons." *In re Rovas Complaint*, 482 Mich 90, 108; 754 NW2d 259 (2008).

**NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT:
Legal effect of the Department of Environmental Quality's operational
memoranda**

DEPARTMENT OF ENVIRONMENTAL QUALITY:

ADMINISTRATIVE RULES AND REGULATIONS:

ADMINISTRATIVE PROCEDURES ACT:

The operational memoranda developed by the Michigan Department of Environmental Quality to provide direction to staff, guidance to the regulated community, and consistency when enforcing the Natural Resources and Environmental Protection Act, MCL 324.101 *et seq.*, are not "rules" requiring promulgation under the procedures provided for in the Administrative Procedures Act, MCL 24.201 *et seq.* Accordingly, they do not have the force and effect of law and are not legally binding on the public or the regulated community.

The Michigan Department of Environmental Quality may not use the failure to comply with its operational memoranda, procedures, guidance documents, and written correspondence as a basis for suspending or revoking a qualified consultant's or certified professional's certification, because none of these carry the force and effect of law. An order issued under MCL 324.21319a to abate an imminent risk to the public health, safety, welfare, or the environment is legally enforceable and may serve as a basis for revoking such certification.

The administrative rules governing revocation of certifications for qualified consultants and certified professionals found in Part 215 of the Natural Resources and Environmental Protection Act, MCL 324.21501 *et seq.*, may incorporate the requirements of Parts 211 or 213 to effectuate the Legislature's declared intent in Part 215 to promote compliance with Parts 211 and 213.

Opinion No. 7223

December 22, 2008

Honorable Valde Garcia
State Senator
The Capitol
Lansing, MI 48909

You have asked several questions concerning the Michigan Department of Environmental Quality's practice of using what are commonly known as operational memoranda when enforcing Michigan's environmental laws, particularly concerning underground storage tanks, and concerning the validity of various rules promulgated pursuant to Part 215 of the Natural Resources and Environmental Protection Act, MCL 324.21501 *et seq.*

The Michigan Department of Environmental Quality (MDEQ) uses operational memoranda in several program areas to provide guidance to both staff and the regulated community and to enhance consistency when enforcing the requirements of the Natural Resources and Environmental Protection Act (NREPA), MCL 324.101 *et seq.*

Operational memoranda are utilized by several divisions within the MDEQ, including the Remediation and Redevelopment Division, whose duties include enforcing both Part 201 of the NREPA, MCL 324.20101 *et seq.*, and Part 213 of the NREPA, MCL 324.21301 *et seq.* Part 201 sets forth the clean-up requirements for sites of environmental contamination and Part 213 sets forth the requirements for addressing releases from underground storage tanks.

Parts 211, MCL 324.21101 *et seq.*, and 215 of the NREPA also address underground storage tanks. Part 211 and its corresponding administrative rules set forth the requirements that apply to designing, constructing, installing, and maintaining underground storage tanks. Part 215, among other things, establishes the procedures for qualifying those who may serve as "underground storage tank qualified consultants" and for certifying those who seek employment as underground storage tank professionals. Under Part 213, response activities, other than initial response activities under MCL 324.21307, may only be undertaken by a qualified consultant. Under Part 215, a qualified consultant must employ at least one certified professional. See 1998-2000 AACCS, R 324.21504(3).

Within this statutory framework, your first three questions ask if operational memoranda or draft operational memoranda issued by the MDEQ have the same legal force and effect as promulgated administrative rules, and, if not, whether operational memoranda and draft operational memoranda have any binding legal effect on state employees, the public, and the regulated community. Your questions center around the use of operational memoranda as tools for regulating leaking underground storage tanks.

A rule promulgated in accordance with the Administrative Procedures Act (APA), MCL 24.201 *et seq.*, has the force of law and is binding on state agencies that enforce the rule and the public at large. *Town & Country Lanes, Inc v Liquor Control Comm*, 179 Mich App 649, 658; 446 NW2d 335 (1989). Documents created by state agencies to help explain or interpret their statutory authority that are used for internal purposes or are available to the public for informational purposes only are not rules and cannot be enforced.

The APA includes a definition of the term "rule," which also provides that certain agency memoranda or interpretive statements fall outside the definition:

"Rule" means an agency regulation, statement, standard, policy, ruling, or instruction of general applicability that implements or applies law enforced or administered by the agency, or that prescribes the organization, procedure, or practice of the agency, including the amendment, suspension, or rescission of the law enforced or administered by the agency. *Rule does not include any of the following:*

* * *

(g) An intergovernmental, interagency, or intra-agency memorandum, directive, or communication that does not affect the rights of, or procedures and practices available to, the public.

(h) A form with instructions, an interpretive statement, a guideline, an informational pamphlet, or other material that in itself does not have the force and effect of law but is merely explanatory. [MCL 24.207(g) and (h); emphasis added.]

The MDEQ has advised this office of its view that operational memoranda are only intended to be interpretive and are, therefore, not regarded by the agency as rules within the meaning of the APA. Moreover, a review of the MDEQ's operational memoranda reveals that they are generally written as guidance to facilitate implementation of NREPA and do not by their terms impose any mandatory requirements.¹ But "[t]he label an agency gives to a directive is not determinative of whether it is a rule or a guideline under the APA." *Kent County Aeronautics Bd v Dep't of State Police*, 239 Mich App 563, 582; 609 NW2d 593 (2000) (citation omitted), *aff'd Bryne v Michigan*, 463 Mich 652; 624 NW2d 906 (2001). Instead, the focus is on the action taken by the agency "to see whether the policy being implemented has the effect of being a rule." *Id.*

In *Kent County Aeronautics Bd*, the policies under review were the "Equivalent Site Criteria" developed by the Michigan State Police in connection with the process by which local units could suggest construction sites for radio towers to be used in a public safety communication system as alternatives to those planned by the State Police. Under the applicable statute, the State Police was required to notify the local unit of the site selected for a tower and if the site's placement violated local zoning ordinances, the local unit could then suggest an alternative site or grant a special use permit. The criteria came into play when the county refused to grant a special use permit for land the State Police had chosen as a tower site. The Court rejected the county's argument that the criteria were a "rule" that could only be enforced if promulgated in accordance with the APA, explaining that the criteria were "simply an intergovernmental communication that does not affect the rights of the public." *Id.*, 239 Mich App at 583. Even though the criteria necessarily limited the scope of the county's ability to choose an alternate site, the Court reasoned that the criteria were intended to guide the local unit "by way of explanation [concerning] what will constitute an equivalent site." *Id.*

In addition, the Court determined that public rights were not impacted by the criteria because the public did not have a right to propose an alternate site – that right exclusively belonged to the local unit. According to the Court, the criteria were not rules because they did not have the force and effect of law, they did not require "compliance with any stipulations or requirements," they did not impose sanctions for failing to propose an equivalent, alternative site, and they were "analogous to agency correspondences or bound manuals that set forth guidelines for operation." *Id.*, at 583-584.

Similarly, in *Faircloth v Family Independence Agency*, 232 Mich App 391, 396; 591 NW2d 314 (1998), the Court held that an agency policy developed "for determining [a person's] eligibility" for state disability assistance was not a "rule" as defined in the APA. The fact that persons would be impacted by the policy was not enough to make it a rule:

[W]here an agency policy interprets or explains a statute or rule, the agency need not promulgate it as a rule even if it has a substantial effect on the rights of a class of people because an interpretive statement is not, by definition, a rule under the APA. [232 Mich App at 404.]

¹ In your request, you refer to a February 2006 draft operational memorandum concerning soil gas and indoor air. It should be noted that this document has been revised as of June 2008 and the revised draft memorandum does not appear to set forth mandatory requirements but instead provides guidance on what the agency will deem acceptable response activities under Parts 201 and 213.

Moreover, the fact that the policy merely explained the statute and did not itself have the force or effect of law militated against it being a rule: "[D]efendants' policy does not constitute a rule because it does not have the force and effect of law, but rather merely explains the statutory provision." *Id.*, at 405.

Thus, to the extent the MDEQ's operational memoranda are merely explanatory in nature – intended to provide information that will facilitate understanding of the minimum requirements of Parts 201 and 213 of the NREPA, provide guidance to the MDEQ staff in evaluating clean-up methods, and provide guidance to qualified consultants and certified professionals concerning the sufficiency of their corrective action plans – they are legitimate tools for educating staff and the public regarding statutory requirements. To the extent the operational memoranda accurately reflect the relevant statutory requirements, the MDEQ staff can rely upon them to guide their enforcement efforts to achieve compliance with those statutory requirements.² Under these circumstances, the MDEQ does not enforce the operational memoranda themselves but rather the underlying statutory obligations. On the other hand, to the extent any guidance offered in an operational memorandum were to substantively deviate from the applicable statutory requirements, the guidance would be invalid.

It is my opinion, therefore, in answer to your first three questions, that the operational memoranda developed by the Michigan Department of Environmental Quality to provide direction to staff, guidance to the regulated community, and consistency when enforcing the Natural Resources and Environmental Protection Act, MCL 324.101 *et seq.*, are not "rules" requiring promulgation under the procedures provided for in the Administrative Procedures Act, MCL 24.201 *et seq.* Accordingly, they do not have the force and effect of law and are not legally binding on the public or the regulated community.

Your fourth question asks whether the MDEQ may use the failure to comply with its operational memoranda, procedures, guidance documents, orders, and written correspondence as a basis for suspending or revoking a qualified consultant or certified professional's certification.

The MDEQ's regulation of qualified consultants and certified professionals is provided for in Part 215 of NREPA, MCL 324.21501 *et seq.*, which includes a specific grant of authority to promulgate necessary rules. MCL 324.21544. R 324.21514 sets forth the grounds on which the certification of a qualified consultant or certified professional may be revoked. The part of the rule relevant to your inquiry is subsection (3), which provides that revocation may occur if a qualified consultant or certified professional violates Part 213 or Part 215 of the NREPA and the failure also (1) meets the definition of "other causes" in the rules or (2) constitutes a fraudulent practice under Part 213 or Part 215:³

If a qualified consultant or certified professional performs an improper act or fails to perform a requirement specified in parts 213 or 215 of the act

² It is beyond the scope of this opinion and, accordingly, it does not address the effect of instructions provided to staff that govern the performance of an employee's job duties, the failure to comply with which can result in disciplinary action against the employee.

³ The Part 215 rules provide other independent grounds for revocation or suspension of the qualified consultant (QC) or certified professional (CP) certifications that are unrelated to the questions you have posed. Those grounds include: (a) the failure to maintain or meet the requirements for certification (R 324.21514(1) and R 324.21514(2)); (b) the submittal of information to MDEQ that the QC or CP knows to be false or misleading (R 324.21514(3)); and (c) a determination by the MDEQ that the public health, safety, or welfare is endangered.

when obligated to do so and the act or failure to act constitutes a fraudulent practice as set forth in part 213 or part 215 of the act or meets the definition of "other causes" as defined in R 324.21501(h), . . . then the department shall provide a written notice of intent to revoke to the qualified consultant or certified professional stating its findings, and shall inform the qualified consultant or certified professional of the opportunity to voluntarily discontinue a certification pursuant to subsection (6) of this rule. [R 324.21514(3).]

The term "other cause" is defined by R 324.21501(h) to include numerous acts that may be cited by the MDEQ as grounds for revocation:

(h) "Other cause" under sections 21542 and 21543 of the act, for which the department may suspend or revoke a qualified consultant or certified professional certification, means and includes, but is not limited to, the acts set forth in sections 21324 and 21548 of the act and all of the following acts:

* * *

(iv) *Failure to comply with parts 213 and 215 of the act and written directives issued by the department in conformance with parts 211, 213, and 215 of the act, including, but not limited to, any of the following:*

(A) *Operational and informational memoranda.*

(B) *Procedures.*

(C) *Guidance documents.*

(D) *Orders.*

(E) *Written correspondence from department staff requesting information about a facility or site.* [Emphasis added.]

Subsection (h)(iv) of R 324.21501 identifies the failure to comply with operational memoranda, procedures, guidance documents, and written correspondence as a basis for revoking certification. However, as discussed above, operational memoranda, procedures, guidance documents, and written correspondence are not themselves legally binding and do not have the force and effect of law. They may not, therefore, serve as an independent basis for revoking a qualified consultant or certified professional certification, and R 324.21501(h)(iv)(A), (B), (C), and (E) is unenforceable to the extent it purports to accomplish that result.

Consistent with this proposition, the MDEQ has informed this office that it does not use the failure to comply with operational memoranda as a basis for revoking a qualified consultant or certified professional certification. Moreover, as explained above, to the extent operational memoranda accurately reflect the applicable statutory requirements, the MDEQ may direct its staff's enforcement efforts toward achieving compliance with those statutory requirements and base certification revocation on the failure to meet them. Under these circumstances, revocation is not based on any failure to comply with the operational memoranda, but on the failure to comply with the underlying statutory obligations.⁴

⁴ See *By Lo Oil Co v Dep't of Treasury*, 267 Mich App 19, 46; 703 NW2d 822 (2005) (upholding the trial court's determination that the Legislature, as opposed to the policy adopted by the agency, established the criterion to qualify for the applicable discount and explaining that the fact that the department's revenue bulletin was not a promulgated rule was irrelevant, since the requirements of the bulletin were in fact the requirements of the underlying act).

It is also important to clarify, however, that an order issued under Part 213 would have the force and effect of law and it could be a basis for revocation of a qualified consultant or certified professional certification. Under Section 21319a of Part 213, MCL 324.21319a, the MDEQ is expressly authorized to issue an order to abate an imminent risk to public health, safety, or welfare, or the environment. Unlike an operational memorandum, such an order is not a guidance document but an order specifically authorized by law.

It is my opinion, therefore, in answer to your fourth question, that the MDEQ may not use the failure to comply with its operational memoranda, procedures, guidance documents, and written correspondence as a basis for suspending or revoking a qualified consultant's or certified professional's certification, because none of these carry the force and effect of law. An order issued under MCL 324.21319a to abate an imminent risk to the public health, safety, welfare, or the environment, however, is legally enforceable and may serve as a basis for revoking such certification.

Your final question includes two parts. You ask whether: 1) the MDEQ may promulgate rules under Part 215 that apply to Parts 211 and 213 of the NREPA or whether Part 215 rulemaking authority is specifically limited to only that part; and 2) whether, under MCL 324.21106, the MDEQ may promulgate rules under another part of the NREPA and apply those rules to Part 211. Your request does not identify any specific Part 215 rule at issue and staff inquiries have not identified any Part 215 rule that is applied by the MDEQ in enforcing Parts 211 and 213 of the NREPA. It will therefore be assumed for purposes of this opinion that your questions refer to those Part 215 rules, such as Rule 324.21514(3) discussed earlier, that reference or incorporate provisions of Parts 211 and 213.

In *Dykstra v Dep't of Natural Resources*, 198 Mich App 482, 484; 499 NW2d 367 (1993), the Court identified a three-part test for determining the validity of rules: "(1) whether the rule is within the subject matter of the enabling statute; (2) whether it complies with the legislative intent underlying the enabling statute; and (3) whether it is arbitrary or capricious." At issue in the *Dykstra* case was a rule promulgated pursuant to the Farmland and Open Space Preservation Act (Act) that governed when landowners could terminate an agreement to refrain from developing their land. The Act allowed a landowner to apply to the local governing body to request that a development rights agreement be terminated, but it also provided that the local government body "shall approve or reject an application 'based upon, and consistent with, rules promulgated by the state land use agency.'" *Id.*, at 486. Pursuant to the Act, the Michigan Department of Natural Resources (MDNR) had promulgated Rule 43, which set forth the factors local governing units should consider in granting or rejecting a landowner's application. Various landowners whose applications were denied sued to invalidate the rule.

Applying the three-part test, the Court first found that the Act concerned agreements not to develop certain types of land and that a rule addressing the circumstances under which those agreements could be terminated early was clearly within the subject matter of the Act. *Id.*, at 485-486. Secondly, recognizing that in the Act the Legislature had specified that applications should be approved or rejected based on the grounds established by the MDNR evidencing a legislative intent to provide "a statewide solution to potential statewide problems," the Court concluded that the rule also complied with the legislative intent underlying the enabling statute. *Id.*, at 489.

Analyzing the third prong of the test, the Court determined that the rule was not arbitrary or capricious. According to the Court, "[a] rule is arbitrary if it was 'fixed or arrived at through an exercise of will or by caprice, without consideration or adjustment with reference to principles, circumstances, or significance.'" *Id.*, at 490, quoting *Binsfield v Dep't of Natural Resources*, 173 Mich App 779, 786; 434 NW2d 245 (1988). And a rule is capricious if it is "'apt to change suddenly [or is] freakish, or whimsical.'" *Id.* Finding that the rule was rationally related to the Legislature's intent and therefore not arbitrary or capricious, the Court held the rule was valid.

Your question therefore requires considering whether the Part 215 rules that reference or incorporate requirements of Part 211 and 213, including Rule 324.21514(3) that authorizes revocation of a qualified consultant or certified professional's certification for violating a requirement of Part 213 or 215, satisfy *Dykstra's* three-part test. First, these rules fall within the subject matter of Part 215. Section 21545 of Part 215 mandates that the "department shall promulgate rules to implement this part." MCL 324.21545. And the express legislative objective of Part 215 is to promote compliance with Parts 211 and 213:

The objectives of this part are to address certain problems associated with releases from petroleum underground storage tank systems, to promote compliance with parts 211 and 213, and to fund environmental and consumer protection programs necessary to protect public health, safety, or welfare or the environment due to the sale, use, or release of refined petroleum products. [MCL 324.21504; emphasis added.]

Additionally, the broadly stated purpose of Part 215 is to protect against the adverse impacts to human health, the environment, and the economy from underground storage tanks – the same subject matter regulated by Parts 211 and 213:

The legislature finds that underground storage tanks are a significant cause of contamination of the natural resources, water resources and groundwater in this state. It is hereby declared to be the purpose of this part and the authority created by this part to preserve and protect the water resources of the state and to prevent, abate, or control the pollution of water resources and groundwater, to protect and preserve the public health, safety, and welfare, to assist in the financing of repair and replacement of petroleum underground storage tanks and to improve property damaged by any petroleum releases from those tanks, to preserve jobs and employment opportunities or improve the economic welfare of the people of the state. [MCL 324.21505.]

Parts 211 and 213 comprehensively regulate the installation and operation of underground storage tanks and the clean-up of contamination of releases from underground storage tank systems. By its express terms, Part 215 was clearly enacted to further these goals. Consequently, any rule promulgated pursuant to Part 215 that incorporates the requirements of Parts 211 and 213 would be within the subject matter of that statute and would pass the first part of the *Dykstra* test.

For these same reasons, these rules meet the second part of the *Dykstra* test – requiring a determination that the rules comply with the legislative intent underlying the enabling statute. The Legislature specifically stated that "promot[ing] compliance with parts 211 and 213" is the primary objective of Part 215. MCL 324.21504. Part 215 was thus intended to ensure compliance with Parts 211 and 213 and the legisla-

tive grant of authority to promulgate rules to implement Part 215 demonstrates an intent that the Part 215 rules may incorporate the requirements of Parts 211 and 213.

Finally, a rule promulgated pursuant to Part 215 would not be arbitrary or capricious because it incorporated the requirements of Parts 211 and 213. The Legislature twice stated its clear intent that Part 215 was enacted to promote compliance with Parts 211 and 213, and, therefore, the rule's incorporation of the requirements of those parts is rationally related to that legislative intent.

It is my opinion, therefore, in answer to your fifth question, that the administrative rules governing revocation of certifications for qualified consultants and certified professionals found in Part 215 of the Natural Resources and Environmental Protection Act, MCL 324.21501 *et seq.*, may incorporate the requirements of Parts 211 or 213 to effectuate the Legislature's declared intent in Part 215 to promote compliance with Parts 211 and 213.

MIKE COX
Attorney General

DIVISION REPORTS

EXECUTIVE OFFICE

Carol L. Isaacs
Chief Deputy Attorney General

The Executive Office, headed by the Chief Deputy Attorney General, consists of executive level staff. The Chief Deputy reports directly to the Attorney General as his legal advisor, and she is responsible for the implementation of the Attorney General's goals for the office, including consumer protection, Internet crime cases, child support, child safety, health care quality, senior protection, examining energy costs, protecting the environment, as well as a host of other legal issues facing the State. The Chief Deputy also manages the executive staff and the Bureau Chiefs.

The Executive Office includes six offices: the Office of Legislative Relations, Office of Constituent Relations, Governmental Affairs, Office of Communications, Office of Fiscal Management, and Office of Human Resources.

The Offices of Legislative Relations, Constituent Relations and Governmental Affairs work together as the Attorney General's liaison to the legislature and general public. The Office of Legislative Relations works with the Legislature on statutory issues regarding the Department's budget, to implement the legislative goals proposed by the Attorney General, and assist Legislators with constituent issues. The Constituent Relations office serves the public by addressing concerns that are raised at local meetings and events, in addition to requests that come directly to the Attorney General's office. These concerns are then relayed to the Attorney General's Executive Office team for consideration. The Governmental Affairs office is responsible for implementing and developing policy on behalf of the Attorney General. Governmental Affairs also works as a liaison to various external organizations that compliment the mission of the Department of Attorney General.

The Office of Communications responds to press inquiries and operates as the spokesperson for the Attorney General and the Department as a whole. The Office of Communications also handles public speaking requests, prepares speeches for the Attorney General, and prepares informational pamphlets for the Department.

The Office of Fiscal Management is responsible for managing the Department of Attorney General's budget, as well as advising the Attorney General on fiscal matters of concern to the Department. The Office of Fiscal Management works closely with the Office of Legislative and Constituents Affairs in order to accurately convey the budgetary needs of the Department in order to function and serve the State of Michigan and the citizens of Michigan.

The Office of Human Resources serves the employees of the Department of Attorney General. The Office of Human Resources processes all necessary paperwork regarding hiring employees, employee benefits, employee compensation, as well as various other roles that enable the Department of Attorney General to function properly.

The Executive Office also provides leadership in the area of emergency planning and response. In October 2007, Attorney General Cox developed an extensive compilation of emergency public health law in a CD entitled "Public Health Law Bench Book for Michigan Courts." The CD was distributed to all courts in Michigan and made available to legal practitioners. In November 2008, Attorney General Cox and the Michigan Supreme Court provided training to Michigan judges on emergency public health law.

CHILD AND FAMILY SERVICES BUREAU

Wanda M. Stokes
Bureau Chief

The Child & Family Services Bureau includes the following six divisions: Children and Youth Services Division, Community Health Division, Corporate Oversight Division, Education and Social Services Division, Labor Division, and the Public Service Division. As stated in the following narratives, these divisions uniquely focus on the Departments' goals of protecting Michigan's families, children, and vulnerable adults. The Bureau divisions provide legal representation in civil abuse and neglect cases involving our youth; education, social services, health care, utility rate and various labor/workforce proceedings that impact Michigan families; and give legal advice and representation to state agencies and officials to ensure compliance with Michigan law in corporate, insurance, and securities matters. The legal practices include initiating as well as defending lawsuits at the request of state agencies and officials.

The Bureau Chief provides legal and administrative oversight for each division within the Bureau. Ms. Stokes establishes operational policy, manages financial resources and staffing, and works closely with each Division Chief to ensure the Attorney General's goals and objectives are accomplished. Under her direction the Bureau added two new divisions, Labor Division and Public Service Division, which handle legal matters important to Michigan families. She also created the Corporate Oversight Division, which includes all insurance, banking, corporate and securities matters. The Bureau has a Senior Executive Management Assistant who provides administrative support to the Bureau Chief and works closely with the divisions' support staff regarding policy matters, operational support, resources and training.

Children & Youth Services Division

Rebekah F. Mason-Visconti, Division Chief

The Children & Youth Services Division provides legal advice and representation to the Department of Human Services in litigation and appellate work involving child abuse and neglect cases in Wayne County.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
Circuit Ct	3,557	1,212	1,068	3,701	1,044	1,320	3,425
Ct of Appeals	64	120	105	79	133	118	94
Supreme Ct	0	5	4	1	2	2	1
Total	3621	1337	1177	3781	1179	1440	3520
US Courts							
Supreme Ct	0	1	0	1	0	1	0
Total	0	1	0	1	0	1	0

Other Significant Division Activity:	2007	2008
Petitions handled by division	1,704	1,566
Children involved in the petitions referenced above	3,066	2,808
Hearings attended	22,522	21,985
Trials completed	2,055	1,849
Responsive pleadings filed in the Court of Appeals	91	114

Community Health Division

Ronald J. Styka, Division Chief

The Community Health Division provides legal advice and representation to public health programs within the Departments of Community Health, Human Services and the Office of Services to the Aging. It also acts as general counsel to the Department of Community Health and provides legal advice and representation on the public and mental health codes. The Division enforces laws through administrative and court actions, including appeals, against nursing homes, hospitals, homes for the aged, substance abuse service providers, emergency medical services, medical waste producers, certain licensed and certified care providers and grocery stores which serve as vendors in nutritional food programs. Also, the Division is involved with health planning through representation of the Certificate of Need Program and Medicaid reimbursement issues with regard to mental health services. It provides legal services with regard to the collection and preservation of vital statistics and health records and the administration of medical services for crippled children.

Finally, the Division is on call to provide legal services to state agencies that must deal with bioterrorism, pandemics, and other health emergencies.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	0	2	1	1	0	1	0
Probate Ct	11	2	7	6	3	4	5
Circuit Ct	21	12	22	11	18	6	23
Ct of Claims	1	0	0	1	1	1	1
Ct of Appeals	0	4	2	2	0	0	2
Supreme Ct	0	1	1	0	0	0	0
Total	33	21	33	21	22	12	31
US Courts							
District Ct	3	0	1	2	5	2	5
Circ Ct of App	3	0	1	2	3	0	5
Supreme Ct	0	1	0	1	0	0	1
Total	6	1	2	5	8	2	11
Administrative Actions	53	127	106	74	139	114	99
Monies Paid To/By the State:				2007	2008		
All Judgments/Settlements paid TO State				\$357,912.59	\$653,656.39		
All Judgments/Settlements paid BY State				0	\$337,500.00		

Monies Saved Citizens of the State:	2007	2008
Certificate of Need denials:	\$1,418,687	\$15,176,949

Other Significant Division Activity:

The Division provides legal expertise to state agencies on the Health Insurance Portability and Accountability Act (HIPAA).

Also, the Division represents the State in federal court defending constitutional challenges to statutes affecting reproductive rights.

Insurance & Banking Division

John Blanchard, Division Chief

The Insurance and Banking Division provides representation and counsel to State departments in matters involving banking, insurance, and securities. The Division acts as general counsel to the Office of Financial and Insurance Regulation (OFIR) of the Department of Energy, Labor & Economic Growth. The Insurance & Banking Division works to enforce the Michigan Insurance Code, Patient's Right to Independent Review Act, Blue Cross Act (Nonprofit Health Care Corporation Reform Act), Banking Code of 1999, Mortgage Brokers, Lenders & Servicers Licensing Act, Consumer Financial Services Act, Uniform Securities Act, and numerous other consumer finance related laws. This includes the regulation of Blue Cross Blue Shield of Michigan, HMOs, state-chartered banks, domestic insurance companies, foreign insurance companies, state-chartered credit unions, consumer finance lenders, insurance agents, securities agents and broker-dealers.

The Insurance & Banking Division acts as counsel to the Commissioner of OFIR in receivership, rehabilitation, and liquidation proceedings involving insurance companies, health maintenance organizations, banks, and other regulated entities.

The Insurance & Banking Division also provides representation to the Corporation Division of the Bureau of Commercial Services within the Department of Energy, Labor & Economic Growth. The Division provides services that enable business corporations and nonprofits, limited partnerships, limited liability companies, and limited liability partnerships to be formed, and for foreign entities to obtain a certificate of authority to transact business in the state, as required by Michigan law.

The Insurance and Banking Division provides guidance and assistance in reviewing agency documents and reviews insurance companies' articles of incorporation and amendments to articles of incorporation. The Insurance and Banking Division assists and advises the public in consumer-related matters involving insurance, banking, and securities issues.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
Circuit Ct	8	14	10	12	14	8	18
Ct of Appeals	5	4	4	5	4	4	5
Supreme Ct	2	2	2	2	5	3	4
Total	15	20	16	19	23	15	27

US Courts

District Ct	3	2	2	3	1	2	2
Circ Ct of App	0	0	0	0	1	0	1
Supreme Ct	1	0	1	0	0	0	0
Bankruptcy Ct	1	4	0	5	0	0	5
Total	5	6	3	8	2	2	8

Administrative Actions	4	9	2	11	2	10	3
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Monies Paid To/By the State:	2007	2008
All Judgments/Settlements paid TO State/Citizens	0	\$2,422,544.04
All Judgments/Settlements paid BY State	0	0
Monies SAVED Citizens of the State	\$48,770.539.19	0

Other Significant Division Activity:

Multiple Employer Welfare Arrangements and No-Fault Automobile Insurance Securities Regulation

Education & Social Services Division

Raymond O. Howd, Division Chief

The Education & Social Services Division represents and provides legal counsel to the Michigan Department of Education (MDE), the Department of Human Services (DHS), the Department of Community Health (DCH) in Medicaid and other state health payment programs, the Department of Treasury in matters relating to the State School Bond Loan Fund, and the Department of Management & Budget, Center for Educational Performance & Information (CEPI).

In the education area, the Division represents MDE, the State Board of Education, the Superintendent of Public Instruction, the State Tenure Commission and the Michigan Merit Award Board. The Division also represents the Michigan Schools for the Blind and Deaf, the Department of Treasury in matters relating to the State School Bond Loan Fund, and the Center for Educational Performance & Information in the Department of Management & Budget. In this area, the Division handled a number of significant matters that affected the jurisprudence of the state, impacted the State's educational system, or had a major impact on the state budget. Examples include school district funding litigation under the Headlee Amendment; special education matters under the federal Individuals with Disabilities Education Act (IDEA) and No Child Left Behind Act (NCLBA); teacher certification hearings to determine the moral and character fitness of teacher, audits of federal education grants and other school finance issues; and a variety of charter school matters. The Division worked closely with the Superintendent of Public Instruction in the process leading to the appointment of an emergency financial manager for the Detroit Public School District.

In the social services area, the Division provides legal counsel to DHS and the several independent boards and commissions within that Department, and DCH in Medicaid policy and other state health payment programs. The Division represents DHS in its administration of many social welfare programs including Medicaid, general assistance, disability, and other cash assistance programs. In addition, the

Division handles other DHS matters concerning children and youth services, juvenile delinquency, adoption, and adult and child protective services. The Division represents the Bureau of Child and Adult Licensing (BCAL) within DHS, which licenses and regulates child and adult foster care homes, facilities, institutions, organizations, and adoption agencies.

The Division represents DCH in recovering overpayments to Medicaid providers based on Medicaid audits, and intervenes in personal injury lawsuits to recover Medicaid payments from third parties in personal injury lawsuits and workers compensation matters. The Division collected over \$9.2 million in overpayments to Medicaid providers and in actions where it intervened against third parties to recover Medicaid money that should have been paid by a private health care insurer or other liable party.

The Education & Social Services Division represented the Departments of Human Services and Community Health in several class action lawsuits involving the eligibility of applicants to receive Medicaid and general assistance benefits; administrative appeal procedures for Medicaid eligibility denials; the State's foster care system; the retention of interest on child support payments; co-pays for services and drugs, and the recovery of Medicaid funds from a drug company in a products liability action. The Division also defended against federal disallowance determinations where the federal agency that administers the Medicaid program sought to recoup or decrease the State's federal Medicaid funding.

The Division also handled a large volume of adult foster care and day care licensing cases involving physical and sexual abuse, and in some cases, deaths of residents and children. The Division responds to a significant number of opinion and information requests from legislators, public officials, local officials, client agency staff, and the public.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	25	6	9	22	2	23	1
Probate Ct	24	2	11	15	3	14	4
Circuit Ct	504	203	302	405	200	390	215
Ct of Claims	3	3	3	3	3	1	5
Ct of Appeals	37	13	14	36	8	34	10
Supreme Ct	8	4	3	9	4	7	6
Total	601	231	342	490	220	469	241
Out-of-State State Courts							
	10	2	7	5	2	2	5
US Courts							
District Ct	23	3	7	19	9	14	14
Circ Ct of App	9	2	3	8	1	5	4
Supreme Ct	0	1	0	1	0	0	1
Bankruptcy Ct	3	5	2	6	1	6	1
Total	35	11	12	34	11	25	20
Administrative Actions	442	127	342	227	135	245	117

Monies Paid To/By the State:	2007	2008
All Judgments/Settlements paid TO State	\$1,437,975.20	\$7,825,088.49
All Judgments/Settlements paid BY State	\$642,500.00	\$20,440.00

Labor Division

Ray W. Cardew, Jr., Division Chief

The Labor Division is comprised of four sections located in Lansing, Grand Rapids, and Detroit: Regulatory, State Claims, Funds Administration, and Unemployment. The Regulatory Section offers legal advice and represents State agencies, bureaus, and commissions charged with regulating employment conditions, licenses, and workplace performance. This section enforces the Payment of Wages and Fringe Benefits Act, 1978 PA 390; the Minimum Wage Law of 1964, 1964 PA 154; Wages of Persons Working on State Projects Act, 1965 PA 166; the Michigan Occupational Safety and Health Act, 1974 PA 154; the State Construction Code Act of 1972, 1972 PA 230, the Blind and Visually Disabled Persons Act, 1978 PA 260, and the Worker's Disability Compensation Act of 1969, MCL 418.101, *et seq.* This section also represents the Civil Service Commission that controls the employment terms and conditions for all classified employees under Const 1963, art 11, § 5 and the Michigan State Board of Ethics that oversees the ethical conduct of public officers and the executive branch employees under the State Ethics Act, 1973 PA 196. The State Claims Section represents all State departments when defending disputed workers' compensation claims filed by department employees. The Funds Administration Section represents the state workers' compensation funds created by the Legislature: Second Injury Fund; Self-Insurers' Security Fund; and Silicosis, Dust Disease, and Logging Industry Compensation Fund. The Unemployment Section is counsel to the Unemployment Insurance Agency (UIA) and represents its Office of Trust Fund, Tax & Field Audit Division, and its Office of Benefits Services in all civil actions maintained in state and federal courts. This section represents the UIA as statutory party to all actions arising under the Michigan Employment Security Act, MCL 421.1 *et seq.* as amended. In tax collection and benefit restitution actions, the section sues to recover delinquent unemployment taxes or improperly received unemployment benefits and defends the agency's proofs of claim filed in federal bankruptcy courts, in probate courts, and in circuit courts.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	1,233	629	458	1,404	797	989	1,212
Circuit Ct	343	506	430	419	524	628	315
Ct of Claims	1	1	2	0	3	1	2
Ct of Appeals	28	39	26	41	26	40	27
Supreme Ct	10	16	10	16	14	13	17
Total	1,615	1,191	926	1,880	1,364	1,671	1,573
Out-of-State							
State Courts	51	3	47	7	2	0	9

US Courts

District Ct	5	3	1	7	4	6	5
Circ Ct of App	1	3	2	2	2	2	2
Supreme Ct	0	1	1	0	2	0	2
Bankruptcy Ct	233	144	83	294	91	198	187
Total	239	151	87	303	99	206	196

Administrative Actions 1,168 764 790 1,142 751 828 1,065

Citizen Letters 77 347 252 172 339 436 75

Monies Paid To/By the State: 2007 2008

Fines/penalties paid TO State (Workers' Compensation
Administrative Revolving Fund) \$640,480.71 \$503,732.16

Actual monies collected (Wage & Hour Division)
Wages, Interest, Costs, Civil Penalties \$125,863.00 \$150,007.00

Actual monies collected (Unemployment Unit)
Restitution \$451,658.67 \$480,697.37
Contribution \$318,121.09 \$81,544.45
Employer Bankruptcy \$1,210,574.04 \$1,906,108.08
TOTAL \$1,980,353.80 \$2,468,349.90

Public Service Division

Steven D. Hughey, Division Chief

The Public Service Division provides legal counsel and representation to the Michigan Public Service Commission (MPSC) in the Michigan circuit courts, Court of Appeals and Supreme Court, the Federal district courts (primarily the D.C. Circuit and Sixth Circuit), and Supreme Court. The Division also represents both the State of Michigan and the MPSC in proceedings before federal agencies, including the Federal Energy Regulatory Commission, Federal Communications Commission, Federal Highway Administration, and in appeals from these agencies to the federal courts.

Finally, the Public Service Division represents the Michigan Public Service Commission staff in administrative proceedings.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	0	0	0	0	1	0	1
Circuit Ct	2	4	5	1	0	1	0
Ct of Claims	2	2	2	2	0	2	0
Ct of Appeals	30	16	18	28	23	25	26
Supreme Ct	0	9	5	4	9	9	4
Total	34	31	30	35	33	37	31

US Courts

District Ct	4	2	1	5	2	3	4
Circ Ct of App	6	1	2	5	3	1	7
Supreme Ct	0	0	0	0	2	1	1
Total	10	3	3	10	7	5	12

Administrative Actions	162	183	229	116	158	126	148
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Monies Paid To/By the State:		2007	2008
All Judgments/Settlements paid TO State		\$5,000.00	\$117,201.86
All Judgments/Settlements paid BY State		0	0

CONSUMER AND ENVIRONMENTAL PROTECTION BUREAU

A. Michael Leffler
Bureau Chief

This Bureau began the biennial period as the Consumer Protection and Criminal Prosecutions Bureau with the following five divisions: Alcohol and Gambling Enforcement Division; Consumer Protection Division; Criminal Prosecutions Division; Environment, Natural Resources and Agriculture Division; and the Tobacco and Special Litigation Division. During the biennial period, the Department was reorganized, renaming this Bureau as the Consumer and Environmental Protection Bureau. The Alcohol and Gambling Enforcement Division and Criminal Prosecutions Division were moved to the newly-named Criminal Justice Bureau, and the Licensing and Regulation Division was moved to this Bureau.

The Bureau's primary civil responsibilities include the protection of consumers and businesses from unscrupulous commercial practice; enforcement and oversight of tobacco and utility law; the regulation of certain professions, occupations, and services; and the protection of Michigan's natural resources. Attorneys in the Bureau practice in virtually all state and federal courts as well as state administrative tribunals. The Bureau also serves as house-counsel for the Departments of Agriculture, Environmental Quality, and Natural Resources as well as various licensing boards and commissions.

Consumer Protection Division

Katharyn Barron, Division Chief

The principal function of the Consumer Protection Division is investigating and mediating consumer complaints and encouraging compliance with consumer protection and antitrust laws. The Division administers or enforces more than 35 state statutes. Under many of these statutes, the Consumer Protection Division has exclusive or primary compliance and enforcement jurisdiction.

By statutory prescription, the Division issues licenses to charities and professional fundraisers acting on their behalf; registers charitable trusts, public safety organizations and their fundraisers, and is a necessary party to many probate estates having a residuary devise to a charitable entity. Franchisors must provide the

Division with notice of their intent to offer or sell franchises. Those offering for sale a "business opportunity" must also provide the Division with notice. The Division also enforces consumer laws against offerors of product-based pyramid scams. The Division educates consumers through speeches, seminars, workshops, coalitions, and task forces.

The Michigan Cyber Safety Initiative (Michigan CSI) is an Internet safety education program with presentations for kindergarten through eighth-grade students and a community seminar. Michigan CSI was piloted in the spring of 2007 and fully launched during the 2007-2008 school year. During calendar year 2007, 89,790 students and adults participated in the programming, while in calendar year 2008, the program reached an additional 219,317 people.

The Division also represents the Michigan Retirement Systems in security fraud matters. The Systems invest on behalf of Michigan Public School Employees, State Employees, State Police, and Michigan Judges.

Finally, the Division also handles miscellaneous matters at the direction of the Attorney General.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	1	4	1	4	3	3	4
Probate Ct	176	52	55	173	69	41	201
Circuit Ct	10	8	8	10	6	2	14
Ct of Appeals	6	3	3	6	1	3	4
Supreme Ct	0	1	0	1	0	0	1
Total	193	68	67	194	79	49	224
Out-of-State State Courts							
	2	0	0	2	0	0	2
US Courts							
District Ct	7	1	1	7	4	2	9
Circ Ct of App	2	0	1	1	0	0	1
Bankruptcy Ct	1	0	0	1	1	0	2
Total	10	1	2	9	5	2	12

**Monies Paid To the State and
Other Significant Activities:**

	2007	2008
Consumer complaints	20,035	19,323
Money recovered for consumers	\$2,947,602.02	\$2,626,769.16
Civil penalties, investigative, and other costs/income	\$1,167,548.30	\$6,866,162.90
Franchise registrations (new & renewal)	1,404	1,401
Business opportunity registrations	6	13
Franchise fees	\$351,000.00	\$350,250.00
Antitrust civil penalties, state recoveries and <i>cy pres</i> distributions	\$597,043.59	\$1,944,452.66
Antitrust recoveries for consumers	\$282,869.34	\$21,066.05

Files opened for determination of applicability of charitable trust and solicitation requirements	1355	1451
Dissolution, public safety, professional fundraiser files opened	263	369
Nonprofit corporate dissolutions closed	272	201
Charitable solicitation licenses issued	5311	5730
Charitable solicitation professional fundraiser licenses issued	382	219
Public safety registrations issued	67	70
Public safety professional fundraiser registrations issued	7	6
Registered charitable trusts at year end	10,559	10,982

Environment, Natural Resources, and Agriculture Division

S. Peter Manning, Division Chief

The Environment, Natural Resources, and Agriculture Division advises and represents the Department of Environmental Quality, Department of Natural Resources, and Department of Agriculture in matters involving environmental regulation, natural resources management, and agricultural programs. The Division also advises and represents other state agencies in matters involving Native American treaty issues, and the Department of Energy, Labor, and Economic Growth in Land Division Act matters. The Division also serves as legal counsel to or as the Attorney General's representative on the following Commissions or other bodies:

Agriculture Commission	Michigan State Waterways Commission
Natural Resources Commission	Natural Resources Damage Assessment
Great Lakes Commission	Trustee Councils
Mackinac Island State Park Commission	Water Resources Conservation
Great Lakes Fishery Trust	Advisory Council

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	2	0	1	1	0	0	1
Probate Ct	3	0	2	1	1	2	0
Circuit Ct	219	133	152	200	112	120	192
Ct of Claims	1	3	1	3	3	2	4
Ct of Appeals	32	25	26	31	15	27	19
Supreme Ct	5	10	5	10	11	9	12
Total	262	171	187	246	142	160	228
US Courts							
District Ct	20	8	10	18	11	11	18
Circ Ct of App	9	6	5	10	7	6	11
Supreme Ct	2	2	2	2	1	2	1
Bankruptcy Ct	17	4	2	19	2	6	15
Total	48	20	19	49	21	25	45
Administrative Actions	127	32	35	124	35	31	128

Monies Awarded To/Paid By the State:	2007	2008
Judgments/Settlements Awarded TO State	\$50,326,308.13	\$11,091,437.55
Judgments/Settlements Paid By State	\$2,166,708.08	4,000.00
Other Significant Division Activity:	2007	2008
Client Referrals received:	111	151
Citizen Inquiries processed:	153	163

Licensing and Regulation Division

Leo H. Friedman, Division Chief

The Division represents 52 health and occupational licensing agencies within the Department of Community Health (DCH), Bureau of Health Professions, and Department of Energy, Labor & Economic Growth (DELEG), Bureau of Commercial Services.

The Division provides legal services to the DCH, Bureau of Health Professions, and the 21 health regulatory agencies created under the Public Health Code. The responsibilities include providing day-to-day legal advice as well as representing the agencies in administrative proceedings seeking disciplinary sanctions against licensees. Among the health regulatory agencies the Division represents are the Board of Medicine, Board of Osteopathic Medicine & Surgery, Board of Nursing, and Board of Pharmacy. Many of the disciplinary cases involve healthcare providers who have injured patients, are incompetent, have sexually abused patients, have prescribed excessive amounts of controlled substances, and other similar conduct.

In addition, the Division represents the DELEG, Bureau of Commercial Services, and the 31 occupational regulatory licensing agencies created under the Occupational Code and the Manufactured Housing Commission within DELEG's Bureau of Construction Codes. The licensing agencies include residential builders, real estate salespersons, real estate appraisers and other similar licensing boards. The Division represents the Bureau in administrative disciplinary proceedings against individuals holding occupational licenses.

The Division also represents the DELEG's Construction Lien Fund. This Fund was created by the Construction Lien Act to protect the rights of lien claimants to receive payment for labor and materials, and to protect homeowners from paying twice for the same services.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	1	2	1	2	1	1	2
Circuit Ct	212	378	246	344	428	289	483
Ct of Claims	0	1	1	0	0	0	0
Ct of Appeals	7	9	9	7	6	8	5
Supreme Ct	0	3	3	0	2	1	1
Total	220	393	260	353	437	299	491
US Courts							
Cir Ct of App	0	0	0	0	1	0	1
Bankruptcy Ct	1	0	1	0	0	0	0
Total	1	0	1	0	1	0	1

Administrative Actions	346	518	403	461	517	502	476
Monies Awarded To/Against the State:					2007		2008
Judgments/Settlements Awarded TO State					\$0		\$0
Judgments/Settlements Awarded AGAINST State					\$709,970.00		\$494,488.00
Amount Saved State					\$7,210,302.00		\$8,998,807.00
Other Significant Division Activity:					2007		2008
Fines/restitution against licensed occupations and health professionals					\$1,191,174.00		\$2,378,792.00
Investigations and requests for advice received					237		202
Memoranda of advice and investigation files closed by funneling to administrative litigation or by memorandum of advice					204		289
Citizen letters					254		181

Tobacco & Special Litigation Division

Robert Ianni, Division Chief

The Tobacco & Special Litigation Division provides representation to the public at large, and the State of Michigan as a consumer, in utility rate proceedings before the Michigan Public Service Commission and the courts. During 2007-2008, this Division appeared in all significant administrative and judicial proceedings involving the rates and services of the State's largest utilities, and in proceedings involving several smaller utilities. In addition, the Division has the responsibility of representing the consumer interest in utility energy cost recovery proceedings conducted by the Public Service Commission pursuant to 1982 PA 304. The Division is lead counsel in disputes involving the national tobacco settlement and for enforcement of the escrow requirement against non-participating tobacco manufacturers in Michigan. The Division also handles miscellaneous matters at the direction of the Attorney General, including insurance and Blue Cross Blue Shield interventions before the Commissioner of the Office of Financial and Insurance Regulation (OFIR).

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
Circuit Ct	14	3	6	11	4	0	15
Ct of Appeals	15	6	12	9	4	7	6
Supreme Ct	2	2	2	2	5	3	4
Total	31	11	20	22	13	10	25
US Courts							
District Ct	1	1	0	2	1	0	3
Bankruptcy Ct	0	1	0	1	0	0	1
Total	1	2	0	3	1	0	4
Administrative Actions	47	31	49	27	26	19	34

Monies Awarded To/Against the State:	2007	2008
Tobacco:		
Judgments/Settlements Awarded TO State	\$245,705,961.04	\$251,461,650.92
Judgments/Settlements Awarded AGAINST State	\$0	\$0

Other Significant Division Activity:

Blue Cross Blue Shield of Michigan filed a rate increase request on February 9, 2007, for its Other than Group Medicare Supplemental (Medigap) Program. Blue Cross Blue Shield of Michigan sought to increase rates by 50.3%. The Attorney General intervened in the rate case and reduced the rate increase, by settlement, to only 19%, thus saving subscribers over \$92 million.

CRIMINAL JUSTICE BUREAU

Thomas C. Cameron
Bureau Chief

The Criminal Justice Bureau was created in January 2007 and includes five divisions: Alcohol and Gambling Enforcement Division; Child Support Division; Civil Rights and Civil Liberties Division; Criminal Division; and Health Care Fraud Division. In the criminal area, the Bureau's responsibilities include the investigation and prosecution of a broad array of criminal matters, with a particular emphasis on Internet predators, public corruption, cold case homicides, abuse and neglect of seniors in nursing homes, health care fraud, casino related crimes, and non-payment of child support. The Bureau also handles issues involving civil matters in its representation of the Department of Civil Rights, Liquor Control Commission, the Michigan Gaming Board, and the Michigan Department of State in driver license restoration matters.

Alcohol & Gambling Enforcement Division

Donald S. McGehee, Division Chief

The Alcohol and Gambling Enforcement Division was created in 2002. During 2007-2008, it advised and represented the following diverse group of state agencies: Michigan Gaming Control Board, Bureau of State Lottery, Liquor Control Commission, various units of both the Michigan State Police and the Department of Treasury, and the Racing Commissioner. In addition, the Division handled criminal prosecutions for casino-related crimes and tax enforcement cases dealing with civil forfeiture actions under the Tobacco Products Tax Act, jeopardy tax assessments, and criminal prosecutions until May 2007.

The Division advises and represents the Michigan Gaming Control Board and the Michigan State Police Gaming Section on matters pertaining to casino gambling authorized under the Michigan Gaming Control and Revenue Act. These activities include legal assistance to Gaming Control Board and State Police investigators conducting background, regulatory, and/or criminal investigations. The Division represents the State's interests in Gaming Control Board licensing and disciplinary actions,

and drafts opinions and memoranda of law on questions related to casino gambling in Michigan.

The Division also acts as primary legal counsel to the Bureau of State Lottery and the Office of the Racing Commissioner. The Division advises and represents these state agencies in litigation and other matters involving the licensing and regulation of gambling activities permitted under the Horse Racing Law of 1995, the Lottery Act, and the Bingo Act.

The Division also provides legal advice and representation to the Michigan Liquor Control Commission. The Division drafts violation complaints against licensees and represents the Commission at administrative violation and appeal hearings as well as in litigation at all levels of the state and federal courts.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
Tribal Tribunal	1	0	1	0	0	0	0
District Ct	285	87	*371	1	0	1	0
Circuit Ct	66	83	*126	23	**22	21	24
Ct of Claims	1	0	1	0	0	0	0
Ct of Appeals	5	3	3	5	3	1	7
Supreme Ct	3	1	1	3	0	1	2
Total	361	174	503	32	25	24	33
US Courts							
District Ct	4	1	1	4	3	0	7
Circ Ct of App	1	0	0	1	1	0	2
Supreme Ct	0	1	0	1	0	1	0
Bankruptcy Ct	8	0	0	8	1	0	9
Total	13	2	1	14	5	1	17
Administrative Actions	394	2572	2594	372	2750	2796	326

*246 District Court cases and 54 Circuit Court cases were transferred to the Criminal Division in 2007.

**3 Circuit Court cases were transferred back to the Alcohol & Gambling Enforcement Division from the Criminal Division for disposition.

Monies Paid To/By the State:	2007	2008
All Judgments/Settlements paid TO State	\$0.00	\$0.00
All Judgments/Settlements paid BY State	21,590.60	0.00
Liquidated Taxes paid TO State	1,491,159.10	2,035,852.65
Restitution/Forfeitures paid TO State	1,186,650.80	2,587.00
Fees/Fines paid TO State	1,325,490.00	1,965,656.00
Other Significant Division Activity:	2007	2008
Financial Transactions FOR the State	\$206,103,319.00	\$517,137,330.00

Child Support Division

Patrick J. O'Brien, Division Chief

Attorney General Mike Cox created the Child Support Division in April, 2003. It was the nation's first statewide child support enforcement unit. The Division continues to serve as a model for states seeking to recover unpaid child support. The Division focuses its enforcement efforts on those parents who have the economic ability to pay child support, but refuse to do so.

In its six years of operation, the Division has collected over \$75 million dollars that has directly benefited more than 6,000 children. During the time the Division has been in operation, Michigan has led the nation in reducing the number of cases where custodial parents are owed child support arrears. The Division is currently comprised of five attorneys, nine investigators, four secretarial staff, a Victim Advocate, two word processors, a departmental technician, a departmental supervisor, a paralegal, and one part-time student. The Child Support Division investigates and prosecutes felony non-support cases throughout the state of Michigan.

The Division acts as legal counsel for the Office of Child Support's Central Enforcement Unit (CEU) in their efforts to obtain the assets of non-payers of child support arrearages. The Child Support Division has litigated and resolved the legal issues related to the collection and prosecution of child support cases in the Michigan appellate courts.

Funding for the Child Support Division is provided, in part, by federal IV-D grant money administered in Michigan by the Department of Human Services of the Office of Child Support. The grant monies reimburse the Department of Attorney General for 66% of all Division expenses.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	1435	1108	1123	1420	832	819	1433
Circuit Ct	1235	1052	998	1289	523	730	1082
Ct of Appeals	2	1	1	2	3	2	3
Total	2672	2161	2122	2711	1358	1551	2518

Other Significant Division Activity:	2007	2008
Number of investigations:	3,339	3,048
Number of warrants issued:	1,019	862
Number of arrests made:	883	798
Amount of child support collected:	\$15,409,398.52	\$15,481,269.23
Number of children helped:	1,345	785
Number of citizen letters:	272	377
Extraditions:	203	208

Civil Rights & Civil Liberties Division

Ron D. Robinson, Division Chief

The Civil Rights and Civil Liberties Division advises and represents the Michigan Civil Rights Commission (MCRC) and the Michigan Department of Civil

Rights (MDCR) and cooperates with other state departments and agencies in addressing civil rights and civil liberties related matters.

The Division prepares and files formal charges of discrimination by the MDCR alleging civil rights violations and represents the MDCR at formal administrative hearings and in appeals taken. In cases which the Attorney General determines presents issues of major significance to the jurisprudence of the State and in which the MCRC is not a party, the Division represents the MCRC as an intervener or amicus curiae.

The Division brings court proceedings to enforce orders issued by the MCRC or the MDCR and seeks injunctive relief in cases of unlawful discrimination in the areas of housing and public accommodation.

Effective January 1, 2008, the Division was merged with the Driver License Restoration Section (DLRS). Thus, the statistics listed below reflect the combined total for both the Division and the Section. The DLRS represents the Michigan Secretary of State in driver license restoration matters in Wayne, Oakland and Washtenaw Counties, and handles out-county appeals referred by the Secretary of State.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	2	2	1	3	1	1	3
Circuit Ct	2942	575	975	2542	671	1133	2080
Ct of Appeals	9	8	3	14	0	5	9
Supreme Ct	5	2	3	4	0	1	3
Total	2958	587	982	2563	672	1140	2095

US Courts

District Ct	1	2	3	0	1	1	0
Circ Ct of App	1	1	1	1	1	0	2
Supreme Ct	0	1	0	1	1	0	2
Bankruptcy Ct	0	0	0	0	0	0	0
Total	2	4	4	2	3	1	4

Monies Paid To/By the State:

	2007	2008
All Judgments/Settlements paid TO State	0	0
All Judgments/Settlements paid BY State	0	0

Other Significant Division Activity:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
General Assignments	8	73	73	8	43	37	14
Citizen Letters	49	260	273	36	165	160	48

Criminal Division

David E. Tanay, Division Chief

The Criminal Division investigates and prosecutes criminal cases based on the Attorney General's common law and statutory duties as Michigan's chief law enforce-

ment officer and his statutory responsibility to supervise Michigan's 83 prosecuting attorneys. In order to carry out its mission, the Criminal Division employs 16 full-time attorneys, 7 full-time Special Agent Investigators, and 5 full-time support staff, along with law student support when available.

The Criminal Division is comprised of several units including, the Office of Special Investigations (OSI), the Child and Public Protection Unit (CPPU), and the Treasury & Gaming Section which was added to the Division in May 2007. Investigations and prosecutions for the Division involve the full spectrum of criminal offenses, but the OSI's primary focus remains in the area of complex cases, including cold case homicides and prosecuting corruption and misconduct of public officials. The CPPU investigates and prosecutes the exploitation of children over the Internet, including solicitation of children for sexual purposes, using the Internet to disseminate obscene matter to a minor, and crimes involving child pornography. The Treasury & Gaming Section is responsible for prosecuting criminal tobacco tax violations along with other, more generalized, criminal tax-related offenses. This section also prosecutes all crimes relating to the three Detroit-based casinos, as well as other violations of the gaming act.

The Criminal Division has also been active in environmental and welfare fraud prosecutions. The Division prosecutes all welfare recipient fraud cases in Wayne County. Most recipient fraud is discovered through wage match programs and is investigated and referred for prosecution by the Michigan Family Independence Agency, Office of Inspector General. The Division has also specialized in the prosecution of environmental crimes across the state of Michigan.

In addition, the Criminal Division manages a domestic violence grant awarded from the Department of Justice, Office on Violence Against Women, administered by the Department of Human Services, which provides the funds to support three attorneys who prosecute domestic violence in nine northern Michigan counties. These counties include: Grand Traverse, Charlevoix, Cheboygan, Leelanau, Otsego, Emmet, Antrim, Ogemaw, and Roscommon.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	294	332	323	303	533	483	353
Circuit Ct	250	371	471	150	464	395	219
Ct of Claims	0	0	0	0	1	0	1
Ct of Appeals	1	2	0	3	1	4	0
Total	545	705	794	456	999	882	573
Criminal Investigations	64	122	94	92	73	53	112

Monies Paid To/By the State:

	2007	2008
All Judgments/Settlements paid TO State (Welfare Fraud)	\$5,082,126.70	\$4,423,192.73
All Judgments/Settlements paid BY State	0	0

Other Significant Division Activity:

	2007	2008
Citizen Correspondence Answered	1,492	2,217
Special Prosecutor Designations Opened	214	188
Welfare Fraud Divisions Opened	873	446

Health Care Fraud Division

Wallace T. Hart, Division Chief

The Attorney General's Health Care Fraud Division investigates and prosecutes Medicaid provider fraud and resident care facility resident abuse and neglect. The Health Care Fraud Division is one of 49 federally certified Medicaid Fraud Control Units found across the Nation. It is a self-contained investigation and prosecution division with attorneys, auditors, and investigators on staff. Medicaid fraud investigations and prosecutions can include false billings, unlawful delivery of controlled substances, practicing medicine without a license, kickbacks, and bribery schemes. Abuse and neglect investigations and prosecutions include physical assault, criminal sexual conduct, identity theft, theft of residents' property and funds, and harmful neglect in Michigan resident care facilities. The Division also has authority to initiate civil actions for Medicaid overpayments. In conducting its activities, it may also work with other agencies such as the Federal Bureau of Investigation, Drug Enforcement Administration, Department of Justice, Michigan State Police, state regulatory agencies, local law enforcement agencies, and private health insurance companies.

Division Caseload:

	*Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	131	31	52	110	48	62	96
Circuit Ct	29	20	28	21	37	34	24
Ct of Appeals	6	6	7	5	2	6	1
Supreme Ct	0	0	0	0	1	0	1
Total	166	57	87	136	88	102	122
US Courts							
District Ct	41	39	7	73	62	10	125
Total	41	39	7	73	62	10	125

**Qui tam* cases under seal not previously reported in database until mid-2008, which accounts for change in pending 12/31/06.

Monies Paid To/By the State:	2007	2008
All Judgments/Settlements paid TO State	\$9,788,049.35	\$28,047,148.34

GOVERNMENTAL AFFAIRS BUREAUFrank J. Monticello
Bureau Chief

The Bureau of Governmental Affairs began the biennial period with the following divisions: Civil Rights Division; Corrections Division; Labor Division; Public Administration Division; Public Employment, Elections and Tort Division; and Transportation Division. A Department reorganization during the biennial period moved the Civil Rights Division to the newly-named Criminal Justice Bureau and the Labor Division to the Child and Family Services Bureau and added the Finance

Division, Revenue and Collections Division, and State Operations Division to the Governmental Affairs Bureau.

Attorneys assigned to these divisions practice in a wide-range of legal fields and specialties, appearing in all levels of state and federal courts and an array of administrative tribunals. The Bureau handles complex civil litigation, a variety of regulatory matters, and provides general legal counsel to nearly all state agencies. Following are the details and statistics for each division.

Corrections Division

James E. Long, Division Chief

The Corrections Division provides legal advice and representation to the Michigan Department of Corrections and the Michigan Parole Board. While the majority of the workload consists of the representation of the Department of Corrections and the Michigan Parole Board and their employees in the federal and state court systems, the Division also provides legal advice on various legal issues involving state and federal constitutions, statutes and rules, agency decisions, and department policies and procedures. The Division reviews all extraditions and interstate rendition requests received by the Governor's Office. Additionally, the Division reviews all petitions to set aside conviction (expungements) filed with the state courts and represents the Michigan State Police (MSP) concerning orders for setting aside convictions that the MSP contests.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
Municipal Ct	0	1	1	0	0	0	0
District Ct	650	1,170	845	975	1,020	1,064	931
Probate Ct	34	39	42	31	43	40	34
Circuit Ct	1,367	2,316	1,701	1,982	2,455	2,025	2,412
Ct of Claims	9	8	12	5	17	9	13
Ct of Appeals	55	76	101	30	124	55	99
Supreme Ct	19	24	34	9	33	17	25
Total	2,134	3,634	2,736	3,032	3,692	3,210	3,514
US Courts							
District Ct	257	260	169	348	263	193	418
Circ Ct of App	54	94	73	75	127	71	131
Supreme Ct	11	15	21	5	5	1	9
Total	322	369	263	428	395	265	558
Administrative Actions	7	62	42	27	127	55	99
Monies Awarded For/Against the State:				2007		2008	
Judgments/Settlements awarded FOR State				\$11,063.14		\$8,072.85	
Judgments/Settlements awarded AGAINST State				\$3,853,664.41		\$3,710,180.87	
Other Significant Division Activity:				2007		2008	
Extraditions				164		150	

Finance Division

Terrence P. Grady, Division Chief

The Finance Division serves as general counsel and issuers' counsel on all bond or note issuances by the State or any of its agencies, departments, authorities, or instrumentalities. The Division also provides legal services in connection with state surplus funds and state pension fund investments. The Division prepares loan, grant, and investment documentation, bond documents, financial assurance documentation, and generally any and all types of documentation necessary or appropriate to the transactional, investment, and borrowing needs of the State.

The authorities served by the Finance Division consist of the Michigan State Housing Development Authority, Michigan Strategic Fund, State Building Authority, Michigan Higher Education Assistance Authority, Michigan Higher Education Student Loan Authority, Michigan Higher Education Facilities Authority, Michigan Municipal Bond Authority, Michigan State Hospital Finance Authority, Michigan Public Educational Facilities Authority, Michigan Broadband Development Authority, Michigan Tobacco Settlement Finance Authority, Michigan Forest Finance Authority, and the Michigan Land Bank Fast Track Authority.

The Finance Division also handles municipal finance and local governmental matters relating to counties, cities, villages, townships, districts, authorities, and other local governmental organizations. Representation is provided to the Local Audit & Finance Division of the Department of Treasury, the Local Emergency Financial Assistance Loan Board, and the State Boundary Commission. Advice is provided to the Governor on City and Village charters, charter amendments, ballot questions, and Intergovernmental Agreements under the Urban Cooperation Act. This Division answers questions dealing with municipal infrastructure, contracts, finance, powers, utilities, and zoning. Divisional representatives sit as the Attorney General's designee on the Boards of the State Employees' Retirement System, Judges' Retirement System, and the Michigan State Police Retirement System.

Significant Division Activity:	2007	2008
Financial Transactions	564	430
Principal Amount	\$10,103,731,562.33	\$12,095,472,233.40
Number of opinion requests	1	13
City & Village Charters	3	1
Charter Amendments	95	45
Interlocal Amendments	5	4

Public Administration Division

Brenda Turner, Division Chief

The Public Administration Division involves the probate of estates in which the heirs are unknown, and in guardianship and conservatorship proceedings in which the protected person has no presumptive heirs. The State Public Administrator supervises local county public administrators in the administration of decedent estates in the 83 Michigan counties. Litigation in this area involves determining the validity of questionable wills, determining heirs in estates, resisting fraudulent claims, and ensuring distributions as provided by law. The State Public Administrator also pro-

vides legal services for the Department of Treasury's Abandoned and Unclaimed Property Division.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
Probate Ct	96	90	93	93	58	97	54
Ct of Claims	1	1	1	1	0	0	1
Circuit Ct	0	0	0	0	1	0	1
Total	97	91	94	94	59	97	56
US Courts							
District Ct	0	2	0	2	1	0	3
Total	0	2	0	2	1	0	3
Monies Paid TO/BY the State:				2007		2008	
Monies Paid TO State				\$957,978.41		\$1,105,187.96	
Monies Paid BY State				\$0		\$0	

Public Employment, Elections, & Tort Division

Denise C. Barton, Division Chief

The Public Employment, Elections, & Tort Division (PEET) handles employment, civil rights, and tort litigation in state and federal courts throughout Michigan for all branches of state government. This practice also includes a substantial appellate docket in the Michigan Court of Appeals and Supreme Court and the United States Sixth Circuit Court of Appeals involving significant state and federal law constitutional issues impacting all citizens of the State. The Division provides legal advice and representation to state agencies officers and employees in all branches of state government (with the exception of the Department of Transportation and certain prisoner litigation cases) when sued in civil lawsuits based on personal injury, property damage, or other theory of liability under either state or federal law. The Division's staff also provides representation to state agencies, principally the Department of Corrections, in the administrative and arbitration forums allowed under the Civil Service Collective Bargaining Agreements and Rules.

In addition to this primary litigation responsibility, the Division advises and represents the Office of State Employer with respect to collective bargaining and other employment matters relating to the State classified civil service, and the Auditor General and the Department of Military and Veterans Affairs on all transactional and legal matters. The Division also advises and represents the Secretary of State and Board of State Canvassers in election matters, including all related litigation, involving the state's election laws, Michigan Campaign Finance Act, and Lobby Registration Act. Division legal staff also provides informal assistance to local officials throughout the State who are charged with election responsibilities and respond to citizen inquiries and letters on election matters. The Division also reviews and handles enforcement referrals from the Secretary of State related to campaign finance or lobby registration law violations. The Division has taken enforcement actions in hundreds of referrals from the Secretary of State. For most of 2007 and 2008, the Division also handled incompatibility in office referrals.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	3	13	9	7	13	16	4
Circuit Ct	120	127	131	116	119	139	96
Ct of Claims	24	13	20	17	13	15	15
Ct of Appeals	24	31	28	27	35	21	41
Supreme Ct	7	12	10	9	15	11	13
Total	178	196	198	176	195	202	169
Out-of-State State Courts							
	1	0	1	0	0	0	0
US Courts							
District Ct	85	93	78	100	89	95	94
Circ Ct of App	26	26	27	25	39	26	38
Supreme Ct	0	3	2	1	2	2	1
Bankruptcy Ct	0	1	1	0	0	0	0
Total	111	123	108	126	130	123	133
Administrative Actions	14	3	6	11	24	18	17
Monies Awarded For/Against the State:				2007		2008	
Judgments/Settlements awarded FOR State				\$7,824.98			\$0
Judgments/Settlements awarded AGAINST State				\$5,817,137.14		\$7,361,235.04	

Other Significant Division Activity:

Due to the litigation expertise in the Public Employment, Elections, & Tort Division, the Division has handled special assignments involving constitutional challenges to state statutes, policies and procedures, constitutionality of Proposal 2, defense of the Secretary of State and Board of State Canvassers in election cases, and campaign finance litigation.

Revenue and Collections Division

Russell E Prins, Division Chief

The Revenue and Collections Division acts as legal counsel to the Department of Treasury in all matters pertaining to the administration of state taxes and supervision of local taxes. It also represents all state departments in the collection of delinquent accounts throughout the State of Michigan and in all other states of the United States.

The above representation of state interests includes the prosecution and defense of matters in both state and federal courts, as well as the Michigan Tax Tribunal, and involves state taxes for which the state annually receives in excess of \$24.3 billion. The Division also represents the State Tax Commission which, since the Executive Organization Act of 1965, has acted as a State Board of Equalization of local property tax assessments and as the State Board of Assessors, centrally appraising and tax-

ing railroad, telephone, and telegraph companies. Additionally, the commission administers the statutes that grant tax exemptions for industrial and commercial facilities, water and air pollution control facilities, and energy conservation devices. The total monies raised by local property taxes annually exceed \$10 billion.

This Division also represents the State Treasurer in actions brought in 13 counties as the foreclosing unit of government for delinquent real property taxes and in defense of claims brought against the State arising from foreclosure actions.

The figures reported below include not only substantive tax cases but also those involved with the collection of delinquent state accounts. The pending cases that involve substantive tax issues represent claims against the State in judicial and administrative proceedings in excess of \$500 million. During the biennium, \$15,347,023.99 was collected on delinquent accounts. This includes \$5,074,678.44 that was collected during the period on prisoner reimbursement accounts. The amount of claims for tax and other delinquencies for which payment is sought by the State of Michigan in judicial or quasi-judicial proceedings currently exceeds \$194 million.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	131	15	83	63	13	41	35
Probate Ct	76	12	22	66	17	48	35
Circuit Ct	718	310	546	482	365	344	503
Ct of Claims	387	58	57	388	62	190	260
Ct of Appeals	51	33	31	53	33	17	69
Supreme Ct	20	13	16	17	9	12	14
Total	1383	441	755	1069	499	652	916
Out-of-State State Courts							
	1	2	0	3	0	0	3
US Courts							
District Ct	21	11	12	20	18	17	21
Circ Ct of App	2	1	3	0	1	0	1
Supreme Ct	4	2	6	0	1	0	1
Bankruptcy Ct	4198	1774	1984	3988	1587	2178	3397
Total	4225	1788	2005	4008	1607	2195	3420
Out-of-Country Courts	0	4	0	4	0	1	3
Administrative Actions	820	981	1078	723	233	360	596
Monies Paid To the State:				2007		2008	
Judgments/Settlements paid TO State							
Tax and State Agency Accounts				\$6,256,834.88		\$4,015,510.67	
Prisoner Reimbursement				\$2,603,482.67		\$2,471,195.77	
Total				\$8,860,317.55		\$6,486,706.44	

State Operations Division

Thomas F. Schimpf, Division Chief

State Operations has the most diverse responsibility of any Attorney General division. State Operations has seven state departments as clients: the Department of Management and Budget; the Department of Information Technology; the Department of State; the Department of History, Arts and Libraries; the Department of Labor and Economic Growth (for job training and adult education matters); the Department of Natural Resources (for real estate conveyances); and the Department of Military and Veterans' Affairs (for real estate matters).

In addition, the Division provides legal counsel to the Michigan Strategic Fund, Strategic Economic Investment and Commercialization Board, Michigan Economic Growth Authority, Michigan Next Energy Authority, Michigan Film Office, Michigan Education Trust, and Michigan Education Savings Program within the Department of Treasury; the Land Bank Fast Track Authority (in cooperation with the Finance and Revenue and Collection Divisions), Michigan Exposition and Fairgrounds Authority (i.e., State Fair), and Michigan State Public Safety Communications System within the Department of Information Technology; and the Department of Environmental Quality's Small Business Pollution Prevention Loan Program. The Division also serves as the Department's point of contact with the Michigan Economic Development Corporation.

The Division's Retirement Section provides legal counsel for the State Employees' Retirement System; Public Schools Employees' Retirement System; Judges' Retirement System; State Police Retirement System; Legislative Retirement System; and State Social Security Administrator.

The Division provides litigation representation for the State Administrative Board, State Court Administrative Office, and for the clients of the Finance Division, in particular, the Michigan State Housing Development Authority and the Department of Treasury's Bureau of Investments. Starting in 2007, we also perform the Department's Freedom of Information Act, Open Meetings Act, and general citizen letter responsibilities.

State Operations completed transactions and assignments involving appropriations, state contracts, property acquisitions, conveyances, sales and leases with a value of over \$1.6 billion during 2007 and 2008. We successfully defended our client agencies in litigation with over \$330 million at issue in 2007 and 2008. Our client agencies received over \$8.25 million in judgments and settlements during 2007 and 2008.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
Other/Arbitration	0	1	0	1	0	1	0
District Ct	2	5	5	2	2	2	2
Circuit Ct	109	83	88	104	69	97	76
Ct of Claims	6	1	0	7	2	5	4
Ct of Appeals	29	24	17	36	12	25	23
Supreme Ct	10	7	2	15	6	14	7
Total	156	121	112	165	91	144	112

US Courts

District Ct	5	4	2	7	5	8	4
Circ Ct of App	0	1	0	1	1	1	1
Supreme Ct	0	1	0	1	0	1	0
Bankruptcy Ct	5	1	1	5	2	3	4
Total	10	7	3	14	8	13	9

Administrative Actions 114 121 109 126 91 103 114

Monies Awarded For/Against the State:	2007	2008
Judgments/Settlements awarded FOR State	\$1,000.00	\$8,282,078.11
Judgments/Settlements awarded AGAINST State	\$847,500.00	\$930,350.52
Amount Saved the State	\$2,083,550.55	\$328,839,873.84
Value of Transactions	\$669,630,265.23	\$990,302,334.13

Other Significant Division Activity:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Transactions	129	221	236	114	213	215	112
General Assignments	310	714	442	582	597	821	358

Transportation Division

Patrick F. Isom, Division Chief

The Transportation Division is organized into two sections: Torts & Condemnation Section and Contracts & General Counsel Section. The Transportation Division advises and represents the Michigan Department of Transportation (MDOT), Michigan State Transportation Commission, the Mackinac Bridge Authority, the International Bridge Administration, the Aeronautics Commission, and the Michigan Truck Safety Commission, each of which has constitutional and/or statutory responsibilities in an area of transportation, in all areas of the law and litigation except municipal bonding.

MDOT constructs and maintains state trunk line highways throughout the State and administers a comprehensive transportation program involving travel by watercraft, bus, railroad car, aircraft, rapid transit vehicle, or other means of public conveyance. In addition, MDOT administers numerous funding and grant programs under which municipalities, local transit agencies, and others carry out transportation programs. MDOT's regulatory responsibilities include the areas of highway advertising, driveways and rail safety. Attorneys in this Division represent MDOT and each of its agencies in all lawsuits and administrative proceedings; assist in the development, review, and interpretation of contracts; and advise regarding the interpretation of state and federal laws. The Division also represents MDOT in all its condemnation and tort litigation. The areas of litigation range from contract and tort litigation; to employment/discrimination claims; to lawsuits to collect damages from motorists, insurance companies and others responsible for damage to MDOT property; to appellate litigation in all areas of civil practice.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
District Ct	30	16	24	22	11	15	18
Circuit Ct	85	39	59	65	50	57	58
Ct of Claims	37	18	30	25	18	14	29
Ct of Appeals	14	11	15	10	15	6	19
Supreme Ct	5	5	7	3	1	3	1
Total	171	89	135	125	95	95	125
Out-of-State State Courts							
	1	0	1	0	0	0	0
US Courts							
District Ct	2	3	3	2	0	2	0
Circ Ct of App	0	1	0	1	0	0	1
Total	3	4	4	3	0	2	1
Administrative Actions	8	2	8	2	67	59	10

Monies Awarded For/Against the State:	2007	2008
Judgments/Settlements awarded FOR State	\$786,062.87	\$2,283,300.11
Judgments/Settlements awarded AGAINST State	\$179,850.00	\$73,500.00

Other Significant Division Activity:

Contract review for 2007 and 2008:

2007: Approximately 2,381 contracts – 1,018 construction contracts totaling approximately \$1,405,098,110; approximately 1,363 contracts from Real Estate, Maintenance Division, Design, Planning and Multimodal.

2008: Approximately 1,630 contracts – 747 construction contracts totaling approximately \$1,309,488,129; approximately 883 contracts from Real Estate, Maintenance Division, Design, Planning and Multimodal.

The Division administers a program to collect compensation from motorists and insurance companies for damages done to guardrail, bridges and other elements of highway infrastructure. Often this can be done without litigation. In 2007, the amount collected without litigation was \$993,006. In 2008, the amount collected without litigation was \$978,682.00.

Additionally, both with and without litigation, attorneys in the Division assist MDOT in recovering compensation, or having payment made to injured parties who could otherwise hold MDOT liable, from contractors, consultants, insurance companies, and others that have contractual or other legal liability to MDOT or an agency within MDOT. For the 2007-2008 period, the amount either collected or paid to injured parties was \$171,871.00.

SOLICITOR GENERAL BUREAU

B. Eric Restuccia
Solicitor General

The Solicitor General Bureau was created on July 27, 2008, and includes two divisions: Appellate Division and Opinions Division. The Assistant Solicitor General, Henry Boynton, serves as the First Assistant to the Solicitor General. The Assistant Attorney General for Law is the Division Chief of the Opinions Division, and the Appellate Division is supervised by its own Division Chief.

For the Department, the Solicitor General and the attorneys within the Bureau review, edit, and approve all documents filed in the appellate courts; prepare original briefing and amicus briefs in significant and special cases; review all formal and informal legal opinions prepared on behalf of the Attorney General; conduct trainings for appellate writing and opinion writing; coordinate requests from the National Association of Attorneys General (NAAG) for joining amicus filings; respond to habeas corpus petitions in the federal courts filed by state prisoners claiming their federal constitutional rights were violated in their state criminal proceedings; and is responsible for the criminal appellate work by filing appeals for the People of the State of Michigan in defending felony convictions for the 56 county prosecutors in counties with populations below 75,000 residents.

Appellate Division

Joel D. McGormley, Division Chief

The Appellate Division performs the following primary functions for the Department of Attorney General: reviews, edits, and approves documents filed in the appellate courts; prepares original briefing and amicus briefs in significant and special cases; coordinates requests from the National Association of Attorneys General (NAAG) for joining amicus filings; responds to habeas corpus petitions in the federal courts filed by state prisoners claiming their federal constitutional rights were violated in their state criminal proceedings; and conducts the criminal appellate work by filing appeals for the People of the State of Michigan in defending felony convictions for the 56 county prosecutors in counties with populations below 75,000 residents.

In supervising the appellate filings for the Department of Attorney General, the Appellate Division consults with Assistant Attorneys General regarding possible appellate issues that may arise, determines whether to appeal orders and judgments, and serves as a resource for all divisions in appeals to state and federal courts of appeal and supreme courts. In its review function, the Appellate Division assures compliance with the court rules, consistency among all the divisions in the substantive positions that are advanced, and the quality of the presentation of legal arguments for the more than 500 appellate briefs filed by the Department of Attorney General each year. The Appellate Division also authored more than 30 original briefs and amicus briefs in significant civil cases in various courts, including the United States Supreme Court, and authored more than 200 briefs annually in criminal appellate cases. In coordinating the NAAG requests, the Appellate Division reviewed 100 requests and made recommendations to the Attorney General on whether to sign an amicus prepared by another state.

In addition to these functions, the Appellate Division serves as counsel for the Crime Victim Services Commission.

On July 27, 2008, the Solicitor General Bureau was formed, which includes the Appellate Division. Since that time, the review, edit, and approval functions for appellate filing and NAAG coordination have rested with the Solicitor General. For the majority of the time encompassed in this Biennial Report, all functions were combined.

Division Caseload:

	Pending 12/31/06	Opened 2007	Closed 2007	Pending 12/31/07	Opened 2008	Closed 2008	Pending 12/31/08
Michigan Courts							
Circuit Ct	1	3	1	3	2	3	2
Ct of Appeals	147	153	164	136	157	92	201
Supreme Ct	17	27	32	12	22	19	15
Total	165	183	197	151	181	114	218
US Courts							
District Ct	913	855	404	1,364	663	649	1,378
Circ Ct of App	314	313	306	321	355	382	294
Supreme Ct	7	6	9	4	3	5	2
Total	1,234	1,174	719	1,689	1,021	1,036	1,674
Administrative Actions	0	0	0	0	9	7	2
Other Significant Division Activity:				2007		2008	
Pleadings reviewed				688			625
Consultations with Assistant Attorneys General				1,301			1,364
Habeas Filings:							
Answers filed in federal district court				746			798
Briefs filed in the Sixth Circuit				166			134
Responses in the United States Supreme Court				6			1
State Criminal Appellate Filings:							
Briefs filed in the Michigan Court of Appeals				113			141
Applications/Briefs filed in the Michigan Supreme Court				8			11

Opinions Division

Susan I. Leffler, Assistant Attorney General for Law
Division Chief

The Opinions Division is responsible for assigning, coordinating, and reviewing all formal and informal legal opinions prepared on behalf of the Attorney General and for handling special assignments as directed by the Chief Deputy Attorney General and Attorney General. The Division Chief serves as the Chair of the Attorney General's Opinion Review Board and conducts opinion-writing training for the department.

The Division also advises the Attorney General concerning requests to initiate quo warranto actions and related inquiries, and it serves as appellate adviser in selected cases where a conflict wall has been established in the office. The Division also coordinates departmental efforts necessary to compile, publish, and distribute the Attorney General's Biennial Report.

During this biennial period, the former Opinions and Municipal Affairs Division was part of a reorganization plan under which responsibility for Freedom of Information Act and Open Meetings Act litigation and advice, along with responsibility for coordinating citizen correspondence, was transferred to the State Operations Division, and responsibility for municipal and related affairs was transferred to the Finance Division. Accordingly, statistical reporting concerning the litigation handled in those areas, along with information concerning city and village charters, charter amendments, and interlocal agreements can now be found under the headings for State Operations Division and Finance Division.

Other Significant Division Activity:	2007	2008
Number of opinions requests	147	137

REPORT OF PROSECUTIONS**Alcohol and Gambling Enforcement – Prosecutions 2007 - 2008**

PEOPLE v ANDY ALDEEN ABDALLAH, 36th District Court-Wayne County, 6/26/2001, charged with felony past posting at roulette, in the alternative, misdemeanor larceny in a building at the MGM Grand Casino. Dismissed as the case was over 3 years old and the expense for extradition fees to get defendant from Missouri to Michigan did not merit further prosecution of the \$40 in question.

PEOPLE v SANDRA LORAIN AGEE, 36th District Court-Wayne County, 1/30/2007, charged with felony cheating at a gambling game and disorderly person at the MGM Grand Casino. Plea Agreement, defendant pled guilty to disorderly conduct. In exchange for the plea, the cheating count was dismissed. Sentenced to 6 months probation, no contact with MGM or any other casino, no gambling or illegal activity, and perform 80 hours of community service in lieu of paying fines/costs.

PEOPLE v ASAD YELDA AGHOS, 16th Circuit Court-Macomb County, 3/29/2007, charged with felony violation of the Tobacco Products Tax Act (possession of cigarettes with counterfeit stamps). Plea Agreement, defendant pled guilty to possession of counterfeit Tobacco Products Tax Act stamps. Sentenced to probation for 2 years with mandatory jail time of 1-year in the Macomb County Jail. Defendant's 1-year jail sentence was to be served by a 30-day jail sentence with one day credit on work release and the balance of the year was to be spent on tether. Defendant was assessed 20 hours of community, \$720 in court costs (\$30/month), \$720 in supervision fees (\$30/month), a \$60 Crime Victims Right Fund fee, and \$60 in state court costs.

PEOPLE v IMAD KHS ALFARAH, 36th District Court-Wayne County, 3/22/2007, charged with felony gambling activities violation and misdemeanor false pretenses under \$200 at the Greektown Casino. Plea Agreement, defendant pled guilty to misdemeanor false pretenses under \$200. With the plea, the felony gambling activities violation was dismissed. Sentenced to pay fines and costs in the amount of \$200, \$50 state fee, and \$50 Crime Victims Right Fund fee within 6 months.

PEOPLE v YAZAN AL-HOMSI, 16th Circuit Court-Macomb County, 2/8/2007, charged with felony violation of the Tobacco Products Tax Act (purchasing molasses tobacco in the U.S. storing it in Michigan & smuggling it into Canada). Plea Agreement, defendant pled guilty to attempted felony violation of the Tobacco Products Tax Act (TPTA). In exchange for the plea, the felony TPTA was dismissed. Sentenced to 1 month of jail time in the Macomb County Jail with 4 days credit, but was to be released upon the payment of a \$2,500 fine, \$5,000 in court costs, a \$60 Crime Victims Right Fund fee, and \$60 in state costs. Payment of fines, costs and fees were paid by defendant on 2/8/2007.

PEOPLE v DAMON DELON ARRINGTON, 36th District Court-Wayne County, 1/11/2007, charged with felony uttering and publishing at the MotorCity Casino. Dismissed, without prejudice, due to insufficient evidence because the co-defendant's cooperation and testimony was needed. Complaint was to be re-filed.

PEOPLE v MARVIN GHALIASMAR, 36th District Court-Wayne County, 1/9/2007, charged with misdemeanor trespass by a disassociated person at the MGM Grand

Casino. Plea Agreement, defendant pled guilty to misdemeanor trespass by a disassociated person and placed on a delayed sentence of 6 months. During that time, defendant was placed on non-reporting probation and assessed \$250 in fines/costs with payment to be made in 1 week.

PEOPLE v AUSTIN BACON, 36th District Court-Wayne County, 4/30/2007, charged with misdemeanor larceny \$200 or more, but less than \$1,000 at the Greektown Casino. Plea Agreement, defendant pled guilty to larceny \$200 or more, but less than \$1,000. In exchange for the plea, the charge was amended to larceny under \$200. Sentence delayed for 9 months. During that time, defendant was to pay \$200 in restitution, attend an Economic Crime Program through EVAY, ordered to pay all outstanding tickets for traffic offenses, and assessed \$200 in court costs and \$200 in attorney fees.

PEOPLE v ANDREW BAKER, 36th District Court-Wayne County, 8/30/2004, charged with felony uttering and publishing at the MGM Grand Casino. Dismissed as the co-defendant in this matter presented defendant's identification at the time he was detained attempting to pass a bad check at the casino. It was subsequently realized that defendant wasn't the perpetrator of the crime; the co-defendant was convicted on 3/2/2006.

PEOPLE v LATIF SALIM BARASH, 3rd Circuit Court-Wayne County, 3/20/2007, charged with felony violation of the Tobacco Products Tax Act (possession of counterfeit stamped cigarettes). Plea Agreement, defendant pled guilty to attempted violation of the Tobacco Products Tax Act. Sentenced to 2 years probation, maintain employment, and assessed a \$60 state fee, a \$60 Crime Victims Right Fund fee, \$240 in supervision fees, and \$240 in court costs.

PEOPLE v MOHAMED ALI BAZZI, 36th District Court-Wayne County, 4/30/2007, charged with 2 counts of misdemeanor trespass by a disassociated person at the MotorCity Casino and MGM Grand Casino. MSP Incident Nos. MCC-100-06 and MGM-234-06. Plea Agreement, defendant pled guilty to trespass by a disassociated person. In exchange for the plea, Incident No. MGM-234-06 was dismissed. Sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Department of Community Health with treatment if indicated, attend Gamblers Anonymous meetings at least once a week, and assessed \$200 in court costs, \$200 in attorney fees, and a \$100 fine. The \$301.25 seized from defendant at the time of arrest was to be turned over to the Michigan Compulsive Gambling Prevention Fund.

PEOPLE v PAUL BOGHOS BEDROSSIAN, 36th District Court-Wayne County, 3/28/2007, charged with misdemeanor gambling by a minor at the MGM Grand Casino. Plea Agreement, Defendant pled guilty to underage gambling. Sentence delayed for 1 year. During that year, defendant was given a non-reporting probation and assessed \$100 in fines/costs and a \$50 Crime Victims Right Fund fee. If defendant has no criminal convictions within the year, this case will be dismissed.

PEOPLE v LYNETTA BLACKWELL-BROWN, 36th District Court-Wayne County, 2/15/2007, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Plea Agreement, defendant pled guilty to trespass by a disassociated person. Sentence delayed for 1 year. During that year, defendant was to have no contact with the criminal justice system, no contact with the casinos, screening for

gambling addiction by the Department of Community Health, undergo whatever treatment was indicated after screening until she was discharged in writing, and assessed a \$200 fine and \$200 in court costs.

PEOPLE v WISAM BOLA, 36th District Court-Wayne County, 4/3/2007, charged with 2 counts of misdemeanor trespass by a disassociated person at the MotorCity Casino and MGM Grand Casino. MSP Incident Nos. MCC-152-06 and MGM-123-06. Plea Agreement, defendant pled guilty to trespass by a disassociated person. In exchange for the plea, Incident No. MGM-123-06 was dismissed. Sentenced to 1 year probation, no contact with the casinos or criminal justice system, attend Gamblers Anonymous meetings (number to be determined by probation), continued treatment with his psychologist/counsel or until medically discharged in writing if discharge occurs while defendant was on probation, and assessed a \$100 fine, \$200 in court costs, and \$200 in attorney fees. If defendant violated any term or condition of his probation, he would have to serve 90 days in jail.

PEOPLE v DANIEL BOLTHOUSE, 5th Circuit Court-Barry County, 3/21/2007, charged with 4 counts of felony filing of a fraudulent Michigan Income Tax Return. Plea Agreement, Defendant pled guilty to Count 4: False Tax Return for the year 2002. In exchange for this plea, Counts 1-3 were dismissed. Sentenced to 3 months jail time with credit for 1 day served (the balance to be held in abeyance), 18 months probation with quarterly reporting, and assessed \$2,587 in restitution, \$480 in probation fees, \$1,000 in court costs, and a \$50 Crime Victims Right Fund fee.

PEOPLE v FRANK BOSSIO, 24th District Court-Wayne County, 4/16/2007, charged with felony violation of the Tobacco Products Tax Act (possession of unstamped and Kentucky stamped cigarettes). Plea Agreement, defendant pled guilty to a reduced charged of misdemeanor violation of the Tobacco Products Tax Act. Sentenced to pay \$1,000 fine and \$500 in court costs.

PEOPLE v JAMES QUINCY BRATHWAITE, 3rd Circuit Court-Wayne County, 2/27/2007, charged with felony uttering and publishing and identity theft at the MGM Grand Casino. Plea Agreement, defendant pled guilty to an added count of attempted larceny in a building (2 year misdemeanor). Sentenced to 2 years probation with conditions: the first year was to be spent in the Wayne County Jail to run concurrent with the defendant's current jail sentence, when released, defendant was to perform 20 hours of community service each week until he was employed. Assessed \$60 in state court costs, a \$60 Crime Victims Right Fund fee, \$240 in supervision fees, \$600 in court costs, and \$540 in attorney fees.

PEOPLE v FRANKIE LYSANDER BURTON, 3rd Circuit Court-Wayne County, 3/1/2007, charged with felony uttering and publishing and identity theft at the MGM Grand Casino. Plea Agreement - defendant pled guilty to a reduced count of attempted uttering and publishing and to Count 2 of identity theft. Sentenced to 23 months - 5 years with MDOC; no probation or fines/costs assessed. This sentence was to be concurrent with the 3-20 years he was serving on ID theft charges out of Oakland County.

PEOPLE v TORI CARTER, 36th District Court-Wayne County, 1/11/2007, charged with 2 counts of felony non-sufficient funds check of \$500 or more at the MotorCity Casino and MGM Grand Casino. Dismissed without prejudice due to insufficient

evidence. The co-defendant's testimony was needed prior to trying defendant on these charges. Complaints were to be re-filed.

PEOPLE v KRYSTAL CLARK, 36th District Court-Wayne County, 4/19/2007, charged with felony larceny in a building, larceny \$200-\$1,000, and habitual offender-2nd notice enhancement at the Greektown Casino. Dismissed by the court, without prejudice, due to the witnesses failure to appear at the preliminary examination. Complaint was re-filed.

PEOPLE v VICTOR JERISE-LEE CLEVELAND, Wayne Circuit Court, 1/9/2007, charged with felony uttering and publishing at the MotorCity Casino. Plea Agreement, defendant pled guilty to attempted uttering and publishing. Sentenced to 1 year probation, no contact with gaming at the casinos, have no checking account, and assessed a \$60 Crime Victims Right Fund fee, \$60 in state costs, \$180 in supervision fees, \$600 in court costs, and \$400 in attorney fees. In lieu of paying costs, the court indicated defendant could perform community service.

PEOPLE v CHARLES ASHLEY CRAIG, 36th District Court-Wayne County, 1/18/2007, charged with felony cheating at a gambling game, larceny less than \$200, and trespassing at the MGM Grand Casino. Plea Agreement, defendant pled guilty to larceny less than \$200. In exchange for the plea, Count 1 of cheating and Count 3 of trespassing were dismissed. Sentenced to 1 year probation, no contact with any of the Detroit casinos, and assessed \$25 in restitution to MGM Grand Casino, \$250 in court costs, and a \$50 Crime Victims Right Fund fee.

PEOPLE v GLYNIS AMANDA CRAWFORD, 3rd Circuit Court-Wayne County, 3/16/2007, charged with felony larceny in a building and misdemeanor larceny at the MotorCity Casino. Plea Agreement, defendant pled guilty to misdemeanor larceny. In exchange for that plea, the larceny in a building count was dismissed. Sentenced assessed a \$250 fine. No probation was ordered as defendant resides in Texas, since he had cooperated and appeared voluntarily.

PEOPLE v KELLY KRISTIN CRENSHAW, Wayne Circuit Court, 1/10/2007, charged with felony uttering and publishing and using a counterfeit Michigan driver's license in the commission of the felony at the MGM Grand Casino. Plea Agreement, defendant pled guilty to using a counterfeit Michigan driver's license in the commission of the felony. In exchange for that plea, the uttering and publishing charge was dismissed. Sentenced to perform 20 hours of community service during any week defendant was unemployed and assessed a \$60 Crime Victims Right Fund fee, a \$60 state court fee, \$200 in supervision fees, and \$200 in court costs; in lieu of paying costs/fees, 50 hours of community service could be performed.

PEOPLE v JERJUAN ANTONIA DAVIS, 3rd Circuit Court-Wayne County, 3/7/2007, charged with felony cheating at a gambling game at the Greektown Casino. Plea Agreement, defendant pled guilty to attempted felony gambling violation (cheating). Sentenced to 2 years probation, attend gambling counseling, have no contact with the casinos, maintain employment at a minimum of 30 hours/week, and assessed \$20 in restitution to Greektown Casino, a \$60 state fee, a \$60 Crime Victims Right Fund fee, \$120/year in supervision fees, \$175/year in court costs, and \$400 in attorney fees; in lieu of paying costs/fees could perform 125 hours of community service.

PEOPLE v MARK ANTHONY DODD, 3rd Circuit Court-Wayne County, 3/13/2007, charged with felony uttering and publishing, identity theft, and conspiracy to utter and publish at the MotorCity Casino. Plea Agreement, defendant pled guilty to uttering and publishing and identity theft as a habitual offender-3rd. Sentenced to 1-14 years at MDOC on the uttering and publishing count and 6 months-5 years on the identity theft count, with no credit given for time served, as defendant was on parole when these violations occurred. Time was to run concurrent to his 1-30 years imposition on a parole violation for his Oakland County cases. No fines or costs were assessed.

PEOPLE v JEROME DONIVER, 36th District Court-Wayne County, 3/26/2007, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Plea Agreement, defendant pled guilty to trespass by a disassociated person. Sentenced to 2 years reporting probation, no contact with the casinos, outpatient treatment for gambling addiction, undergo inpatient/outpatient treatment for drug addiction, attend Gamblers Anonymous meeting (frequency to be set by the probation department), and assessed \$200 in court costs and \$200 in attorney fees. The court indicated to defendant that if he violated any conditions of his probation, he would be sent to jail for 1 year.

PEOPLE v DAVE ALVIN DRANE, 3rd Circuit Court-Wayne County, 2/21/2007, charged with felony breaking and entering a building with intent to commit a crime, malicious destruction of property, possession of marijuana, and attempted breaking and entering at the Greektown Casino. Plea Agreement, defendant pled no contest to Count 1 - breaking and entering a building with intent. In exchange for the plea, Counts 2-4 and the habitual offender notice were dismissed. Sentenced to 2 years probation with the first 8 months in the Wayne County Jail (given credit for 128 days served), undergo alcohol and drug testing, addiction assessment, follow whatever treatment was recommended until discharged in writing, and assessed a \$60 Crime Victims Right Fund fee, a \$60 state fee, \$240 in supervision fees, \$600 court costs, and \$400 attorney fees.

PEOPLE v JASON DUPREE, 36th District Court-Wayne County, 1/11/2007, charged with felony uttering and publishing at the MotorCity Casino. Dismissed, without prejudice, for insufficient evidence as co-defendant testimony was needed and he hadn't been arrested at the time of defendant's preliminary examination. Once arrested and the co-defendant's cooperation and testimony is secured, this complaint was to be re-filed.

PEOPLE v MELBA JEAN EATON, Wayne Circuit Court, 1/8/2007, charged with felony uttering and publishing at the MotorCity Casino. Plea Agreement, defendant pled guilty to attempted uttering and publishing. Sentenced to 4 years probation, no contact with the casinos, 4 months in the Wayne County Jail with credit for 15 days served and no early release, assessed \$60 in state costs, \$60 Crime Victims Right Fund fee, \$120/year in supervision fees, \$175/year in state costs, and \$400 in attorney fees.

PEOPLE v WALTER HAWORTH FAGET III, 61st District Court, 1/5/2007, charged with felony violation of the Tobacco Products Tax Act (seizure of grey market and untaxed cigarettes at the U.S. Postal Service). Plea Agreement, defendant pled to the misdemeanor violation of the Tobacco Products Tax Act. Sentenced to 50 hours com-

munity service or 20 days in jail and assessed a \$500 fine, \$200 in court costs, a \$50 Crime Victims Right Fund fee, and a \$45 state fee.

PEOPLE v MUHAMMAD DEANGELIO-JAMES FILES, 3rd Circuit Court-Wayne County, 2/7/2007, charged with felony uttering and publishing at the MGM Grand Casino. Plea Agreement, defendant pled guilty to uttering and publishing. Sentenced to 1 year probation, undergo alcohol and drug testing, no contact with the casinos, and assessed \$400 in court costs and \$40/month in supervision fees.

PEOPLE v HELEN H. FINK, 36th District Court-Wayne County, 3/19/2007, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. MSP Incident No. MCC-150-06. Plea Agreement, defendant pled guilty to misdemeanor trespass by a disassociated person. Sentence was delayed for 9 months. During that time period, defendant was to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Department of Community Health, follow whatever treatment program was indicated, and assessed a \$200 fine and \$200 in court costs.

PEOPLE v JAMES LEE FORWARD, 8th District Court-Kalamazoo County, 3/15/2007, charged with felony violation of the Tobacco Products Tax Act (USPS delivery of contraband foreign cigarettes). Plea Agreement, defendant pled guilty to misdemeanor violation of the Tobacco Products Tax Act. Sentenced to pay \$250 in fines and costs.

PEOPLE v DUSTIN PATRICK HAHN, 3rd Circuit Court-Wayne County, 2/21/2007, charged with felony cheating at a gambling game and alternatively, misdemeanor larceny under \$200 at the MotorCity Casino. Plea Agreement, defendant pled guilty to reduced charge of attempted cheating at a gambling game. In exchange for the plea, Count 2 of misdemeanor larceny was dismissed. Sentenced to 10-23 months with MDOC to be served concurrent with defendant's Macomb County sentence of 4-25 years for assault with intent to rob - unarmed, fleeing, and eluding. No fines, costs, or fees were ordered.

PEOPLE v JESUS CHARLES-DAVID HALEY, 36th District Court-Wayne County, 1/29/2007, charged with misdemeanor gambling, or aiding and abetting in gambling, by a minor at the MotorCity Casino. Plea Agreement, defendant pled guilty to aiding and abetting underage gambling. Sentence delayed for 6 months. During that time, defendant was to have no contact with the MotorCity Casino and assessed a \$200 fine and \$200 in court costs.

PEOPLE v JAMES WILLIAM HALL, 3rd Circuit Court-Wayne County, 4/2/2007, charged with felony attempted uttering and publishing at the MGM Grand Casino. Plea Agreement, defendant pled guilty to attempted uttering and publishing. Sentenced to 1-5 years to run concurrent with the sentence he received out of Macomb County at Par Correctional Facility. Defendant given credit for 254 days served.

PEOPLE v NAZEER MAHD HAMADNEH, 36th District Court-Wayne County, 3/22/2007, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Plea Agreement, defendant pled guilty to misdemeanor trespass by a disassociated person. Sentence delayed for 1 year. During that year, defendant was to have no contact with the casinos, no contact with the criminal justice system,

undergo screening for gambling addiction by the Department of Community Health, follow whatever treatment was indicated after the screening, and assessed a \$200 fine and \$200 in court costs.

PEOPLE v IMAD HAMKA, 36th District Court-Wayne County, 2/6/2007, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Plea Agreement, defendant pled guilty to trespass by a disassociated person. Sentence delayed for 1 year. During that year, defendant was given non-reporting probation, screening for gambling addiction at ACCESS (an Arabic social services organization), take any recommended treatment, and given 6 months to pay \$200 in fines and \$200 in court costs.

PEOPLE v DAVID LASHAWN HARRIS, 3rd Circuit Court-Wayne County, 1/27/2007, charged with 3 counts of felony uttering and publishing at the MotorCity Casino and 1 count of uttering and publishing at the Greektown Casino. Plea Agreement, defendant pled guilty to Counts 2 and 3 of uttering publishing. In exchange for the plea, Count 1 was dismissed as well as the uttering and publishing incident. Sentenced to 2 years probation, no contact with any casino, the \$2,000 seized at the time of arrest was to be returned to the appropriate casino, and assessed \$60 in state costs, a \$60 Crime Victims Right Fund fee, \$600 in court costs, and \$600 in attorney fees. Defendant's probation could be transferred to Ohio.

PEOPLE v LYNN COLLETTE HARRIS, 3rd Circuit Court-Wayne County, 3/7/2007, charged with 3 counts of felony embezzlement of \$1,000 or more, but less than \$20,000 and misdemeanor embezzlement \$200 or more, but less than \$1,000 at the MotorCity Casino. Plea Agreement, defendant pled guilty to Count 3 of misdemeanor embezzlement \$200 or more, but less than \$1,000 and Count 4 of embezzlement \$1,000 or more, but less than \$20,000. Counts 1 and 2 of felony embezzlement were dismissed pursuant to the plea agreement. Sentenced to 2 years probation, perform 10 days on the alternative work force within the first 6 months, and assessed \$5,800 in restitution to the MotorCity Casino, \$300/yr. in court costs, and \$30/month in supervision fees.

PEOPLE v MARLENA MARIE HARRIS, 3rd Circuit Court-Wayne County, 2/7/2007, charged with felony uttering and publishing at the MGM Grand Casino. Plea Agreement, defendant pled guilty to attempted uttering and publishing. Sentenced to 18 months probation and assessed \$400 in court costs/year, \$600 in attorney fees, \$25/month in supervision fees, a \$60 Crime Victims Right Fund fee, and a \$60 state fee.

PEOPLE v MARSHA HARRIS-MANLEY, 36th District Court-Wayne County, 4/17/2007, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Plea Agreement, Defendant pled guilty to misdemeanor trespass by a disassociated person. Sentence delayed for 1 year. During that year, defendant was to have no contact with the casinos, screening and treatment (if needed) for gambling addiction, no contact with the criminal justice system, and assessed \$200 in attorney fees and \$200 in court costs.

PEOPLE v SANDRA D. HENDERSON, 3rd Circuit Court-Wayne County, 2/8/2007, charged with felony uttering and publishing at the MotorCity Casino. Plea Agreement, defendant pled guilty to a reduced charge of attempted uttering and publishing. As part of the plea, defendant was to continue assisting MSP in finding out

where the fraudulent checks came from relating to this incident. Sentenced to 1 year probation, have no alcohol or drugs and contact with bars, taverns, or anywhere that the primary purpose is serving alcohol, undergo drug and alcohol testing, complete outpatient substance abuse treatment, have no contact with casinos, and assessed \$500 in restitution to the MotorCity Casino, a \$60 state fee, a \$60 Crime Victims Right Fund fee, \$480 in supervision fees, \$600 in court costs, and \$400 in attorney fees; could perform 100 hours of community service in lieu of paying fees/costs.

PEOPLE v MARCUS DANIEL HOLT, 3rd Circuit Court-Wayne County, 1/24/2007, charged with felony uttering and publishing at the MotorCity Casino. Plea Agreement, defendant pled guilty to reduced charge of attempted uttering and publishing. Sentenced to 1 year probation, no contact with the casinos, attend Gamblers Anonymous meetings, and assessed \$60 in state costs, \$120 in supervision fees, a \$60 Crime Victims Right Fund fee, \$175 in court costs, and \$400 in attorney fees.

PEOPLE v ERICKA LASHAWN HOWARD, 3rd Circuit Court-Wayne County, 4/5/2007, charged with felony uttering and publishing at the MGM Grand Casino. Plea Agreement, defendant guilty to the attempted uttering and publishing. Sentenced to 2 years probation, maintain legitimate and verifiable employment at a minimum of 30 hours/week, undergo substance/gambling abuse assessment, with treatment, if necessary. Defendant was ordered to take care of all outstanding bench warrants and assessed a \$60 state fee, a \$60 Crime Victims fee, \$120/yr. supervision fees, \$175/yr. in court costs, and \$400 in attorney fees.

PEOPLE v CHARLES HAMILTON HUDSON, JR., 36th District Court-Wayne County, 11/30/2006, charged with felony cheating at a gambling game and misdemeanor false pretenses less than \$200 at the Greektown Casino. Dismissed without prejudice, as it could not be established that defendant knew what he was doing or knew what he was doing was wrong.

PEOPLE v TYJUAN DELEON JACKSON, 3rd Circuit Court-Wayne County, 3/30/2007, charged with felony possession of 10 or more counterfeit bills and presenting the counterfeit bill at the MotorCity Casino. Plea Agreement, defendant accepted the plea offer to Count II of uttering and publishing counterfeit notes. In exchange for that plea, Count I was dismissed. Sentenced to 2 years probation. No fines or costs were assessed. Defendant was sentenced previously to 57 months on a federal case and awaited placement with the Bureau of Prisons (within 5 weeks or so). As soon as the defendant was placed within the federal system, he then was to be discharged from Wayne County probation.

PEOPLE v KENNETH JOSEPH JARZAB, 36th District Court-Wayne County, 1/30/2007, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Plea Agreement, defendant pled guilty to trespass by a disassociated person. Sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, provide proof of gambling addiction treatment with successful completion of that treatment, and assessed a \$100 fine, \$200 in court costs, and \$200 in attorney fees.

PEOPLE v SPANKY A. JOHN, 36th District Court-Wayne County, 7/10/2006, charged with 2 counts of misdemeanor trespass by a disassociated person at the Greektown Casino. Plea Agreement, defendant pled guilty to 1 count of misdemeanor trespass by a disassociated person. In exchange for the plea, Count 2 of tres-

pass by a disassociated person was dismissed. Sentence delayed for 9 months. During that time, defendant was to attend Gamblers Anonymous meetings and assessed court costs of \$200 and supervision fees of \$35/month.

PEOPLE v ANTHONY JEFFREY JOHNSON, 3rd Circuit Court-Wayne County, 3/16/2007, charged with felony larceny in a building and in the alternative misdemeanor embezzlement of \$200-\$1,000 at the MotorCity Casino. Plea Agreement, defendant pled guilty to misdemeanor embezzlement over \$200, but less than \$1,000. In exchange for the plea, the larceny in a building charge was dismissed. Sentenced to pay \$1,000 in restitution, prior to sentencing, which defendant paid after the 4th scheduled sentencing date. No probation, fines, costs, or other conditions were imposed.

PEOPLE v LARRY JOHNSON, 36th District Court-Wayne County, 4/27/2007, charged with misdemeanor attempted larceny \$200 or more, but less than \$1,000 at the MotorCity Casino. Plea Agreement, defendant pled guilty to trespass by a disassociated person. Sentence delayed for 1 year. During that year, defendant was to have no contact with the MotorCity Casino, no contact with the criminal justice system, undergo evaluation for substance abuse and gambling addiction, undergo whatever treatment was indicated after the evaluation, and assessed \$150 in court costs and a \$50 Crime Victims Right Fund fee.

PEOPLE v VENUS JOHNSON, 36th District Court-Wayne County, 8/5/2007, charged with misdemeanor gambling by a minor at the MGM Grand Casino. Dismissed without prejudice as the only corroborating witness recanted prior to trial.

PEOPLE v CHRIS ABED KAJAL, 20th District Court-Wayne County, 3/14/2007, charged with 2 counts of felony violation of the Tobacco Products Tax Act (possession of House of Oxford Other Tobacco Products without invoices). Plea Agreement, defendant pled guilty to misdemeanor violation of the Tobacco Products Tax Act (TPTA). With the plea, the felony violation of the TPTA was dismissed. Sentenced to pay a \$50 fine, \$300 in court costs, and a \$50 Crime Victims Right Fund fee.

PEOPLE v EDDIE KASSAB, 36th District Court-Wayne County, 3/29/2007, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Plea Agreement, defendant pled guilty to trespass by a disassociated person. Sentence delayed for 1 year. During that year, defendant was to have no contact with the casinos or the criminal justice system, screening for gambling addiction, undergo treatment if necessary, and assessed a \$100 fine, \$200 court costs, and \$200 in attorney fees.

PEOPLE v RASHOND DION LARKIN, 36th District Court-Wayne County, 1/11/2007, charged with 2 counts of felony non-sufficient funds checks \$500 or more at the MotorCity Casino and MGM Grand Casino. Dismissed without prejudice due to insufficient evidence. The co-defendant's testimony was needed prior to trying defendant on this charge. Complaints were to be re-filed.

PEOPLE v KAHLIL KAREEM LEE, 36th District Court-Wayne County, 2/16/2007, charged with 3 counts of felony conspiracy to utter and publish at the MGM Grand Casino and MotorCity Casino. Dismissed by the court as it found the passing of a valid check that lacks sufficient funds did not constitute uttering and publishing. Complaints were re-issued under charges of false pretenses.

PEOPLE v LAURA LANNETT LIMMITT, 3rd Circuit Court-Wayne County, 2/23/2007, charged with felony uttering and publishing at the MotorCity Casino. Plea Agreement, defendant pled guilty to attempted uttering and publishing. Sentenced to 18 months probation with conditions, perform 15 hours of community service weekly until gainfully employed, and assessed \$60 in state court costs, a \$60 Crime Victims Right Fund fee, \$600 in court costs, \$400 in attorney fees, and \$180 in supervision fees (\$10/month).

PEOPLE v WILLIAM LUCIANO, 36th District-Wayne County, 3/20/2001, charged with felony capping a bet, in the alternative, misdemeanor larceny at the MotorCity Casino. Dismissed due to age of the case, resulting witness problems, cooperation of the defendant in another investigation, and questions that related to the defendant's identification.

PEOPLE v TIONA MICHELLE MANADIER, 36th District Court-Wayne County, 2/5/2007, charged with felony uttering and publishing and conspiracy to utter and publish at the MGM Grand Casino. Plea Agreement, defendant pled guilty to attempted uttering and publishing. In exchange for the plea, the conspiracy count was dismissed. Sentenced to 2 years probation, perform 50 hours of community service, and assessed \$60 in state costs, a \$60 Crime Victims Right Fund fee, \$240 in supervision fees (\$10/month); \$600 in court costs, and \$400 in attorney fees. Probation was transferred to Illinois, defendant's state of residence.

PEOPLE v LILLIAN ANNETTE MATHIS, 36th District Court-Wayne County, 1/19/2007, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Plea Agreement, defendant pled guilty to trespass by a disassociated person and the plea was taken under advisement for 1 year. During that year, Defendant was to have no contact with the criminal justice system, no contact with the casinos, screening for gambling addiction by the Department of Community Health, follow whatever treatment was indicated, and assessed \$100 in fines/costs and a \$50 Crime Victims Right Fund fee.

PEOPLE v ASHAWNI K. MEHTA, 8th District Court-Kalamazoo County, 4/19/2007, charged with felony violation of the Tobacco Products Tax Act for possession of \$800 in Other Tobacco Products purchased from unlicensed an out-of-state company. Plea Agreement, defendant pled guilty to a reduced charge of misdemeanor violation of the Tobacco Products Tax Act. Sentenced to pay fines and costs of \$250.

PEOPLE v TASHIA ELAINE METZLER, 36th District Court-Wayne County, 2/28/2007, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Plea Agreement, defendant pled guilty to trespass by a disassociated person. Sentence delayed for 1 year. During that year, defendant was required to have no contact with the casinos, no contact with the criminal justice system, attend screening for gambling addiction with treatment as needed after screening. Assessed \$200 in court costs, a \$200 fine, and \$200 in attorney fees.

PEOPLE v DARNELL MILLER, 3rd Circuit Court-Wayne County, 4/19/2007, charged with felony uttering and publishing at the MotorCity Casino. Plea Agreement, defendant pled guilty to a reduced charge of attempted uttering and publishing. Sentenced to 11 months in the Wayne County Jail with credit for 209 days served.

PEOPLE v SAIF MUTHANA-AHMED MOHAMAD, 14-A District Court-Washtenaw County, 2/28/2007, charged with felony violation of the Tobacco Products Tax Act (possession of several thousand dollars worth of Other Tobacco Products with no invoices). Plea Agreement, defendant pled guilty to the 5-year violation of the Tobacco Products Tax Act. In exchange for the plea, the case against his brother Zayad Mohamed was dismissed. Sentenced to 12 months probation, monthly payments on the tax assessment of \$176,020 was ordered, and assessed \$60 in state costs, a \$60 Crime Victims Right Fund fee, \$480 in supervision fees, and \$460 in court costs.

PEOPLE v ZAYAD AHMED MOHAMED, 14-A District Court-Washtenaw County, 7/18/2006, charged with felony violation of the Tobacco Products Tax Act (possession of several thousand dollars worth of Other Tobacco Products with no invoices). Dismissed pursuant to a plea agreement with defendant's brother Saif Muthana-Ahmed Mohamad. In exchange for that plea, defendant's case was dismissed by the court.

PEOPLE v TONY ANGELO MONTGOMERY, 3rd Circuit Court-Wayne County, 3/5/2007, charged with felony uttering and publishing, conspiracy to utter and publish, receiving and concealing less than \$200, and identity theft at the MGM Grand Casino. Plea Agreement, defendant pled guilty to attempted uttering and publishing. With the plea, the identity theft, conspiracy, and receiving and concealing stolen property charges were dismissed. Sentenced to 30 months probation, undergo drug and alcohol testing, attend mental health diversion (court-ordered mental health treatment), enrollment in Operation Get Down (a live facility specializing in drug treatment, skill training, and mental health treatment), outpatient treatment after Operation Get Down, no contact with casinos, no participation in gambling activities, and assessed a \$60 Crime Victims Right Fund fee, \$60 in state costs, \$300 in supervision fees, \$600 in court costs, and \$400 in attorney fees.

PEOPLE v THOMAS MOSSON, 3rd Circuit Court-Wayne County, 2/8/2007, charged with felony resisting and obstructing a police officer and in the alternative disturbing the peace at the MotorCity Casino. Plea Agreement, defendant pled guilty to Count 2 - disturbing the peace. In exchange for the plea, Count 1 of resisting and obstructing a police officer was dismissed. Sentenced to 6 months probation, no contact with the casinos, and assessed \$300 in court costs and \$20/month in supervision fees.

PEOPLE v MARJORIE LORRIANNE MUNGEN, 3rd Circuit Court-Wayne County, 3/27/2007, charged with 5 counts of felony uttering and publishing at the MGM Grand Casino. Plea Agreement, defendant pled guilty to Counts 1 and 2 of uttering and publishing; the remaining 3 uttering and publishing counts were dismissed. Sentenced to 24 months probation, attend Narcotics Anonymous meetings, continued treatment with the Genesys House, and assessed \$2,000 in restitution, \$60 in state costs, \$240 in supervision fees, \$600 in court costs, and \$650 in attorney fees. The \$750 seized from defendant upon arrest was to be turned over to the casino by MSP.

PEOPLE v BARRON MURPHY, 36th District Court, 10/13/2006, charged with felony uttering and publishing of a State Treasury Warrant. No prosecution was pursued after further review of the charges on the basis of insufficient evidence.

PEOPLE v MAJID HABIB NAJOR, Wayne Circuit Court, 1/8/2007, charged with felony violation of the Tobacco Products Tax Act for possession of counterfeit stamps (seizure of 2,757 packs of cigarettes with counterfeit stamps and \$130 in other tobacco products with no invoices). Plea Agreement, defendant pled guilty to attempted felony violation of the Tobacco Products Tax Act. Sentenced to 1 year probation and assessed \$60 in state costs, a \$60 Crime Victims Right Fund fee, \$120 in supervision fees, and \$600 in court costs.

PEOPLE v MANJIT SINGH NANNAN, 29th Circuit Court-Gratiot County, 2/20/2007, charged with 2 counts of felony violation of the Tobacco Products Tax Act (possession of House of Oxford invoices for tobacco products - \$2,000 in products seized). Plea Agreement, defendant pled guilty to misdemeanor violation of the Tobacco Products Tax Act (TPTA). In exchange for the plea, Count 1 of felony violation of the TPTA was dismissed. Sentenced to immediately pay a \$1,000 fine and \$750 in court costs.

PEOPLE v CARRIE LAJOYCE NAYLOR, Wayne Circuit Court, 1/9/2007, charged with felony uttering and publishing at the MotorCity Casino. Plea Agreement, defendant pled guilty to a reduced charge of attempted uttering and publishing. Sentenced to 2 years probation and assessed \$2,000 in restitution, \$250 in court costs/year, and \$25/month in supervision fees.

PEOPLE v TAWANDA CLARISSA NELSON, 36th District Court-Wayne County, 1/25/2007, charged with felony cheating at a gambling game and misdemeanor false pretenses under \$200 at the Greektown Casino. Plea Agreement, defendant pled guilty to misdemeanor false pretenses under \$200. In exchange for that plea, the felony cheating count was dismissed. Sentenced to 6 months probation, attend Gamblers Anonymous meetings until released, obtain a GED, perform 30 hours of community service, and assessed a \$50 Crime Victims Right Fund fee, \$75 in attorney fees, and \$210 in supervision fees.

PEOPLE v GREGORY NIX, 3rd Circuit Court-Wayne County, 4/27/2007, charged with felony cheating at a gambling game and false pretenses less than \$200 at the Greektown Casino. Plea Agreement, defendant pled guilty to false pretenses under \$200. In exchange for the plea, the felony cheating count was dismissed. Defendant had been in custody since 3/26/2007, therefore, there was a sentence agreement of time served since this was a 93-day misdemeanor. No other costs or fines were imposed by the court.

PEOPLE v MOHAMMED KAYED ODEH, 3rd Circuit Court-Wayne County, 3/23/2007, charged with 2 counts of felony violation of the Tobacco Products Tax Act. Plea Agreement, defendant pled guilty to Count 1 to a 5-year felony violation of the TPTA. With the plea, Count 2 of felony TPTA violation concerning possession of other tobacco products was dismissed. Sentenced to 2 months in the Wayne County Jail and was to be released upon payment of a \$700 fine.

PEOPLE v TYWAN BOBBY O'NEAL, 3rd Circuit Court-Wayne County, 3/7/2007, charged with felony embezzlement and false pretenses of \$1,000-\$20,000 at the Greektown Casino. Plea Agreement, defendant pled guilty to Count 2 of embezzlement. With the plea, Count 1 of false pretenses was dismissed. Sentenced to 1 year probation and assessed \$600 in attorney fees, a \$60 Crime Victims Right Fund fee,

\$300 in court costs, \$1,000 in restitution to the Greektown Casino, and \$360 in supervision fees.

PEOPLE v RAVINDRA VENABHAI PATEL, 29th Circuit Court-Gratiot County, 2/20/2007, charged with felony and misdemeanor violation of the Tobacco Products Tax Act (seized Other Tobacco Products from unlicensed seller House of Oxford). Plea Agreement, defendant pled guilty to misdemeanor violation of the Tobacco Products Tax Act. In exchange for the plea, Count 1 of felony violation of the Tobacco Products Tax Act was dismissed. Sentenced to immediately pay a \$1,000 fine and \$750 in court costs.

PEOPLE v CINNAMON JEANETTE PENZA, 3rd Circuit Court-Wayne County, 4/6/2007, charged with felony uttering and publishing at the MGM Grand Casino. Plea Agreement, defendant pled guilty to attempt uttering and publishing and identity theft. Sentenced simultaneously on an uttering and publishing and identity theft conviction handled by the Wayne County Prosecutor to 2 years probation, given 1 day credit for jail time served, and assessed a \$60 in state costs, a \$60 Crime Victims Right Fund fee, \$200 in supervision fees (\$100/yr), \$450 in court costs (\$225/yr), and \$600 in attorney fees; may perform 175 hours of community service in lieu of paying fees/costs.

PEOPLE v KIMBERLY FRANCHATTA PLEASANT, 3rd Circuit Court-Wayne County, 4/27/2007, charged with felony uttering and publishing of a State Treasury Warrant. Plea Agreement, after an agreement to amend the charge to disorderly person, the defendant pled guilty to the disorderly person charge. Sentenced to 1 year probation, have no contact with the store, and assessed \$492 in restitution, \$120 in supervision fees, \$300 in court costs, \$400 in attorney fees, a \$50 Crime Victims Right Fund fee, and a \$45 state fee.

PEOPLE v JOHN EARL PLESZ, 36th District Court-Wayne County, 1/18/2007, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Plea Agreement, defendant pled guilty to trespass by a disassociated person and the plea was taken under advisement for 6 months. During that time, defendant was to have no contact with any casino or the criminal justice system, screening for gambling addiction by the Department of Community Health, follow whatever treatment was indicated, and the \$6,000 jackpot seized upon arrest was to be turned over to the Michigan Compulsive Gambling Prevention Fund.

PEOPLE v DEAUNTA LAMARR-JONES RAYFORD, Wayne Circuit Court, 1/9/2007, charged with felony larceny at the MGM Grand Casino. Plea Agreement, defendant pled guilty to larceny \$200-\$1,000. Sentenced to 2 years probation, immediate payment of \$500 in restitution, attend Gamblers Anonymous program meetings, 20 days on the Alternative Work Force picking up trash along highways/roads, and assessed \$7,000 in remaining restitution, a \$60 state fee, a \$60 Crime Victims Right Fund fee, \$480 in supervision fees, \$20/month in court costs, \$400 in attorney fees.

PEOPLE v SHAWN EDWARD REED, 3rd Circuit Court-Wayne County, 3/5/2007, charged with felony uttering and publishing at the MGM Grand Casino. Plea Agreement, defendant pled guilty to attempted uttering and publishing. Sentenced to 1 year probation and assessed \$300 in court costs and \$30/month in supervision fees.

PEOPLE v GORDON LESTER RHODMAN, 3rd Circuit Court-Wayne County, 2/27/2007, charged with felony uttering and publishing at the MotorCity Casino. Plea Agreement, defendant pled guilty to uttering and publishing. Sentenced to 1 year probation with conditions and the probation was to run concurrent with his current probationary sentence. Assessed \$60 in state court costs, \$60 Crime Victims Right Fund fee, \$400 in court costs, \$400 in attorney fees, and \$120 in supervision fees.

PEOPLE v EDISON ROOSEVELT RICE, 3rd Circuit Court-Wayne County, 1/26/2007, charged with felony uttering and publishing at the MGM Grand Casino. Plea Agreement, defendant pled guilty to uttering and publishing. Sentenced to 4 years probation, given credit for 81 days time service, enter drug treatment at SHAR House, perform 100 hours of community service, and assessed a \$60 Crime Victims Right Fund fee and \$240 in supervision fees (\$10/month). A proviso was made by the court that if defendant was drug free during the first 2 years of probation and supervision fees were paid, defendant would be released from probation early.

PEOPLE v DAREN ROBINSON, 36th District Court-Wayne County, 9/15/2006, charged with felony uttering and publishing, identity theft, and conspiracy to utter and publish at the MotorCity Casino. Dismissed by the court as the witnesses did not appear for the preliminary examination because subpoenas were not timely served.

PEOPLE v ROGELIO RODRIGUEZ, 61st District Court-Kent County, 8/14/2006, charged with felony violation of the Tobacco Products Tax Act. Plea Agreement, defendant pled guilty to attempted misdemeanor violation of the Tobacco Products Tax Act pursuant to a written guilty plea submitted to the court on 8/14/2006. Defendant was assessed a \$500 fine.

PEOPLE v JACKSON WALTER RUPERT, 3rd Circuit Court-Wayne County, 4/25/2007, charged with felony uttering and publishing at the MotorCity Casino. Plea Agreement, defendant pled guilty to uttering and publishing. Sentenced to 2 years probation, the first year served in the Wayne County Jail JB3 program.

PEOPLE v DONALD ALLEN ST. AUBIN, 36th District Court-Wayne County, 4/3/2007, charged with 2 counts of misdemeanor trespass by a disassociated person at the MGM Grand Casino. MSP Incident Nos. MGM-200-03 and MGM-75-05. Plea Agreement, defendant pled guilty to trespass by a disassociated person in this incident. In exchange for the plea, MSP Incident No. MGM-70-05 was dismissed. Sentenced to 1 year probation, no contact with the casinos or criminal justice system, screening for gambling addiction by the Department of Community Health with treatment for gambling addiction as indicated, and assessed \$284 in fines/costs. The \$1,215 jackpot defendant won was to be turned over to the Michigan Compulsive Prevention Fund, the \$193 in chips, and a \$91 voucher was to be returned to the defendant.

PEOPLE v TANISHA LASHA SIMMONS, 36th District Court-Wayne County, 8/24/2001, charged with misdemeanor embezzlement of \$100 at the Greektown Casino. Dismissed by the court as no attorney or witnesses were present at the hearing on the People's behalf, which was due to no receipt of notice of the hearing. MSP declined to seek reauthorization of the complaint.

PEOPLE v LAURA LEE SINGER, 36th District Court-Wayne County, 2/12/2007, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. MSP Incident No. MGM-102-06. Plea Agreement, defendant pled guilty to misdemeanor trespass by a disassociated person. In exchange for the plea, it was agreed not to authorize and file a complaint on MSP Incident MCC-249-06. Sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Department of Community Health with treatment as indicated after the screening, and assessed a \$100 fine and \$200 in court costs.

PEOPLE v KARANVIR SINGH, 68th District Court-Genesee County, 12/15/2006, charged with felony violation of the Tobacco Products Tax Act (possession of Other Tobacco Products without invoices in excess of \$250). Dismissed as the complaint should have been filed in the 67th District Court; complaint was re-filed.

PEOPLE v WOJCIECH TOMASZ SKIBINSKI, 3rd Circuit Court-Wayne County, 1/12/2007, charged with 2 counts of felony uttering and publishing and furnishing false information to a police officer at the MotorCity Casino. Plea Agreement, defendant pled guilty to 1 count of uttering and publishing. In exchange for that plea, the other count of uttering and publishing and the furnishing of false information to a police officer court were dismissed. Sentenced to 2 years probation and assessed \$400 in restitution (paid before sentencing to the court clerk's office), \$60 in state costs, a \$60 Crime Victims Right Fund fee, \$360 in supervision fees, and \$600 in court costs.

PEOPLE v CARL DOUGLAS SMITH, 3rd Circuit Court-Wayne County, 3/16/2007, charged with felony uttering and publishing and resisting and obstructing a police officer at the MGM Grand Casino. Plea Agreement, defendant pled guilty to resisting and obstructing a police officer. The uttering and publishing count was dismissed. Sentenced to 2 years probation, 180-200 days in the JB3 Program, aftercare at the Detroit Rescue Project, and assessed \$60 in state costs, \$60 Crime Victims Right Fund fee, \$120/yr. in supervision fees, and \$175/yr. in court costs; in lieu of paying costs and fees, defendant could perform 50 hours of community service. If defendant failed to finish the JB3 Program, he would be sentenced to the Michigan Department of Corrections. Also, if defendant violated his parole, he would be looking at a prison term of 6 months to 2 years, consecutive to any prison time on a parole violation.

PEOPLE v JAMES SMITH, 36th District Court-Wayne County, 12/18/2001, charged with misdemeanor larceny at the MGM Grand Casino. Dismissed due to age of case.

PEOPLE v SAMEER A. TAHER, 36th District Court-Wayne County, 10/29/1999, charged with felony casino cheating for pinching a bet at the MGM Grand Casino. Dismissed due to age of case.

PEOPLE v RONNIE TAYLOR, 3rd Circuit Court-Wayne County, 1/4/2007, charged with felony cheating at a gambling game and false pretenses less than \$200 at the Greektown Casino. Plea Agreement, defendant pled guilty to misdemeanor false pretenses. In exchange for that plea, the cheating at a gambling game count was dismissed. Sentenced to pay \$100 in court costs.

PEOPLE v DENNIS MICHAEL TEDFORD, 3rd Circuit Court-Wayne County, 1/4/2007, charged with felony uttering and publishing at the MGM Grand Casino.

Plea Agreement, defendant pled guilty to a reduced charge of attempted uttering and publishing. No enhancement was sought with this plea. Sentenced to 1 year probation, find/maintain employment, no contact with the MGM Grand Casino, undergo drug testing and treatment, and assessed \$60 in state fees, \$60 Crime Victims Right Fund fee, \$360 in supervision fees, \$600 in court costs, and \$400 in attorney fees.

PEOPLE v CRAIG DUANE THOMAS, 36th District Court-Wayne County, 8/7/2006, charged with felony cheating at a gambling game and misdemeanor larceny at the Greektown Casino. Dismissed, wrong person was charged. MSP was going to try to get prints lifted from the card that the real suspect was holding in his booking photo.

PEOPLE v MICHAEL THOMPSON, 3rd Circuit Court-Wayne County, 1/25/2007, charged with felony gambling violation and misdemeanor attempted larceny by false pretenses less than \$200 at the MotorCity Casino. Plea Agreement, defendant pled guilty to attempted false pretenses less than \$200. In exchange for the plea, the felony cheating count was dismissed. Defendant was sentenced to have no contact with the MotorCity Casino for 1 year and assessed a \$250 fine.

PEOPLE v LAURA JEAN VENNETTILLI, 3rd Circuit Court-Wayne County, 3/14/2007, charged with felony larceny in a building and misdemeanor larceny under \$200 at the MotorCity Casino. Plea Agreement, defendant pled guilty to larceny in a building. With the plea, the misdemeanor larceny count was dismissed. Sentenced to 1 year probation and assessed a \$60 Crime Victims Right Fund fee, \$360 in supervision fees, \$400 in court costs, \$60 state fee, and \$400 in attorney fees.

PEOPLE v SHERMAN LEE WALKER, 36th District Court-Wayne County, 2/22/2007, charged with felony larceny in a building and misdemeanor larceny \$200 or more, but less than \$1,000 at the Greektown Casino. Plea Agreement, defendant pled guilty to larceny \$200-\$1,000. In exchange for the plea, the larceny in a building count was dismissed. Sentenced to 6 months probation and assessed a \$300 fine, \$65 in court costs, and a \$50 Crime Victims Right Fund fee; in lieu of paying supervision fees, defendant could perform 20 hours of community service.

PEOPLE v ROBERT TERRELL WASHINGTON, 3rd Circuit Court-Wayne County, 2/28/2007, charged with felony uttering and publishing, attempted uttering and publishing, and conspiracy to utter and publish at the MGM Grand Casino. Plea Agreement, Defendant pled guilty to attempt uttering and publishing and conspiracy to utter and publish. In exchange for those pleas, Count 1 was dismissed. Sentenced to 2 years probation and assessed \$60 in state court costs, \$60 Crime Victims Right Fund fee, \$120 in supervision fees, \$300 in court costs, and \$300 in attorney fees. Defendant was on probation to Judge McCree's drug court and that Wayne County case was dismissed.

PEOPLE v ROBERT LEE WATERS, 36th District Court-Wayne County, 1/30/2007, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Plea Agreement, defendant pled guilty to trespass by a disassociated person. Sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Department of Community Health with treatment as indicated after the screening, and assessed a \$100 fine and \$200 in court costs by 2/23/2007. Defendant was up for review on a previous 2004 case. In that case, defendant's plea was taken under advisement for 1

year. During that year, he was to attend Gamblers Anonymous, stay out of the casinos, and assessed fees/costs. Defendant failed to pay his fines/costs and the plea was accepted (no dismissal). The court also ordered payment of the unpaid \$400 in fees/costs or defendant would do time on the alternative work force.

PEOPLE v CEOLA WEBSTER, 3rd Circuit Court-Wayne County, 3/30/2007, charged with felony uttering and publishing at the MotorCity Casino. Plea Agreement, Defendant pled guilty to attempted uttering and publishing. Sentenced to 2 years probation, inpatient treatment with Sacred Heart in Memphis, assessed \$500 in restitution (payment within 5 months), \$60 Crime Victims Right Fund fee, \$60 in state costs, \$240 in supervision fees, \$600 in court costs, and \$400 in attorney fees.

PEOPLE v DEBRA ELAINE WESTBROOK, 36th District Court-Wayne County, 3/26/2007, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Plea Agreement, defendant pled guilty to trespass by a disassociated person. Sentence was delayed for 1 year. During that year, defendant was to have no contact with the criminal justice system, no contact with the casinos, screening for gambling addiction by the Department of Community Health, undergo whatever treatment was recommended, and assessed \$100 in court costs and \$100 in attorney fees. Of the \$484.55 seized from defendant at the time of arrest, \$200 was to be returned to the defendant and \$284.55 was turned over to the Michigan Compulsive Gambling Prevention Fund.

PEOPLE v ANTHONY WILLIAMS II, 36th District Court-Wayne County, 1/28/2004, charged with misdemeanor underage gambling at the MotorCity Casino. Dismissed due to age of the case and at the time of dismissal, defendant was age 22.

PEOPLE v MICHAEL KEITH WILLIAMS, JR., 36th District Court-Wayne County, 1/10/2006, charged with felony larceny in a building and misdemeanor embezzlement under \$200 at the Greektown Casino. Dismissed by the court, without prejudice, for lack of notice of the preliminary examination so no attorney or witnesses appeared. The complaint was re-filed.

PEOPLE v WILLIAM VALENTINE WILLIAMS, 36th District Court-Wayne County, 8/5/1999, charged with misdemeanor underage gambling at the MGM Grand Casino. Dismissed due to age of case and at the time of dismissal, defendant was of legal age.

PEOPLE v DANIAL SABAH YALDO, 36th District Court-Wayne County, 1/29/2007, charged with misdemeanor gambling by a minor at the MGM Grand Casino. Plea Agreement, Defendant pled guilty to underage gambling. Sentence delayed for 1 year and assessed a \$200 fine and \$200 in costs. Defendant was reminded he must be 21 years old to enter the casinos and was not permitted to be inside one before then.

PEOPLE v TALAT GEORGE YALDO, Wayne Circuit Court, 1/17/2007, charged with felony uttering and publishing - possession of more than 10 counterfeit Federal Reserve notes with intent to utter and publish, uttering and publishing a counterfeit bill or notes, and receiving and concealing stolen property over \$1,000 at the MGM Grand Casino. Plea Agreement, defendant pled guilty to uttering and publishing of counterfeit bills (5-year felony). In exchange for the plea, the felony counts of possession of counterfeit bills w/intent to uttering and publish and receiving and conceal-

ing stolen property over \$1,000, but less than \$20,000 were dismissed. Sentenced to 6 months probation, no contact with the casinos, and assessed \$600 in court costs, \$650 in attorney fees, and \$180 in supervision fees.

PEOPLE v SAMI NOAH YOUSIF, 19th District Court, 1/12/2007, charged with felony and misdemeanor violation of the Tobacco Products Tax Act (seizure of Other Tobacco Products purchased from House of Oxford, an unlicensed supplier). Plea Agreement, defendant pled guilty to misdemeanor Tobacco Products Tax Act (TPTA) violation. With that plea, the felony TPTA violation was dismissed. Sentenced to pay a \$1,000 fine. No probation or other terms were ordered.

Child Support Enforcement Division – Prosecutions 2007 - 2008

PEOPLE v DELANCE ANTOINE AARON, Pled Guilty, 03/06/2007, Oakland County-6th Circuit, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v MICHAEL ABBE, Dismissed Restitution Made, 03/11/2008, Mason County-51st Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v RASHEED K. ABDULLAH, Pled Guilty, 06/06/2007, Wayne County-3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,120.00; Restitution - \$15,815.67; Probation – 60 Months.

PEOPLE v KHLEIF BOULOS ABOUJOUDEH, Pled Guilty, 01/03/2007, Oakland County-6th Circuit, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Delayed Sentence, Probation – 2 years; Restitution - \$11,687.22; Fines & Costs - \$960.00.

PEOPLE v RODERICK ALLEN ABRAM, Pled Guilty, 10/16/2007, Wayne County-3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail; Restitution - \$64,380.00; Fines & Costs - \$1,120.00.

PEOPLE v FRANKLIN LEON ADAMS, Pled Guilty, 07/10/2007, Wayne County-3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months; Restitution - \$42,170.86; Fines & Costs - \$720.00.

PEOPLE v GERALD LEE ADAMS, Pled Lesser, 04/22/2008, Allegan County-48th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support, Probation – 2 Years, 30 days - County Jail; Extradition Fees - \$1,972.99.

PEOPLE v JONYA EUGENE ADAMS, Pled Guilty, 07/30/2008, Wayne County-3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$720.00, Restitution - \$32,566.00, Probation – 60 Months; \$600.00.

PEOPLE v WILLIAM ARTHUR ADDINGTON, Pled Guilty, 07/25/2007, Wayne County-3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months; Restitution - \$61,232.23; Fines & Costs - \$1,120.00.

PEOPLE v GREGORY CLAY ADKINS, Pled Guilty, 02/06/2007, Washtenaw County-22nd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years; Restitution - \$14,893.00, Fines & Costs - \$60.00.

PEOPLE v LACEY EUGENE AKA MASON BLAIR ADKINS, Pled Guilty, 06/26/2008, Otsego County-46th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Disorderly Person- Non-Support, Probation – 3 Years; Restitution - \$350.00.

PEOPLE v JAMES AGEE, Pled Guilty, 07/14/2008, Wayne County-3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v EDWARD LEE AIKENS, Dismissed - Agreement, 02/26/2007, St. Joseph County-45th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PERCY AINSWORTH, JR., Pled Guilty, 10/30/2007, Wayne County-3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months; Restitution - \$56,293.37; Fines & Costs - \$120.00.

PEOPLE v GARY HASTINGS AKRIDGE, Pled Guilty, 08/04/2008, Wayne County-3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Fines & Costs - \$1,120.00; Restitution - \$35,969.00; Probation – 60 Months, Amount: \$600.00.

PEOPLE v JOSEPH ANTHONY ALBANELLI, Dismissed Restitution Made, 08/14/2008, Berrien County-2nd Circuit Court, Child Support-Failing to Pay.

PEOPLE v GILBERTO MENDEZ ALCANTAR, Dismissed Legal Issues, 06/08/2007, Kent County-17th Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v JAMES VERNON ALECK, Dismissed Restitution Made, 09/18/2008, St. Clair County-31st Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v PERCY ALEXANDER, Pled Guilty, 01/22/2007, Muskegon County-14th Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v GAMAL HIZIAM ALI, Guilty Bench Trial, 04/14/2008, Wayne County-3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$120.00; Probation - 06-06 Months, Amount: \$600.00; County Jail – 6 Months; Restitution - \$83,288.39.

PEOPLE v AUNDRE JERMAINE ALLEN, Pled Guilty, 08/27/2008, Kent County-17th Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 24 Months; Fines & Costs - \$1,780.00.

PEOPLE v DONALD CLAUD ALLEN, JR., Pled Guilty, 10/26/2007, Allegan County-48th Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 5 Years; Restitution - \$13,860.60; Fines & Costs - \$512.87.

PEOPLE v LESTER LEE ALLEN, Pled Guilty, 06/25/2008, Wayne County-3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, State Prison - 01-04 Years; Restitution - \$98,279.75.

PEOPLE v ROBERTA LAVILLA ALLEN, Guilty Bench Trial, 06/27/2007, Kent County-17th Circuit Court, Child Support-Failing to Pay, Probation – 5 Years; Fines & Costs - \$720.00.

PEOPLE v JOSE JESUS ALONZO, Pled Guilty, 11/09/2007, Allegan County-48th Circuit Court, Child Support-Failing to Pay.

PEOPLE v CHARLES CRAIG ALSPACH, Pled Guilty, 01/28/2008, Van Buren County-36th Circuit Court, Child Support-Failing to Pay.

PEOPLE v BRIAN ALTMANN, Pled Guilty, 12/17/2008, Wayne County-3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v DAVID G AMADOR, Pled Guilty, 03/05/2008, Lenawee County-39th Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v CHARLES AARON ANDERSON, Pled Guilty, 05/04/2007, Oakland County-6th Circuit, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v JAMES MONROE ANDERSON, Pled Guilty, 06/06/2007, Wayne County-3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$695.00; Probation – 60 Months; Restitution - \$30,342.13.

PEOPLE v RANDY OWEN ANDERSON, Pled Guilty, 02/04/2008, Kent County-17th Circuit Court, Child Support-Failing to Pay, Probation – 5 Years; Fines & Costs - \$120.00.

PEOPLE v ROBERT ANTHONY ANDERSON, Dismissed - Agreement, 11/17/2008, Wayne County-3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v RUSSELL DEAN ANDERSON, Dismissed Restitution Made, 08/28/2007, Iron County-41st Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v BRIAN K. ANDERZ, Pled Guilty, 02/08/2007, Muskegon County-14th Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 88 Days; Restitution - \$49,813.50; Fines & Costs - \$2,220.00.

PEOPLE v ARTURO AGUILAR ANDRADE, Pled Guilty, 07/16/2007, Kent County-17th Circuit Court, Child Support-Failing to Pay, Probation – 2 Years; Fines & Costs - \$120.00.

PEOPLE v JASON MICHAEL ANDREWS, Dismissed Restitution Made, 07/18/2007, Lenawee County-39th Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v JOHN M. ANDREWS, Dismissed - Agreement, 05/16/2008, Saginaw County-10th Circuit, Child Support-Failing to Pay, Probation – 2 Years; Fines & Costs - \$120.00.

PEOPLE v ROBERT LEWIS ANDREZ, Pled Guilty, 05/23/2007, Wayne County-3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$395.00; Restitution - \$16,847.11; Probation - 60 Months.

PEOPLE v JESUS GINIO ANGUIANO, Pled Guilty, 03/05/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DAVID JAMES ANTCLIFF, Dismissed Restitution Made, 02/25/2008, Genesee County, 7th Circuit Court, Child Support-Failing to Pay.

PEOPLE v MICHAEL PAUL ANTEKEIER, Pled Guilty, 12/19/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 36 Months; Fines & Costs - \$1,080.00.

PEOPLE v KRISTOPHER PAUL ANTON, AKA CHRISTOPHER PAUL ANTON, Dismissed - Agreement, 11/20/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ROBERT ALAN ARCELLO, Support Settlement, 10/12/2007, Newaygo County, 27th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v PERRY ARCHIBALD, Dismissed Legal Issues, 07/30/2008, Saginaw County, 10th Judicial Circuit, County Jail - 90 Days, 90 Days Credit; Fines & Costs - \$2,060.56.

PEOPLE v HENRY KENNETH ARMSTEAD, Pled Guilty, 09/10/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs \$720.00; Restitution - \$400.00; Probation - 60 Months.

PEOPLE v WINSTON ARMSTRONG, Pled Guilty, 08/04/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,120.00; Restitution - \$90,269.00; Probation - 60 Months, \$600.00.

PEOPLE v ARTHUR ALAN ARNASON, Pled Guilty, 05/04/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 3 Years, 180 Days in County Jail, 120 Days Credit.

PEOPLE v DANNY WENDELL ARNOLD, Dismissed Restitution Made, 06/21/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v JEFFREY SCOTT ARNOLD, Pled Guilty, 06/21/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 18 Months; Restitution - \$10,872.64.

PEOPLE v JOHN F. ARRINGTON, Dismissed Restitution Made, 01/22/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LIONELL ARTEMUS, Dismissed - Agreement, 07/30/2008, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay, Probation - 18 Months; Restitution - \$10,872.64.

PEOPLE v CHRIS E. ASAM, Pled Guilty, 09/14/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 60 Months; Restitution - \$34,666.26; Fines & Costs - \$620.00.

PEOPLE v CHRIS E. ASAM, Pled Guilty, 09/14/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 60 Months; Restitution - \$45,639.80; Fines & Costs - \$1,085.00.

PEOPLE v BOBBY ASKEW, Dismissed - Agreement, 02/01/2008, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay.

PEOPLE v MICHAEL ANTHONY ASSANTE, Dismissed - Agreement, 07/30/2008,

St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v MARK TIMOTHY ATWOOD, Pled Guilty, 03/03/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years; Restitution – pay support as ordered; Fines & Costs - Amount: \$360.00.

PEOPLE v HEATHER RENEE AVERY, Dismissed by Court, 11/19/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ROGER ALLEN AVINK II, Pled Lesser, 05/12/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support, Restitution – pay support as ordered; Fines & Costs - \$345.00.

PEOPLE v RICHARD ANTHONY AYOTTE, Dismissed - Agreement, 04/10/2008, Bay County, 18th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v BARRY M. BABA, Dismissed - Agreement, 10/03/2008, Arenac County, 23rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v STEVEN RAY BADGLEY, Pled Guilty, 03/10/2008, Mecosta County, 49th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 48 Months; Fines & Costs - \$1,288.67; Restitution - \$22,790.88.

PEOPLE v TIMOTHY JAMES BAIRD, Dismissed by Court, 01/26/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TIMOTHY JAMES BAIRD, Pled Guilty, 04/20/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail - 60 Days, Days Credit: 32; Restitution - \$54,216.08; Fines & Costs - \$120.00.

PEOPLE v BRANDIE LYNN BAKER, Pled Guilty, 10/30/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 18 Months; Restitution - \$7,629.43.

PEOPLE v DENNIS RICHARD BAKER, Dismissed Restitution Made, 05/24/2007, Osceola County, 49th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KEVIN JAMES BAILEY, Pled Guilty, 01/08/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person - Non-Support.

PEOPLE v JONATHON MICHAEL BALL, Pled Guilty, 11/17/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years; Restitution - \$68,495.23; Fines & Costs - \$1,386.05.

PEOPLE v MELVIN BALL, Pled Guilty, 10/16/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 4 Years; Restitution - \$11,907.06; Fines & Costs - \$120.00.

PEOPLE v TIMOTHY ALAN BALL, Dismissed Restitution Made, 04/28/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TRAVIS WILLARD BALLARD, Dismissed Restitution Made, 03/23/2007, Lenawee County, 39th Judicial Circuit Court.

PEOPLE v ROBERT EDWARD BANKER, Dismissed Restitution Made, 08/22/2008, Branch County, 15th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PETER RANDOLPH BANKERT, Dismissed Restitution Made, 10/23/2007, Washtenaw County, 22nd District Court, Child Support-Failing to Pay.

PEOPLE v ALFONSO BANKS III, Pled Guilty, 04/25/2007, Oakland County, 6th Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v JOSEPH DARRELL BANKS, JR., Pled Guilty, 09/26/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v MALCOLM MCKENZIE BANKS, Pled Guilty, 06/05/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 48 Months, County Jail - 4 Days, 4 Days Credit; Restitution - \$38,452.46.

PEOPLE v WILLIAM LAMONT BANKS, Pled Guilty, 11/30/2007, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 36 Months, County Jail - 82 Days, 82 Days Credit; Restitution - \$39,141.29, Fines & Costs - \$926.64.

PEOPLE v SHANNON BANNER, Pled Guilty, 10/06/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SHANNON BANNER, Pled Guilty, 10/06/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WILLIAM WALTER BARANYAI, Pled Guilty, 06/13/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v JAMES BARD, Pled Guilty, 12/04/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation - 60 Months, \$10.00; Restitution - \$75,779.47; Fines & Costs - \$1,090.00.

PEOPLE v SCOTT HARRISON BARKER, Pled Guilty, 09/12/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Probation, County Jail – 9 Months, 12 Days Credit.

PEOPLE v TERRY W. BARKSDALE, Dismissed - Agreement, 09/21/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v GREGORY BARNES, Dismissed Legal Issues, 10/03/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v JOSEPH BARNES, Pled Guilty, 12/01/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v CHESTER BARNETT, Pled Guilty, 07/11/2007, Wayne County, 3rd Circuit Court, Absconding or Forfeiting Bond, Public Office-Attempt to Obstruct Office Duty, State Prison – 90 Days; Probation – 60 Months; County Jail – 6 Months, 63 Days Credit; Restitution - \$94,246.52,.

PEOPLE v STANLEY ROBERT BAROSKI II, Pled Guilty, 12/17/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 5 Days, 5 Days Credit; Restitution - \$13,730.43.

PEOPLE v HOMERO ANTHONY BARRERA, Pled Guilty, 08/06/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 48 Months, County Jail – 150 Days, 52 Days Credit; Fines & Costs - \$366.00.

PEOPLE v KENNETH RAY BARRETT, Pled Guilty, 08/14/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months; Restitution - \$26,776.90 @ \$10/month; Fines & Costs - \$120.00.

PEOPLE v CHAD ALAN BARTON, Pled Guilty, 07/10/2008, Calhoun County, 37th Circuit Ct - Calhoun, Child Support-Failing to Pay, Probation – 4 Years; Restitution - \$43,332.23.

PEOPLE v MICHAEL BARYLSKI, Pled Guilty, 07/16/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v ROBERT EUGENE BASKIN, Pled Guilty, 12/18/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail - 92 Days, 92 Days Credit; Fines & Costs - \$2,640.00.

PEOPLE v KEITH JAY BATEMAN, Pled Guilty, 11/24/2008, Kent County, 17th Judicial Circuit Court, Absconding or Forfeiting Bond, State Prison 1-4 Years.

PEOPLE v KEITH JAY BATEMAN, Pled Guilty, 10/08/2008, Kent County, 17th Judicial Circuit Court, Absconding or Forfeiting Bond, State Prison 1-4 Years.

PEOPLE v RICHARD BATES, Pled Guilty, 08/04/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KENNETH MARTIN BATZLOFF, Pled Guilty, 12/04/2007, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay, Probation – 5 Years, County Jail - 177 Days, 177 Days Credit; Restitution - \$64,124.72, Fines & Costs - \$120.00.

PEOPLE v RUSSELL E. BAUERS, Dismissed Restitution Made, 09/26/2007, Barry County, 5th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TIMOTHY SCOTT BAUMANN, Dismissed Restitution Made, 07/16/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PATRICK MICHAEL BEACH, Pled Guilty, 03/31/2008, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, County Jail – 9 Months, 39 Days Credit; Fines & Costs - \$770.00.

PEOPLE v BRENT LYLE BEAMAN, Pled Guilty, 08/11/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail - 2 Days, 2 Days Credit; Restitution - \$53,923.21.

PEOPLE v MICHAEL G. BEARD, Dismissed by Court, 10/29/2008, St. Clair County, 31st Judicial Circuit Court, Absconding or Forfeiting Bond.

PEOPLE v MICHAEL G. BEARD, Dismissed by Court, 10/22/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MARVIN BERNIE BEARDEN, Pled Guilty, 01/25/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v TRACY LEE BEARDSLEE, Dismissed - Agreement, 03/16/2007, Eaton County, 56th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v MICHAEL JERRY BEARUP, Pled Guilty, 05/29/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months; Restitution - \$126,427.41; Fines & Costs - \$14,560.00.

PEOPLE v ROBERT WARREN BEATTY, AKA ROB BEATTY, Dismissed Legal Issues, 10/22/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v ROBERT EUGENE BEAUREGARD, Pled Guilty, 06/17/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,095.00; Restitution - \$12,688.00 at \$200/month; Probation – 20 Months.

PEOPLE v MARVIN JAY BECHTOL II, Pled Guilty, 10/22/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v JOEL LEE BECKHAM, Pled Guilty, 04/09/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v CHAD EUGENE BEEBE, Pled Guilty, 12/05/2007, Oakland County, 6th Circuit Court, Child Support-Failing to Pay, Probation – 3 Years; Restitution – pay support as ordered; Fines & Costs - \$1,080.00.

PEOPLE v DAVID ALLEN BEEKMAN, Pled Guilty, 11/07/2008, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 60 Months, County Jail – 365 Days, 52 Days Credit; Restitution - \$45,102.00 at \$600.00/month; Fines & Costs - \$1,385.00.

PEOPLE v BRUCE ALAN BELFIELD, Dismissed Restitution Made, 01/15/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v LA REE BELL, Dismissed Legal Issues, 07/30/2008, Kent County, 17th

Judicial Circuit Court, Child Support-Failing to Pay, Probation - 60 Months, County Jail - 365 Days, 52 Days Credit; Restitution - \$45,102.00 at \$600.00/month; Fines & Costs - \$1,385.00.

PEOPLE v ANTHONY JOSEPH BELTRAN, Pled Guilty, 09/30/2008, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DAVID CHARLES BENHAM JR., Pled Guilty, 07/01/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation - 24 Months; Restitution - \$22,747.37; Fines & Costs - \$195.00.

PEOPLE v ARTHUR BENJAMIN, Dismissed Restitution Made, 04/09/2007, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay.

PEOPLE v DARRELL BENNETT, Pled Guilty, 09/03/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay. Probation - 60 Months; Fines & Costs - \$1,120.00; Restitution - \$36,812.00.

PEOPLE v OWEN RUSSELL BENNETT, JR, Pled Guilty, 05/09/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 60 Months, County Jail - 60 Days, 4 Days Credit; Fines & Costs - \$570.00.

PEOPLE v THOMAS JOSEPH BENNETT, Pled Guilty, 06/14/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation - 24 Months; Fines & Costs - \$695.00.

PEOPLE v GARY ALLEN BENSON, Pled Guilty, 09/03/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay. Probation - 60 Months; Fines & Costs - \$1,120.00; Restitution - \$21,673.00.

PEOPLE v CHRISTOPHER JOSEPH BENTON, Dismissed Legal Issues, 07/27/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v RYAN JAMES BENTON, Pled Guilty, 03/17/2008, Newaygo County, 27th Judicial Circuit Court, Child Support-Failing to Pay, County Jail - 180 Days, 4 Days Credit; Fines & Costs - \$120.00.

PEOPLE v MIGUEL BERMUDEZ, AKA MIGUEL ANGEL BERMUDEZ, Dismissed - Agreement, 11/05/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MICHAEL JAMES BERNIER, Pled Guilty, 09/24/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v ROBERT W. BESKY, JR., Dismissed Legal Issues, 07/23/2007, Montmorency County, 26th Circuit Ct - Montmorency, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v WILLIAM LESTER BETHARD, JR., Pled Guilty, 01/04/2008,

Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$890.00.

PEOPLE v MICHAEL DAVID BETTERLY, Dismissed Restitution Made, 01/23/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PAUL DAVID BEVINS, Pled Guilty, 12/04/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation - 60 Months; Restitution - \$14,237.70 at \$10.00/month; Fines & Costs - \$695.00.

PEOPLE v RANDALL SCOTT BIBLE, Pled Guilty, 04/27/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 60 Months; Restitution - \$22,877.36; Fines & Costs - \$1,238.00.

PEOPLE v JOEL WAYNE BICKHAM, Pled Guilty, 02/05/2008, Berrien County, 2nd Circuit Court Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 5 Years, County Jail - 60 Days; Restitution - \$29,052.12.

PEOPLE v DONALD WAYNE BIGGS, Pled Guilty, 06/04/2008, Cass County, 43rd Circuit Ct - Cass County, Child Support-Failing to Pay, Probation - 3 Years, County Jail - 90 Days, 33 Days Credit; Restitution - \$8,596.11; Fines & Costs - \$120.00.

PEOPLE v CLIFFORD BIGMOUNTAIN, Dismissed Restitution Made, 01/25/2007, St. Joseph County, 45th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v THOMAS IGNATIUS BIRKETT, Pled Guilty, 01/07/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 24 Months; Fines & Costs - \$240.00.

PEOPLE v ROBERT ALLAN BIRMAN, Pled Guilty, 04/04/2008, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 60 Months, County Jail - 25 Days, 25 Days Credit; Restitution - \$16,738.99 at \$600.00/month; Fines & Costs - \$672.00.

PEOPLE v GREGORY CHARLES BISARD, Dismissed Legal Issues, 12/10/2008, Barry County, 5th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v VICTOR M. BISHARA, Dismissed - Agreement, 01/04/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v DONALD V. BISHOP, Pled Guilty, 01/17/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v JONATHAN LOUIS BISZALIK, Dismissed - Agreement, 09/08/2008, Wayne County, 3rd Circuit Court- Criminal, Child Support-Failing to Pay.

PEOPLE v RICHARD PATRICK BIVER, Pled Guilty, 08/23/2007, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 5 Years; Restitution - \$12,728.35; Fines & Costs - \$440.00.

PEOPLE v ROY BENEDICK BIXLER, Pled Guilty, 03/21/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 18 Months.

PEOPLE v JEROME KEITH BLACK, Dismissed Legal Issues, 03/26/2008, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WETONKA JABASS BLACKMON, Pled Guilty, 01/16/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,120.00; Restitution - \$9,320.84 at \$600/month, Probation - 60 Months.

PEOPLE v WETONKA JABASS BLACKMON, Pled Guilty, 01/16/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Days; Restitution - \$8,618.33 at \$600/month.

PEOPLE v MICHELLE BLACKWOLF, AKA MICHELLE PEPPERLEY BROWN, Pled Guilty, 03/13/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months; Restitution - \$20,514.00; Fines & Costs - \$620.00.

PEOPLE v RODOLFO BLANCO, Pled Guilty, 05/23/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, State Prison - 12-48 Months, 55 Days Credit; Restitution - \$21,441.27.

PEOPLE v DENNIS KELLY BLANTON, Dismissed Restitution Made, 01/25/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v STEPHEN BLASZCZAK, Pled Guilty, 06/04/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Fines & Costs - \$840.00; Restitution - \$480.00, County Jail – 2 Months, Probation – 2 Months.

PEOPLE v BRIAN KEITH BLEDSOE, Dismissed - Agreement, 09/03/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$840.00; Restitution - \$480.00; County Jail - Months: 02-02, Probation - Months: 02-02.

PEOPLE v BLETHEN, LEONARD SCOTT, Dismissed - Agreement, 09/05/2007, Alpena County, 26th District Court, Child Support-Failing to Pay.

PEOPLE v TEDDY RAY BLEVINS, Pled Guilty, 09/18/2008, Oakland County, 6th Circuit Court, Child Support-Failing to Pay.

PEOPLE v BENTON BLEVINS, Pled Guilty, 12/16/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v AARON BLONDELL, Pled Guilty, 11/13/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, County Jail - Days: 133 Days Credit: time served, Restitution - Amount: \$9,523.38, Extradition Fees - \$771.05, Fines & Costs - \$757.88.

PEOPLE v DONALD RICHARD BLONSHINE, Pled Guilty, 10/08/2007, Genesee

County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 21 Days, 21 Days Credit; Restitution - \$21,857.91; Fines & Costs - \$1,039.30.

PEOPLE v BLOOMQUIST, JR, KEITH EDWARD, Pled Guilty, 01/22/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, County Jail - Days: 1 Days Credit: 1, Restitution - \$26,967.24; Fines & Costs - \$620.00.

PEOPLE v BLOSS, WILLIAM ALLEN, Dismissed Legal Issues, 10/17/2007, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v BLOSSOM, RONALD HAROLD, Pled Guilty, 05/14/2008, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Fines & Costs - \$1,120.00, Restitution - \$20,426.00, Probation – 36 Months, Amount: \$360.00.

PEOPLE v BLUNDELL, WILLIAM ROBERT, Dismissed Restitution Made, 03/13/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BLYTHE, DOYLE E, Dismissed Restitution Made, 02/15/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BOLTE, MICHAEL ALAN, Pled Guilty, 01/30/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation – 3 Years, Restitution - \$11,257.78, Fines & Costs - \$1,380.00.

PEOPLE v BOMEK, THOMAS, Pled Guilty, 09/13/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 4 Years, Restitution - \$33,782.06, Fines & Costs - \$800.00.

PEOPLE v BONEK, DENNIS RAYMOND, Pled Guilty, 09/14/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 70 Days, Days Credit: 70, Restitution - \$20,257.70.

PEOPLE v BONHAM, TIMOTHY DAVID, Pled Guilty, 02/19/2008, Branch County, 15th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BONNER, DAVID SHELDON, Pled Guilty, 09/11/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 10 Day.

PEOPLE v BONNER, MICHAEL LEON, Pled Guilty, 01/08/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,120.00, Probation – 60 Months - \$10.00; Restitution - \$32,526.00, County Jail – 120 Days.

PEOPLE v BOOKER, HAYWOOD, Pled Guilty, 11/15/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Fines & Costs - \$120.00, Probation – 60 Months.

PEOPLE v BOOKER, HAYWOOD, Pled Guilty, 11/15/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation - 60 Months - Amount: \$600.00, Comm. Service - 120 Hours, Restitution - \$35,597.00, Fines & Costs - \$120.00.

PEOPLE v BOOKER, KENNETH ANDRE, Pled Guilty, 04/09/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v BOOZER, LESTER, Pled Guilty, 02/27/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation - 60 Months - Amount: \$10.00, Restitution - \$61,200.00, Fines & Costs - \$695.00.

PEOPLE v BORGMAN, ROBERT JOSEPH, Pled Guilty, 02/06/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v BORON, KENNETH, Pled Guilty, 09/19/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Probation - 24 Months, Restitution - \$400.00, Fines & Costs - \$695.00.

PEOPLE v BOSLEY, BRIAN S, Dismissed Legal Issues, 01/25/2008, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay.

PEOPLE v BOSWELL, DANIEL EUGENE, Dismissed Restitution Made, 03/06/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v BOUKNIGHT, TERRAN LORENZO, Pled Guilty, 11/18/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 5 Years.

PEOPLE v BOWEN, MARK SCOTT, Pled Guilty, 12/13/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 2 Years, County Jail - 7 Months, Restitution - \$141,033.35, Fines & Costs - \$960.00.

PEOPLE v BOWEN, MARK SCOTT, Pled Guilty, 12/13/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 2 Years, County Jail - 7 Months, Restitution - \$141,033.38, Fines & Costs - \$960.00.

PEOPLE v BOWMAN, BRIAN, Pled Guilty, 09/19/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Probation - 60 Months, Restitution - \$480.00, Fines & Costs - \$840.00.

PEOPLE v BOWMAN, REX D, Dismissed Restitution Made, 11/20/2008, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BOXELL, TRAVIS VINCENT, Dismissed Restitution Made, 09/05/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BOXELL, TRAVIS VINCENT, Dismissed - Agreement, 09/05/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BOYER, CHARLES CHRISTOPHER, Dismissed - Agreement, 10/28/2008, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v BOYER, ROBERT D, Pled Guilty, 12/16/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v BOYNTON, DONYELL, Pled Guilty, 05/13/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v BOYNTON, DONYELL, Pled Guilty, 05/13/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v BRADEN, KELLY E, Pled Guilty, 05/05/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,095.00, Restitution - \$37,250.21, Probation - 60 Months - \$600.00

PEOPLE v BRAMLETT, WILLIE, Pled Guilty, 06/19/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation - 5 Years, County Jail - 41 Days, 41 Days Credit, Restitution - \$55,980.18

PEOPLE v BRANDENBURG, ERIC LEE, Dismissed Restitution Made, 02/14/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v BRANDON, CHAD JOSEPH, Dismissed Restitution Made, 09/25/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BRANDON, DAVID ALAN, Support Settle, 05/15/2008, Gratiot County, 29th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v BRANHAM, JARED SCOTT, Pled Guilty, 07/11/2008, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BRATCHER, BILLY DEAN, Pled Guilty, 05/14/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 36 Months, County Jail - 70 Days, 70 Days Credit, Court Cost - \$1,389.00.

PEOPLE v BRAUKER, AUSTEN JAMES, Dismissed Restitution Made, 10/16/2007, Grand Traverse County, 13th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BRAWDY, ROBERT H, Dismissed - Agreement, 02/05/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v BRESSETT, JR., RONALD GENE, Pled Guilty, 09/28/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BREWER, KEVIN, Pled Guilty, 02/07/2008, Isabella County, 21st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BREWER, WILLIAM HOMER, Dismissed - Agreement, 11/19/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v BRIGHT, MAURICE, Pled Guilty, 09/27/2007, Calhoun County, 37th Circuit Ct - Calhoun,
Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, County Jail – 5 Months, 106 Days Credit, Restitution - \$54,732.11.

PEOPLE v BRIMM, DENNIS G, Pled Guilty, 11/10/2008, Arenac County, 23rd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 6 Months, County Jail – 34 Days, 34 Days Credit.

PEOPLE v BRISCOE, ROBERT KEITH, Pled Guilty, 07/16/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$120.00, Probation - 60 Months - \$600.00, Restitution - \$13,130.00, Comm. Service – 15 Days.

PEOPLE v BRITTON, DWAYNE, Dismissed - Agreement, 12/02/2008, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v BROCK, BRIAN KEITH, Dismissed - Agreement, 11/14/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v BRONIK, MARK J, Dismissed - Agreement, 10/10/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v BROOKS, KEVIN F, Pled Guilty, 03/28/2007, Wayne County, 3rd Civil Division, Child Support-Failing to Pay, Fines & Costs - \$720.00, Restitution - \$14,251.77, Probation – 60 Months.

PEOPLE v BROOKS, LYNDON DEWEY, Pled Guilty, 02/08/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$5,918.93, Fines & Costs - \$520.00.

PEOPLE v BROOKS, REGINA LASHAY, Dismissed Restitution Made, 06/03/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BROWER, KEVIN WILLIAM, Pled Guilty, 09/26/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, 5 Years Probation, County Jail – 53 Days, 53 Days Credit, Restitution - \$16,254.13.

PEOPLE v BROWN, DANA L, Pled Guilty, 04/03/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$23,460.72, Court Cost - \$620.00.

PEOPLE v BROWN, DENTRY DUSHAWN, Pled Guilty, 09/20/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 20 months, County Jail – 6 Months, Restitution - \$31,916.01, Fines & Costs - \$1,370.00.

PEOPLE v BROWN, GREGORY ALFRED, Pled Guilty, 03/02/2007, Calhoun

County, 37th Circuit Ct - Calhoun, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 5 years, County Jail – 127 Days, 6 Months.

PEOPLE v BROWN, JR, JAMES CLARK, Pled Lesser, 10/15/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, County Jail - 8 Days, 8 Days Credit.

PEOPLE v BROWN, JAMES MICHAEL, AKA JAMES MAROWELLI, Pled Lesser, 01/23/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 18 Months, Fines & Costs - \$365.00.

PEOPLE v BROWN, JEFFREY CLARK, Dismissed Restitution Made, 03/28/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BROWN, JOSEPH CLARENCE, Pled Guilty, 05/09/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$27,403.02, Fines & Costs - \$695.00.

PEOPLE v BROWN, KERRY DONNELL, Dismissed Restitution Made, 02/28/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BROWN, MARTY ELLIOTT, Pled Guilty, 03/01/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v BROWN, MICHAEL J, Pled Guilty, 03/11/2008, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 5 Years, County Jail – 74 Days, 74 Days Credit, Restitution - \$25,095.35, Fines & Costs - \$120.00.

PEOPLE v BROWN, PHILLIP ANDRE, Pled Guilty, 01/22/2008, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BROWN, REGINALD LOUIS, Pled Guilty, 01/22/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v BROWN, RONALD DALE, Dismissed Legal Issues, 11/16/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BROWN, SHANE ERIC, Dismissed - Agreement, 01/11/2008, Arenac County, 23rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BROWN, WILLIAM D, Pled Guilty, 06/11/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Fines & Costs - \$720.00, Probation – 60 Months, Restitution - \$143,837.00.

PEOPLE v BROWNEE, DENNIS EARL, Pled Guilty, 06/04/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v BRUNO, JEFFREY MATTHEW, Pled Guilty, 01/29/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v BRYAN, KEITH ALLEN, Pled Guilty, 07/16/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v BRYANT, RANDALL GENE, Pled Guilty, 02/28/2008, Calhoun County, 37th Circuit Ct - Calhoun, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 2 Years, County Jail – 90 Days, 31 Days Credit.

PEOPLE v BUBAR, HEATH ALAN, Dismissed - Agreement, 12/08/2008, Clare County, 55th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BUCHANAN, TIMOTHY TYLER, Dismissed - Agreement, 10/02/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BUCK, JON FREDERICK, Pled Guilty, 04/11/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v BUELL, THOMAS WILLIAM, Dismissed - Agreement, 05/29/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v BUGGS, LINCOLN WADE, Pled Guilty, 03/07/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Restitution - \$16,408.60, Fines & Costs - \$2,160.00, Probation – 5 Years.

PEOPLE v BURCIAGA, GILBERT JOHN, Dismissed - Agreement, 08/24/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v BURCROFF, KEVIN ROLDAN, Pled Guilty, 02/07/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v BURNETT, DAVID MICHAEL, Pled Guilty, 12/11/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Probation – 2 Years, Restitution - \$111,176.52, Fines & Costs - \$1,980.00.

PEOPLE v BURNS, BRIAN RAY, Dismissed - Agreement, 09/26/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v BURNS, BRIAN RAY, Pled Guilty, 10/18/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 36 Months, Restitution - \$8,075.00, Fines & Costs - \$845.00.

PEOPLE v BURNS, PHILIP EUGENE, Pled Guilty, 06/08/2007, Charlevoix County, 33rd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail - 270 Days, Restitution - \$9,596.87, Fines & Costs - \$720.00.

PEOPLE v BURNS II, RAYMOND LAVERNE, Dismissed Restitution Made, 10/17/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BURNS, TOMMY C, Pled Guilty, 01/10/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$110,990.00, Comm. Service – 120 Hours, Fines & Costs - \$120.00.

PEOPLE v BURSE, DERRICK, Dismissed - Agreement, 01/22/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BURSE, DERRICK, Pled Guilty, 03/13/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 4 Years, Boot Camp – 90 Days.

PEOPLE v BURT SR, EDDIE OQUENDEL, Pled Guilty, 06/13/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v BURTON, WILLIE RICARDO, Pled Guilty, 04/02/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v BURTON, JR., CORNELL, Pled Guilty, 07/06/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 30 Days, 6 Days Credit, Restitution - \$19,007.38.

PEOPLE v BUSH, JEFFREY ALAN, Pled Guilty, 09/10/2008, Washtenaw County, 22nd District Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 3 Years, County Jail – 6 Months, Restitution - \$109,042.29, Fines & Costs - \$120.00.

PEOPLE v BUSHEY, RICHARD ALAN, Pled Guilty, 02/14/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 5 Years, County Jail – 90 Days, 19 Days Credit, Restitution - \$8,546.29.

PEOPLE v BUTLER, CLIFTON BORNELL, Dismissed Legal Issues, 12/07/2007, Kent County, 17th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v BUTLER, KEITH DOUGLAS, Pled Guilty, 01/23/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$21,527.13.

PEOPLE v BUTLER, SR., KENNETH RANDALL, Pled Guilty, 06/15/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$17,008.32.

PEOPLE v BUTLER, LAJUAN RAY, Pled Guilty, 02/12/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, County Jail - Court Cost - \$120.00.

PEOPLE v BUTLER, TERRANCE, Pled Guilty, 11/17/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v BYRD, TAURUS LEONARD, Pled Guilty, 12/02/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v BYRNE, WILLIAM JAMES, Pled Guilty, 01/28/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v CABRERA, JR., DONATO, Pled Guilty, 09/29/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months.

PEOPLE v CADDELL, LEONARD, Pled Guilty, 02/21/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, \$10.00, Restitution - \$34,157.13, Fines & Costs - \$695.00.

PEOPLE v CAFFREY, ROBERT BRYAN, Pled Guilty, 11/30/2007, Calhoun County, 37th Circuit Ct - Calhoun, Child Support-Failing to Pay, Probation – 36 Months, County Jail – 6 Months.

PEOPLE v CAIE, DONALD JOHN, Dismissed-Legal Issues, 08/03/2007, Barry County, 5th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CAIN, AUDREY J., Dismissed by Court, 09/24/2008, Bay County, 18th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CAIN, FRANCIS EVERETT, Dismissed Restitution Made, 07/13/2007, Berrien County, 2nd Circuit Court, Child Support-Failing to Pay.

PEOPLE v CALEK, BRIAN SCOTT, Dismissed Restitution Made, 03/15/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v CALGARO, JOHN JOSEPH, Pled Guilty, 05/02/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, County Jail – 10 Months, 108 Days Credit, Restitution - \$23,472.44.

PEOPLE v CALVIN, ANDRE CLINTON, Pled Guilty, 01/30/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, County Jail – 50 Days, 21 Days Credit, Restitution - \$480.00, Fines & Costs - \$840.00.

PEOPLE v CALVIN, CLIFTON W, Dismissed - Agreement, 10/29/2007, Monroe County, 38th Judicial Circuit Court, Absconding or Forfeiting Bond, Habitual Offender-Second Offense Notice.

PEOPLE v CALVIN, CLIFTON W, Pled Guilty, 09/14/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, Restitution - \$19,195.55, Fines & Costs - \$1,992.00.

PEOPLE v CAMERON, GARY KARL, Pled Guilty, 07/10/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$420.00, Probation - 48 Months, Amount: \$480.00, Restitution - \$15,257.61.

PEOPLE v CAMPAGNE, LAWRENCE JOSEPH, Dismissed Restitution Made, 07/01/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v CAMPBELL, CRAIG STEVEN, Pled Guilty, 05/10/2007, Macomb County, 16th Judicial Circuit Court, Absconding Or Forfeiting Bond, Habitual Offender-Second Offense Notice, Probation – 60 Months, Fines & Costs - \$620.00.

PEOPLE v CAMPBELL, CRAIG STEVEN, Pled Guilty, 05/10/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, Restitution - \$24,108.00, Fines & Costs - \$660.00.

PEOPLE v CAMPBELL, JAMES LEE, Dismissed Restitution Made, 08/24/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v CAMPBELL, NATHAN, Pled Guilty, 10/28/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v CAMPEDELLI, WILLIAM, Dismissed Restitution Made, 03/28/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CANFIELD, CHRISTOPHER LEE, Pled Guilty, 01/26/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 81 Days, 81 Days Credit, Restitution - \$65,660.78, Court Cost - \$120.00.

PEOPLE v CANNON, MAURICE L., Pled Guilty, 02/23/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, County Jail - 82 Days, 82 Days Credit, Restitution - \$59,657.89.

PEOPLE v CANNON, MAURICE L., Pled Guilty, 02/23/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, County Jail - 82 Days, 82 Days Credit, Restitution - \$11,246.55.

PEOPLE v CANTU, SANTANA THOMAS, AKA SANTANA TORRES, Pled Guilty, 02/14/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$960.00, Probation – 24 Months.

PEOPLE v CANZE, BRIAN SCOTT, Pled Guilty, 03/17/2008, Shiawassee County, 35th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CARIVEAU, JAMES LEE, Pled Lesser, 01/16/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 2 Years, Restitution - \$21,225.00.

PEOPLE v CARNEY, JEFFREY NEIL, Pled Guilty, 03/09/2007, Cheboygan County, 53rd Judicial Circuit Court, Child Support-Failing to Pay, Probation - 18 Months, Restitution - \$10,869.29, Fines & Costs - \$710.00.

PEOPLE v CARPENTER, BRADLEY KEITH, Pled Guilty, 04/27/2007, St. Joseph County, 45th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 6 Months, 55 Days Credit.

PEOPLE v CARPENTER, DAMON JEFFREY, Pled Guilty, 10/30/2007, Wayne

County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$38,841.51, Fines & Costs - \$390.00.

PEOPLE v CARPENTER, JAROD, Pled Guilty, 06/22/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CARPENTER, MARK D, Pled Guilty, 01/11/2008, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 1 Year, 139 Days Credit, Restitution - \$400.00, Fines & Costs - \$622.50.

PEOPLE v CARRIER, CHRISTOPHER JAMES, Dismissed Restitution Made, 07/25/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CARRIER, JAMIE RENEE, Dismissed - Agreement, 05/15/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CARROLL, CHRISTOPHER EDWARD, Dismissed Restitution Made, 07/25/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CARROLL, JEFFERY LOUIS, Pled Guilty, 10/24/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 180 Days, Restitution - \$71,812.05.

PEOPLE v CARSON, LEROY DWIGHT, Pled Guilty, 12/20/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation – 2 Years, Restitution - \$34,279.00, Fines & Costs - \$3,540.00.

PEOPLE v CARTER, STEPHEN JEROME, Pled Guilty, 03/24/2008, Ottawa County, 20th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Child Support-Failing to Pay.

PEOPLE v CARTER, RAYMOND LEVESTER, Pled Guilty, 03/26/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v CASE, MICHAEL J, Pled Guilty, 09/05/2007, Mason County, 51st Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 18 Months, County Jail - \$365.00, Fines & Costs - \$520.00.

PEOPLE v CASEY, MICHAEL BERNARD, Pled Guilty, 02/14/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v CASH, WILLIAM AUSTIN, Pled Guilty, 09/20/2007, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Delayed Sentence.

PEOPLE v CASHMAN, RONALD THOMAS, Pled Guilty, 03/07/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 18 Months, Restitution - \$32,136.84, Fines & Costs - \$1,620.00.

PEOPLE v CASTILLO, JR, DANIEL GILBERT, Pled Guilty, 11/24/2008, Kent

County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 2 Years, County Jail – 60 Days, 6 Days Credit, Fines & Costs - \$820.00, Restitution - \$50,055.70.

PEOPLE v CASWELL, DAVID JOHN, Pled Guilty, 01/28/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 2 Days, 2 Days Credit, Restitution - \$25,070.00, Fines & Costs - \$570.00.

PEOPLE v CAVANAUGH, CHRISTIAN, Dismissed - Agreement, 06/20/2008, Alpena County, 26th Circuit Court - Alpena, Child Support-Failing to Pay.

PEOPLE v CAYTON, BRUCE BERNARD, Pled Guilty, 06/06/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 2 Year, County Jail – 180 Days.

PEOPLE v CERVERA, ANTHONY, Pled Guilty, 02/14/2007, Ingham County, 30th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Fines & Costs - Amount: \$1,820.00, Extradition Fees - \$1,370.16, Restitution - \$42,542.02, County Jail – 162 Days, Probation – 60 Months.

PEOPLE v CESAR, JOHN JOSEPH, Dismissed Restitution Made, 07/24/2008, Newaygo County, 27th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v CHAFFEE, DAVID WAYNE, Pled Guilty, 03/09/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, County Jail – 1 Day, Restitution - \$20,000.00, Fines & Costs - \$2,370.00.

PEOPLE v CHAMBERS, JR, JAMES W, Pled Guilty, 05/25/2007, Charlevoix County, 33rd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, County Jail – 270 Days, Restitution - \$15,179.69, Fines & Costs - \$120.00.

PEOPLE v CHAMBERS, KEVIN JEVON, Pled Guilty, 04/10/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$120.00, Probation - 60 Months - \$600.00, Restitution - \$56,214.00.

PEOPLE v CHAMBERS, NATHAN LADELL, Pled Guilty, 12/13/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation – 5 Years, County Jail - 21 Days, 21 Days Credit, Restitution - \$58,050.10.

PEOPLE v CHAMBERS, JR, WILLIAM H, Dismissed - Agreement, 07/18/2008, Montmorency County, 26th Circuit Ct - Montmorency, Child Support-Failing to Pay.

PEOPLE v CHANDLER, DANNY JOE, Pled Guilty, 06/30/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v CHANEY, II, WILLIAM THOMAS, Pled Guilty, 11/24/2008, Gratiot County, 29th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CHAO, DANSONG, Dismissed - Agreement, 01/18/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v CHAPIN, DAVID MATTHEW, Pled Guilty, 09/07/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support, Probation – 3 Years.

PEOPLE v CHAPMAN, MARVIN OKEEFE, Pled Guilty, 03/05/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation -48 Months, County Jail – 30 Days, 4 Days Credit, Restitution - \$243,201.32, Court Cost - \$120.00.

PEOPLE v CHAPPELL, GARY DAVID, Pled Guilty, 03/20/2007, Wayne County, 3rd Civil Division, Child Support-Failing to Pay, Fines & Costs - \$455.00, Restitution - \$240.00, Probation – 36 Months - \$360.00.

PEOPLE v CHASKIN, JEFFREY STEVEN, Pled Guilty, 11/14/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v CHATFIELD, JOHN DAVID, Pled Guilty, 08/06/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CHATMON, THADDEUS D, Dismissed - Agreement, 01/11/2008, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay.

PEOPLE v CHATMON, THADDEUS D, Pled Guilty, 05/22/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$24,297.27, Fines & Costs - \$720.00.

PEOPLE v CHAUDHRY, SHABBIR AHMED, Pled Guilty, 06/04/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay.

PEOPLE v CHENEVERT, PHILLIP W, Pled Guilty, 01/18/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$48,000.00, Fines & Costs - \$695.00.

PEOPLE v CHENEVERT, PHILLIP WENDELL, Pled Guilty, 01/18/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$12,000.00, Fines & Costs - \$695.00.

PEOPLE v CHERRY, TIMOTHY, Pled Guilty, 03/08/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, Restitution - 51,976.35

PEOPLE v CHILDS, CHRISTOPHER, Dismissed Restitution Made, 04/05/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CHRISTENSEN, ROBERT A, Pled Guilty, 10/10/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, Fines & Costs - \$720.00.

PEOPLE v CHRISTOPHER, FREDDIE RAY, Pled Guilty, 11/13/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Fines & Costs - \$95.00.

PEOPLE v CHRISTOPHER, STEPHEN DAVID, Dismissed Restitution Made, 01/12/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CHRYSLER, JAMES ROBERT, Pled Guilty, 08/10/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, Restitution - \$72,801.92, Extradition Fees - \$514.17, Fines & Costs - \$120.00, County Jail – 8 Months, 27 Days Credit.

PEOPLE v CHRZANOWSKI, EDWARD RICHARD, Pled Guilty, 09/21/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Delayed Sentence, Probation – 4 Years, Restitution - \$34,500.00, Fines & Costs - \$1,800.00.

PEOPLE v CIRAULO, STEVEN JOSEPH, Pled Guilty, 08/28/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CLARK, ANTHONY MAURICE, Pled Guilty, 10/28/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v CLARK, NICHOLAS CHRISTIAN, Pled Guilty, 11/07/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 2 Days, 2 Days Credit, Restitution - \$23,082.74, Fines & Costs - \$120.00.

PEOPLE v CLARK, NORMAN WESLEY, Pled Guilty, 05/24/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CLARK, ROBERT DUANE, Pled Guilty, 05/05/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Probation – 5 Years, Restitution - \$59,894.00, Fines & Costs - \$1,400.00.

PEOPLE v CLARK, RORY, Dismissed Restitution Made, 05/15/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CLEMENCE, STEVEN MORLEY, Pled Guilty, 11/19/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v CLEMENTS, JEFFREY SCOTT, Pled Guilty, 07/03/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$23,180.68, Fines & Costs - \$1,420.00.

PEOPLE v CLEVELAND, BRENDA LESLIE, Pled Guilty, 11/17/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 3 Months, 47 Days Credit.

PEOPLE v CLIFTON, MICHAEL LEON, Support Settle, 01/31/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v CLOSE, JAMES ARTHUR, Pled Guilty, 04/20/2007, St. Joseph County,

45th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 2 Days, 2 Days Credit.

PEOPLE v CLUTE, DANNY WILLIAM, Pled Guilty, 02/16/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, County Jail - Days: 90 Days Credit: 37, Restitution - Amount: \$53,466.22.

PEOPLE v COBB, BRIAN ALLEN, Pled Guilty, 10/07/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v COBB, HARDEE LEE, Pled Guilty, 09/12/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$13,153.00, Fines & Costs - \$595.00.

PEOPLE v COFFEY, JEFFREY ARNOLD, Pled Guilty, 04/24/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 3 Years, County Jail – 270 Days, Restitution - \$20,449.41, Fines & Costs - \$1,380.00.

PEOPLE v COLBY, JON A, Pled Guilty, 10/11/2007, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support.

PEOPLE v COLE, ALLEN EDWARD, Pled Guilty, 12/17/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 6 Months - \$600.00, County Jail – 6 Months, 52 Days Credit, Restitution - \$20,521.00, Fines & Costs - \$1,120.00.

PEOPLE v COLE, DAWN MARIE, Dismissed Legal Issues, 02/01/2008, Branch County, 15th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v COLE, DAWN MARIE, Pled Guilty, 06/06/2008, Branch County, 15th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v COLE, JR., RONALD PAUL, Dismissed Restitution Made, 11/20/2007, Shiawassee County, 35th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v COLE, JR., RONALD PAUL, Dismissed Legal Issues, 10/30/2007, Shiawassee County, 35th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v COLE, STEVEN ROSS, Pled Guilty, 09/28/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$17,312.90, Fines & Costs - \$120.00.

PEOPLE v COLEMAN, ANTHONY CHRISTOPHER, Pled Guilty, 12/20/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$17,584.00, Fines & Costs - \$7,620.00.

PEOPLE v COLLINS, DANIEL E, Pled Guilty, 10/04/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 9 Months, Restitution - \$8,920.00, Fines & Costs - \$595.00.

PEOPLE v COLLINS, HAROLD SIDNEY, Pled Guilty, 08/13/2007, Wayne County,

3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 60 Months, Fines & Costs - \$120.00.

PEOPLE v COLLINS, HAROLD SIDNEY, Pled Guilty, 08/13/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 60 Months, Restitution - \$300.00, Fines & Costs - \$120.00.

PEOPLE v COLLINS, HAROLD SIDNEY, Pled Guilty, 08/13/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 60 Months, Restitution - \$480.00, Fines & Costs - \$840.00.

PEOPLE v COLLINS, JR., IRA WILLIAM, Pled Guilty, 07/30/2007, Iosco County, 23rd Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 11 Months, 84 Days Credit.

PEOPLE v COLLINS, WALKER LEROY, Pled Guilty, 09/13/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v COLLINS, WILLIAM NORMAN, Pled Guilty, 02/05/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, County Jail – 150 Days, Restitution - Court Cost - \$720.00.

PEOPLE v COLLISON, STEVEN JAMES, Pled Guilty, 06/23/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation – 2 Years, Restitution - \$29,003.29, Fines & Costs - \$720.00.

PEOPLE v COMBS, RICKIE, Dismissed Restitution Made, 04/02/2007, Roscommon County, 34th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v COMPINSKI, PAUL DAVID, Dismissed - Agreement, 07/26/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v CONEY, MELVIN, Pled Guilty, 09/05/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 60 Months - \$10.00 Restitution - \$41,064.72, Fines & Costs - \$120.00.

PEOPLE v CONKLIN, JAMES MARK, Dismissed Restitution Made, 01/08/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v CONRAD, DAVID JESSE, Pled Guilty, 05/06/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, County Jail – 67 Days, 67 Days Credit, Fines & Costs - \$60.00.

PEOPLE v COOK, RICHARD C, Dismissed - Agreement, 11/02/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v COOK, ROBERT CHARLES, Pled Guilty, 02/05/2008, Newaygo

County, 27th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 6 Months, Fines & Costs - \$120.00.

PEOPLE v COOLEY, BYRON ROBERT, Dismissed - Agreement, 01/25/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v COON, RYAN PATRICK, Pled Guilty, 12/08/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v COON, WILLIAM HAROLD, Pled Guilty, 03/27/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 6 Months.

PEOPLE v COOPER, ERIC LEE, Pled Guilty, 06/20/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$28,811.88, Fines & Costs - \$1,240.00.

PEOPLE v COOPER, GERALD L, Pled Guilty, 02/08/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail - 17 Days, 17 Days Credit, Restitution - \$81,253.10, Extradition Fees - \$706.96.

PEOPLE v COPPLE, JR., MICHAEL JOSEPH, Pled Guilty, 01/10/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation - 18 Months, Restitution - \$25,542.68, Fines & Costs - \$1,470.00.

PEOPLE v CORBIN, MICHAEL ANTHONY, Pled Guilty, 10/30/2007, Washtenaw County, 22nd District Court, Child Support-Failing to Pay, County Jail – 1 Year, 180 Days Credit.

PEOPLE v CORNE, KIMBERLY, Dismiss Court, 10/06/2008, Roscommon County, 34th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CORNELL, JAY R, Dismissed Restitution Made, 07/24/2008, Sanilac County, 24th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CORNETT, PAUL, Pled Guilty, 11/19/2008, Wayne County, 3rd Circuit Court, Desertion/Abandonment/Non-Support, Child Support-Failing to Pay.

PEOPLE v COSTANZO, JONATHAN ANTHONY, Pled Guilty, 12/16/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v COULTER, TRENT N, Pled Guilty, 06/29/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay.

PEOPLE v COUNTERMAN, JR, DONALD GEORGE, Pled Guilty, 11/12/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$23,134.42, Fines & Costs - \$120.00.

PEOPLE v COURT, JAMES VERNON, Pled Guilty, 01/03/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation – 2 Years, Restitution - \$14,954.86, Fines & Costs - \$960.00.

PEOPLE v COURTNEY, CHARLES HOWARD, Pled Guilty, 04/18/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v COUSINO, PAUL MATTHEW, Dismiss Court, 10/10/2008, Gratiot County, 29th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v COWELS, MATTHEW GREGORY, Pled Guilty, 02/25/2008, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v COX, ANTHONY RICHARD, Pled Guilty, 04/26/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$720.00, Probation - 60 Months, Restitution - \$34,176.22.

PEOPLE v COX, DOUGLAS MARK, Pled Guilty, 10/06/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 5 Years, County Jail -162 Days, 72 Days Credit.

PEOPLE v COX, JAMES DUANE, Pled Guilty, 11/13/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 5 Years, County Jail - 30 Days, 3 Days Credit, Restitution - \$92,199.75, Fines & Costs - \$120.00.

PEOPLE v COX, LANELL, Pled Guilty, 05/21/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Fines & Costs - \$1,120.00, Restitution - \$13,947.00, Probation - 48 Months - \$480.00.

PEOPLE v COX, JR., WILLIE JAMES, AKA WILLIE JAMIE COX, Pled Guilty, 02/05/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence, Probation - 18 Months, Fines & Costs - \$1,800.00.

PEOPLE v CRANER, KIRK RANDALL, Pled Guilty, 05/14/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v CRAWFORD, DOUGLAS NORMAN, Dismissed - Agreement, 02/15/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CRAWFORD, KENNETH ALLEN, Pled Guilty, 01/04/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 18 Months, Restitution - \$54,841.73.

PEOPLE v CRAWFORD, LEON, Pled Guilty, 09/03/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, County Jail - 6 Months, 64 Days Credit, Fines & Costs - \$770.00.

PEOPLE v CROCKER, KENNETH J, Pled Guilty, 12/05/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Probation - 39 Months, Restitution - \$20,893.00, Fines & Costs - \$695.00.

PEOPLE v CRONIN, RICHARD CHARLES, Dismissed - Agreement, 01/22/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CROSBY, SONYA YVETTE, Pled Guilty, 01/05/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v CROSS, JOEL, Pled Guilty, 04/30/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CROSS, DANIEL JOSEPH, Pled Guilty, 04/14/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support, Probation – 2 Years, Extradition Fees - \$725.32, Fines & Costs - \$600.00.

PEOPLE v CROWE, MICHAEL, Dismissed Restitution Made, 02/22/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CRUMPTON, KARL JEFFREY, Pled Guilty, 02/05/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 16 Days, 16 Days Credit, Restitution - \$230,632.05.

PEOPLE v CRUZ, ANTONIO, Pled Guilty, 08/06/2008, Barry County, 5th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v CRUZ, DELFINO, AKA DELFINO SIERRA, Pled Guilty, 03/26/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$15,928.55, Fines & Costs - \$1,952.02.

PEOPLE v CRUZ, JOSEPH S, Pled Guilty, 06/04/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$720.00, Probation – 60 Months - \$600.00 Restitution - \$68,246.32.

PEOPLE v CRUZ, SANTANA MARIO, Pled Guilty, 04/25/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 78 Days, Court Cost - \$960.00.

PEOPLE v CUBEROS, CHRISTOPHER MICHAEL, Pled Guilty, 05/17/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Probation – 3 Years, County Jail – 154 Days, 154 Days Credit, Restitution - \$36,212.95, Court Cost - \$755.00.

PEOPLE v CUMMINGS, MICHAEL RAYE, Pled Guilty, 03/03/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$145,342.22.

PEOPLE v CUNNINGHAM, STILLMAN ZEBEDEE, Pled Guilty, 07/29/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v CURRAN, MIKE, Dismissed - Agreement, 06/21/2007, St. Joseph County, 45th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v CURRIER, KEVIN, Dismissed - Agreement, 11/08/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v DAILEY, RODNEY SCOTT, Pled Guilty, 12/19/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 48 Months, Fines & Costs - \$4,060.00.

PEOPLE v DANCZYK, JOHN ELLIS, Pled Guilty, 11/26/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 1.5 Years, Restitution - \$11,437.79.

PEOPLE v DANIEL, JR, JAMES HOWARD, Pled Guilty, 09/19/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, Fines & Costs - \$720.00.

PEOPLE v DANIEL, JR, JAMES HOWARD, Pled Guilty, 09/19/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, Restitution, Fines & Costs - \$720.00.

PEOPLE v DANIELS, MARK ROBERT, Dismissed Restitution Made, 04/25/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v DANIELS, JR, CLARENCE E, Pled Guilty, 05/10/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$55,221.20, Fines & Costs - \$720.00.

PEOPLE v DARDEN, KENNETH LOUIS, Dismissed Restitution Made, 01/18/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v DASGUPTA, GREGORY PHILIP, Pled Guilty, 08/25/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v DAVIDSON, ANDREW P, Dismissed Restitution Made, 10/01/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DAVIDSON, JEFFREY, Pled Guilty, 03/08/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 48 Months, Restitution - \$49,879.00, Fines & Costs - \$120.00.

PEOPLE v DAVIDSON, TIMOTHY EUGENE, Pled Guilty, 08/16/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Probation – 1 Year, Restitution - \$14,251.66, Fines & Costs - \$900.00.

PEOPLE v DAVIES, KERRI ANN, Pled Guilty, 09/17/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v DAVILA, JUAN MANUEL-MARTINEZ, Pled Guilty, 01/24/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v DAVIS, BRYAN KEITH, Pled Guilty, 06/18/2008, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 1 Year, County Jail – 23 Days, 23 Days Credit, Restitution - \$24,671.00.

PEOPLE v DAVIS, DAVID W, Dismiss Court, 06/08/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v DAVIS, GREGORY MICHAEL, Dismissed - Agreement, 05/04/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DAVIS, ROLAND LUTHER, Pled Guilty, 03/13/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v DAVIS, RONALD EARL, Pled Guilty, 05/15/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation - \$600.00, Restitution - \$37,632.00, Fines & Costs - \$370.00.

PEOPLE v DAVIS, TIMOTHY B, Pled Guilty, 01/28/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation - 5 Years, Restitution - \$68,436.38, Fines & Costs - \$2,220.00.

PEOPLE v DAVIS, TIMOTHY B, Pled Guilty, 03/11/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation - 60 Months - \$10.00, County Jail - 40 Days, Restitution - \$24,042.70, Fines & Costs - \$720.00.

PEOPLE v DAWES, JR., MICHAEL DENNIS, Pled Guilty, 05/29/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v DAWSON, CARLTON STEWART, Dismissed Legal Issues, 08/08/2007, Kent County, 17th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v DAY, ROGER KENNETH, Pled Guilty, 02/27/2008, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 5 Years, County Jail - 95 Days, 95 Days Credit, Restitution - \$22,854.00, Extradition Fees - \$831.11.

PEOPLE v DEAN, DAISEY HOPE, Pled Guilty, 04/17/2008, Calhoun County, 37th Circuit Ct - Calhoun, Child Support-Failing to Pay, Probation - 36 Months, County Jail - 9 Months, Restitution, Fines & Costs - \$120.00.

PEOPLE v DEBRUIN, DAVID BRUCE, Dismissed - Agreement, 02/22/2007, Oakland County, 6th Circuit - Oakland, Desertion/Abandonment/Non-Support, Child Support-Failing to Pay.

PEOPLE v DECKER, JACOB R, Dismissed - Agreement, 04/10/2007, Iosco County, 23rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DEGRYSE, PAUL JASON, Pled Guilty, 01/16/2007, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 5 Years, Restitution - \$18,009.56.

PEOPLE v DEHN, DAVID A, Dismissed - Agreement, 07/28/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v DELACRUZ, RICARDO, Pled Guilty, 08/22/2007, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$22,021.36, Fines & Costs - \$720.00.

PEOPLE v DELOACH, RICHARD DEAN, Pled Guilty, 10/01/2007, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 48 Days, 48 Days Credit, Restitution - \$34,155.59.

PEOPLE v DELOR, DANIEL ISAAC, Pled Guilty, 10/13/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DENARDO, MICHAEL, Pled Guilty, 08/22/2007, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation - 5 Years, Restitution - \$31,412.27, Fines & Costs - \$720.00.

PEOPLE v DEPUNG, II, RONALD LYNN, Pled Guilty, 11/25/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DERIDDER, JEFFREY SHANE, Pled Guilty, 07/28/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 1 Year Extradition Fees - \$1,791.05, Fines & Costs - \$231.00

PEOPLE v DESHANO, STEVE MICHAEL, Dismissed Restitution Made, 04/30/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DESORMEAU, BRIAN ALAN, Dismissed - Agreement, 05/02/2008, Chippewa County, 50th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DESTEFANO, DEAN MATTHEW, Pled Guilty, 09/10/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$720.00, Restitution - \$400.00, Probation – 60 Months - \$600.00.

PEOPLE v DEVEREAUX, JUSTIN HEZZIE, Dismissed Restitution Made, 05/07/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v DEVEZIN, WAYNE TRAVIS, Dismissed Restitution Made, 12/18/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v DEVRIES, CHAD DAVID, Pled Guilty, 12/07/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation - Months: 48, Restitution -, Fines & Costs - Amount: \$1,200.00.

PEOPLE v DEWITT, ROY DENNIS, Pled Guilty, 11/02/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DEXTER, BRENT LEE, Dismissed Restitution Made, 08/16/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DEYOUNG, JAMES ALAN, Pled Guilty, 01/24/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth

Offense Notice, Probation - Years: 5, County Jail - Days: 99, Restitution - Amount: \$88,014.31, Fines & Costs - Amount: \$1,320.00.

PEOPLE v DIAMOND, THOMAS LEROY, Dismissed Restitution Made, 05/16/2008, Montcalm County, 8th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v DICAPO, DENNY JOHN, Pled Guilty, 03/22/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months - \$1,200.00, Restitution - \$93,123.01, Fines & Costs - \$1,970.00.

PEOPLE v DILLARD, DASHAWN, Pled Guilty, 02/20/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v DILLEY, RUSSELL E, Pled Guilty, 06/01/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$11,814.18, Fines & Costs - \$1,632.50.

PEOPLE v DILLINGER, FREDERICK V, Pled Guilty, 03/26/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, Restitution - \$19,013.30, Court Cost - \$1,020.00.

PEOPLE v DILLON, EDWARD LEE, Pled Guilty, 05/02/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$35,551.91.

PEOPLE v DINKINS, CLAUDE J, Pled Guilty, 01/23/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v DIONNE, MICHAEL JOHN, Pled Guilty, 03/02/2007, Charlevoix County, 33rd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 270 Days, Restitution - \$31,988.88, Fines & Costs - \$410.00, Extradition Fees - \$1,090.55.

PEOPLE v DITZEL, BETTY L, Pled Guilty, 12/04/2007, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, County Jail – 64 Days, 64 Days Credit, Restitution - \$21,687.98, Fines & Costs - \$730.00.

PEOPLE v DIXON, ROBERT LEE, Dismissed Restitution Made, 01/03/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DOAN, II, RANDALL WAYNE, Pled Guilty, 03/21/2008, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DOBBINS, PATRICK ALLAN, Dismissed - Agreement, 09/30/2008, Barry County, 5th District Court, Child Support-Failing to Pay.

PEOPLE v DOBBINS, PATRICK ALLAN, Dismissed - Agreement, 09/30/2008, Barry County, 5th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DODSON, RONNIE, Pled Guilty, 12/10/2007, Wayne County, 3rd

Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$10.00, Restitution - \$44,247.90, Fines & Costs - \$95.00.

PEOPLE v DOHRING, ANTHONY AKA ANTHONY E DOHRING, Pled Guilty, 07/16/2008, Huron County, 52nd Judicial Circuit Court, Disorderly Person- Non-Support, Habitual Offender-Second Offense Notice, County Jail – 90 Days, 90 Days Credit, Fines & Costs - \$2,060.56.

PEOPLE v DONAHUE, BRANDON CURTIS, Dismissed Restitution Made, 08/15/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DORAN, MICHAEL P, Pled Guilty, 06/05/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Probation – 24 Months -\$240.00, Restitution - \$60,142.00, Fines & Costs - \$720.00.

PEOPLE v DORSEY, IRA JAMES, Dismissed Legal Issues, 11/06/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v DOSS, ELGIN JERMAINE, Pled Guilty, 11/09/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 60 Days, 60 Days Credit, Fines & Costs - \$720.00.

PEOPLE v DOSS, NATHANIEL ALEXANDER, Dismissed Legal Issues, 02/25/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DOTSON, ROBERT LEE, Pled Guilty, 06/26/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v DOUGLAS, GEORGE HENRY, Pled Guilty, 04/02/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$600.00, Comm. Service – 120 Hours, Restitution - \$28,988.00.

PEOPLE v DOUGLAS, MICHAEL JUNIOR, Pled Guilty, 09/26/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 66 Days, Restitution - \$72,759.00.

PEOPLE v DOW, TIMOTHY, Pled Guilty, 08/13/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v DOYLE, CRAIG THOMAS, Dismissed - Agreement, 07/23/2008, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DOYLE, JOHN L, Dismissed Legal Issues, 02/29/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v DRIVER, ROBERT LEE, Pled Guilty, 12/12/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v DUDLEY, TIMOTHY, Pled Guilty, 07/02/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 6 Months, Restitution - \$26,727.00, Fines & Costs - \$720.00.

PEOPLE v DUFFIELD, NEIL DOUGLAS, Dismissed - Agreement, 10/17/2007, Barry County, 5th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v DUFFINEY, RICHARD, Pled Guilty, 06/12/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 6 Months, Restitution - \$700.00, Fines & Costs - \$1,120.00.

PEOPLE v DUGAN, DANIEL J, Pled Guilty, 04/19/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 36 Months, Restitution - \$480.00, Fines & Costs - \$815.00.

PEOPLE v DULAK, ANDREW JAMES, Pled Guilty, 11/12/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, Restitution, Fines & Costs - \$820.00.

PEOPLE v DULANEY, JACK DONALD, Dismissed - Agreement, 04/24/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support.

PEOPLE v DULUDE, JAMES ALAN, Pled Guilty, 01/04/2007, Bay County, 18th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 90 Days, Fines & Costs - \$840.00.

PEOPLE v DUMAS, ROBERT T, Pled Guilty, 11/14/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$10.00, Restitution - \$32,893.72, Fines & Costs - \$660.00

PEOPLE v DUMAW, DAVID ALLEN, Pled Guilty, 03/12/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$26,516.52.

PEOPLE v DUMAW, DAVID ALLEN, Pled Guilty, 03/12/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$33,830.92, Fines & Costs - \$1,900.00.

PEOPLE v DUNAWAY, ALAN DOUGLAS, Dismissed Legal Issues, 11/15/2007, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DUNHAM, DIANE SCHUMACHER, Dismissed Restitution Made, 08/24/2007, Oakland County, 6th Circuit - Oakland, Desertion/Abandonment/Non-Support.

PEOPLE v DUNN, JOHN MAX, Pled Guilty, 04/14/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v DURSO, DANIEL JAMES, Dismissed Restitution Made, 09/21/2007,

Grand Traverse County, 13th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v DUTRIDGE, STEPHEN, Pled Guilty, 11/09/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$1,500.00, County Jail – 90 Days, Restitution - \$14,957.12, Fines & Costs - \$720.00.

PEOPLE v DYER, CHRISTOPHER, Pled Guilty, 06/18/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 2 Years, Restitution - \$4,741.48, Fines & Costs - \$809.60.

PEOPLE v EADIE, JR, PHILIP MORRIS, Pled Guilty, 07/11/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, County Jail – 14 Months, Restitution - \$49,561.73.

PEOPLE v EASH, JOSHUA JAMES, Pled Guilty, 11/17/2008, St. Joseph County, 45th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support, Habitual Offender-Second Offense Notice, Fines & Costs - \$400.00.

PEOPLE v EASTERWOOD, JESSE D, Dismissed - Agreement, 11/02/2007, Chippewa County, 50th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v EASTMAN, SHANE PATRICK, Pled Guilty, 01/28/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Probation - 5 Years, Restitution - \$38,820.06, Fines & Costs - \$1,840.00.

PEOPLE v EDMONDS, JONATHAN D, Pled Guilty, 10/23/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Probation – 60 Months - \$10.00, Comm. Service – 200 Hours, County Jail – 45 Days, 6 Days Credit, Restitution - \$64,626.95, Fines & Costs - \$120.00

PEOPLE v EDMONSON, GERALD PATRICK, Pled Guilty, 01/07/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, County Jail – 72 Days, 72 Days Credit, Restitution - \$11,564.29, Fines & Costs - \$1,320.00.

PEOPLE v EDMUNDS, CHRISTOPHER JON, Dismissed - Agreement, 03/07/2008, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v EDWARDS, CHRISTOPHER WAYNE, Pled Guilty, 03/01/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 120 Days, 113 Days Credit, Court Cost - \$120.00.

PEOPLE v EGGLESTON, ROBERT WARREN, Pled Guilty, 10/07/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 3 Years, County Jail – 2 Months, 27 Days Credit.

PEOPLE v EICHENBERG, RONALD STEVE, Pled Guilty, 03/12/2007, Mecosta County, 49th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 24 Months, County Jail – 365 Days, Fines & Costs - \$420.00.

PEOPLE v EISENLOHR, MARK, Dismissed Restitution Made, 10/22/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v EIZELMAN, MARC JOSEPH, Pled Guilty, 08/11/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v EKEMA, GENE ALLEN, Dismissed Legal Issues, 07/27/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v ELDERKIN, CHAD LAWRENCE, Pled Guilty, 10/13/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$30,948.63, Fines & Costs - \$8,820.00.

PEOPLE v ELLIOT, NEIL, Pled Guilty, 04/22/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs, Restitution, Probation – 24 Months, Restitution - \$7,552.91, Fines & Costs - \$1,120.00.

PEOPLE v ELLIOTT, FRANKLIN KENNETH, Pled Guilty, 01/31/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person-Non-Support.

PEOPLE v ELLIS, DAVID DELL, Pled Guilty, 05/02/2007, Calhoun County, 37th Circuit Ct - Calhoun, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, State Prison – 15 Months.

PEOPLE v ELLIS, DAVID MARTIN, Pled Guilty, 06/16/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 4 Years, County Jail – 2 Days, 2 Days Credit, Restitution - \$37,892.13, Fines & Costs - \$600.00.

PEOPLE v ELLIS, JEFFREY ALLEN, Dismissed Restitution Made, 08/22/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ELLIS, ROBERT EDMOND, Pled Guilty, 12/14/2007, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ELOWSKY, RAYMOND ALBERT, Dismissed Restitution Made, 10/01/2007, Presque Isle County, 53rd Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v ELSTON, DONALD EDWARD, Pled Guilty, 02/22/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 41 Days, 41 Days Credit, Restitution - \$33,474.95, Court Cost - \$1,320.00.

PEOPLE v EMBRY, REACO DEON, Pled Guilty, 02/15/2007, Calhoun County, 37th Circuit Court - Child Support-Failing to Pay, State Prison – 23-48 Months, 75 Days Credit, Restitution - \$18,832.41.

PEOPLE v ENCINAS, EDUARDO LANDRITO, Dismissed Restitution Made,

09/26/2008, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ENGLISH, ROBERT GENE, Pled Guilty, 02/19/2008, Newaygo County, 27th District Court, Child Support-Failing to Pay, Probation – 24 Months, County Jail – 180 Days, 77 Days Credit, Fines & Costs - \$120.00.

PEOPLE v ESPITIA, DAVID, Dismissed - Agreement, 10/28/2008, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay.

PEOPLE v ESSARY, KEVIN TODD, Pled Guilty, 11/18/2008, Oakland County, 6th Circuit, Child Support-Failing to Pay.

PEOPLE v ESTRINE, ADAM RAYMOND, Pled Guilty, 04/04/2007, Oakland County, 6th Circuit - Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice. Delayed Sentence.

PEOPLE v ETMAN, HASSAN MAHMOUD, Dismissed Restitution Made, 02/25/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v EUBANKS SR, CHARLES RAY, Dismissed - Agreement, 07/19/2007, Cass County, 43rd Circuit Ct - Cass County, Desertion/Abandonment/Non-Support.

PEOPLE v EUWING, CHRISTOPHER ALAN, Dismissed Restitution Made, 09/30/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v EUWING, CHRISTOPHER ALAN, Dismissed - Agreement, 10/17/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v EVANS, BRUCE C, Pled Guilty, 10/30/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Fines & Costs - \$120.00.

PEOPLE v EWING, CALVIN, Pled Guilty, 10/23/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, County Jail – 300 Days, 49 Days Credit, Probation – 5 Years, Restitution - \$33,248.27.

PEOPLE v EWING, CALVIN, Pled Guilty, 10/23/2007, Berrien County, 2nd Circuit Court/Trial Court, Absconding Or Forfeiting Bond, Habitual Offender-Fourth Offense Notice, Probation – 5 Years, County Jail – 300 Days, 49 Days Credit.

PEOPLE v FAIRBANKS, THOMAS D, Dismissed Restitution Made, 11/09/2007, Bay County, 18th Judicial Circuit Court, Absconding or Forfeiting Bond.

PEOPLE v FAIRBANKS, THOMAS D, Dismissed Restitution Made, 11/09/2007, Bay County, 18th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FALK, GREG WALTER AKA GREG WALTER SCHOENLEIN, Pled Guilty, 03/06/2007, Saginaw County, 10th Judicial Circuit, Child Support-Failing to

Pay, Habitual Offender-Fourth Offense Notice, State Prison – 24 months - 4 years, Fines & Costs - \$60.00.

PEOPLE v FALK, RICHARD PAUL, Pled Guilty, 04/21/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FALL, TERESA, Dismissed Restitution Made, 01/08/2007, Alcona County, 23rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FALLERT, SHERMAN MICHAEL, Pled Guilty, 10/24/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$33,139.52, Fines & Costs - \$895.00.

PEOPLE v FANROY, MICHAEL ANTHONY, Pled Guilty, 03/13/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,120.00, Restitution - \$33,643.00, Probation – 60 Months - \$600.00.

PEOPLE v FARHA, YOUSEF, Dismiss Court, 12/10/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v FARIS, THEODORE GEORGE, Pled Guilty, 01/16/2007, Roscommon County, 34th Judicial Circuit Court, Child Support-Failing to Pay, County Jail - 6 Month - \$3,618.00, Fines & Costs - \$810.00.

PEOPLE v FARLEY, JAMES, Pled Guilty, 08/06/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 3 Years, County Jail – 2 Days, Fines & Costs - \$720.00.

PEOPLE v FARR, JR., MELVIN, Pled Guilty, 11/13/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v FARROW III, JOSEPH DEVERY, Pled Guilty, 05/25/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 3 Years, Restitution - \$6,916.79.

PEOPLE v FAVELA, GUMERCINDO JAVIER, Dismissed Restitution Made, 07/16/2008, Manistee County, 19th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FELKE, JR, JAMES LAVERN, Pled Guilty, 10/15/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 4 Years, County Jail – 189 Days, 189 Days Credit, Extradition Fees - \$1,145.53.

PEOPLE v FELTNER, CLARENCE BRIAN, Pled Guilty, 03/30/2007, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 180 Days, 97 Days Credit, Restitution - \$39,631.26, Court Cost - \$300.00

PEOPLE v FELTY, ROLAND EUGENE, Dismissed - Agreement, 11/26/2007, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FENNER, JEFFREY SCOTT, Pled Guilty, 02/12/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, Fines & Costs - \$120.00, Comm. Service – 60 Hours.

PEOPLE v FERGUSON, CHRISTOPHER FREDERICK, Pled Guilty, 09/21/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 60 Months, Restitution - \$14,127.00, Fines & Costs - \$762.00.

PEOPLE v FERGUSON, MARK TIMOTHY, Pled Guilty, 03/09/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 48 Months, County Jail – 2 Days, 2 Days Credit, Restitution - \$13,461.28.

PEOPLE v FERGUSON, ROBERT EUGENE, Pled Guilty, 12/01/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 1 Year, 109 Days Credit, Restitution - \$132,864.21, Fines & Costs - \$120.00.

PEOPLE v FEURY, MARK EDWARD, Pled Guilty, 03/14/2008, Charlevoix County, 33rd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 270 Days, 102 Days Credit, Restitution - \$28,959.18, Fines & Costs - \$470.00.

PEOPLE v FIELDER, JAYSON P, Pled Lesser, 11/28/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Delayed Sentence, Probation – 1 Year, Restitution - \$11,250.10, Fines & Costs - \$420.00

PEOPLE v FILBURN, BRANDON LEE, Pled Guilty, 09/02/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, Restitution - \$31,558.49, Fines & Costs - \$644.80.

PEOPLE v FILIPOWICZ, GREGORY, Dismissed Restitution Made, 09/24/2007, Oakland County, 6th Circuit - Oakland, Desertion/Abandonment/Non-Support.

PEOPLE v FINLEY, JASON, Pled Guilty, 10/24/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 48 Months, Restitution - \$45,000.00, Fines & Costs - \$1,100.00.

PEOPLE v FIORENZO, CARL, Pled Guilty, 11/17/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years.

PEOPLE v FIROSZ, TIMOTHY RANDALL, Pled Guilty, 01/14/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Probation - Months: 18, County Jail - Days: 32 Days Credit: 32.

PEOPLE v FITZGERALD, PATRICK VERNON, Pled Guilty, 10/19/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Delayed Sentence -, Probation - Years: 5, Restitution - Amount: \$35,918.58, Fines & Costs - Amount: \$1,320.00

PEOPLE v FITZPATRICK, MARK JAMES, Dismissed Restitution Made, 04/15/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v FLETCHER, RANDY D, Dismissed - Agreement, 03/15/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FLIAM, RICHARD MICHAEL, Pled Guilty, 08/28/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 98 Days, 98 Days Credit, Restitution - \$22,942.13, Fines & Costs - \$120.00.

PEOPLE v FLIAM, RICHARD MICHAEL, Pled Guilty, 10/08/2007, Genesee County, 7th Judicial Circuit Court, Absconding Or Forfeiting Bond, County Jail – 5 Months, 83 Days Credit.

PEOPLE v FLOWERS, JR., PHILIP WAYNE, Pled Guilty, 10/23/2008, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 64 Days, 64 Days Credit, Restitution - \$41,065.73.

PEOPLE v FLYNN, JOSEPH RICHARD, Dismissed Legal Issues, 03/13/2007, Wayne County, 3rd Circuit Court- Criminal, Absconding Or Forfeiting Bond, Habitual Offender-Second Offense Notice.

PEOPLE v FLYNN, JOSEPH RICHARD, Dismissed Restitution Made, 03/13/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v FLYNN, PETER GERARD, Pled Guilty, 01/24/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$52,442.58, Fines & Costs - \$720.00.

PEOPLE v FORD, ROBERT LEE, Pled Guilty, 05/01/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Child Support-Failing to Pay.

PEOPLE v FORD, THOMAS RICHARD, Dismissed Restitution Made, 03/11/2008, Mecosta County, 49th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FORTIN, DAVID EDWARD, Dismissed Restitution Made, 01/02/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FOSTER, ANTUN, Pled Guilty, 01/11/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 48 Months, Restitution - \$30,066.74, Fines & Costs - \$120.00.

PEOPLE v FOSTER, MARK WAYNE, Dismissed Restitution Made, 01/26/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v FOSTER, TERRY PAUL, Dismissed Legal Issues, 10/28/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v FOWLER, BARRY SCOTT, Pled Guilty, 05/30/2007, Allegan County, 48th Judicial Circuit Court, Disorderly Person- Non-Support.

PEOPLE v FOXX, DANIEL JOSEPH, Dismissed - Agreement, 11/28/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v FRAILEY, CECIL ALAN, Pled Guilty, 05/02/2008, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FRANCIS, JEFFERY LEE, Pled Guilty, 08/27/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v FRANCIS, KENDRICK CORTEZ, Dismissed Restitution Made, 12/21/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FRANCIS, STEVEN, Pled Guilty, 05/16/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months - \$240.00, County Jail – 63 Days, 63 Days Credit, Restitution - \$50,626.31, Fines & Costs - \$360.00.

PEOPLE v FRANKLIN, RAYMOND J, Pled Lesser, 08/05/2008, Chippewa County, 50th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 330 Days, 20 Days Credit, Restitution - \$29,428.32.

PEOPLE v FRAZIER, MICHAEL WAYNE, Dismissed Legal Issues, 01/11/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FRIEDRICH, SCOTT WILLIAM, Pled Guilty, 12/15/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$39,071.00.

PEOPLE v FRIEND, JEFFERY QUINTEN, Pled Guilty, 10/31/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$101,192.46, Fines & Costs - \$720.00.

PEOPLE v FRITCHIE, STEVEN M, Dismissed Legal Issues, 01/08/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FRITZLER, TEAGUE MARTIN, Dismissed - Agreement, 07/30/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FROMER, JR., LAWRENCE ALAN, Dismissed Restitution Made, 02/29/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v FROSCH, GREGORY A, Pled Guilty, 01/11/2008, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 90 Days, 12 Days Credit, Restitution, Fines & Costs - \$975.00.

PEOPLE v FRYE, DONALD WAYNE, Dismissed Restitution Made, 02/06/2008, Osceola County, 49th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v FRYE, MICHAEL LEE, Pled Guilty, 12/16/2008, Oakland County, 6th Circuit Court, Child Support-Failing to Pay.

PEOPLE v FULGHAM, KEITH ALAN, Pled Guilty, 02/06/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$720.00, Restitution - \$14,437.43, Probation – 60 Months - \$600.00.

PEOPLE v FULGHUM, SHANE, Pled Guilty, 11/26/2008, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$13,955.39, Fines & Costs - \$720.00.

PEOPLE v FULLER, TERRANCE LAQUIN, Pled Guilty, 05/29/2007, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay, Probation - Years: 5, Restitution - Amount: \$13,240.26.

PEOPLE v FUQUA, CHERYL JEAN, Pled Guilty, 12/15/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support.

PEOPLE v FURGERSON, TODD ALLEN, Pled Guilty, 08/28/2007, Montcalm County, 8th Judicial Circuit Court, Habitual Offender-Third Offense Notice, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, County Jail - Months: 12, Fines & Costs - Amount: \$700.00.

PEOPLE v FUSCO, PHILIP MICHAEL, Dismissed Restitution Made, 05/01/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v GABON, JODY LYNN, Pled Guilty, 02/06/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v GALLAGHER, TROY B, Pled Guilty, 10/04/2007, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 6 Months, 6 Days Credit, Fines & Costs - \$120.00.

PEOPLE v GALLOWAY, DENNIS LEE, Dismissed Restitution Made, 02/27/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GALVEZ, RONALD LOUIS, Pled Guilty, 03/07/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, Restitution - \$69,774.00.

PEOPLE v GANNON, LINDA CHRISTINE, Pled Guilty, 10/22/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$19,902.39, Fines & Costs - \$1,820.00.

PEOPLE v GARBA, BABA KABOUBAKAR, Dismissed Restitution Made, 07/12/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v GARCIA, JR., CHARLES JAMES, Pled Guilty, 04/09/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GARDNER, JR., GEORGE THOMAS, Dismissed - Agreement, 03/07/2008, Oakland County, 6th Circuit Court, Child Support-Failing to Pay.

PEOPLE v GARDNER, STEVE JOSEPH, Pled Guilty, 02/26/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence, Probation - 5 Years, County Jail - 6 Days, 6 Days Credit, Restitution - \$19,733.23.

PEOPLE v GARNER, WILLIAM L., Dismissed Restitution Made, 02/27/2007, Mason County, 51st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GARRETT, MARK R, Pled Guilty, 06/10/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 60 months - \$600.00, Restitution - \$400.00, Fines & Costs - \$720.00.

PEOPLE v GARZA, JERRY RAUL, Pled Guilty, 07/01/2008, Oakland County, 6th Circuit Court, Child Support-Failing to Pay, Probation - 3 Days, Restitution - \$33,141.85, Fines & Costs - \$2,100.00.

PEOPLE v GASPAR, PATTI ANN, Pled Guilty, 04/05/2007, Oakland County, 6th Circuit Court, Child Support-Failing to Pay, Probation - 5 Years, Restitution - \$48,827.00, Fines & Costs - \$720.00.

PEOPLE v GATES, SR, DERICKIO NASHUN, Pled Guilty, 04/02/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 18 Months, County Jail - 2 Days, Restitution - \$607.00.

PEOPLE v GATICA, ALFONSO ESQUIVEL, Pled Guilty, 12/20/2007, Barry County, 5th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v GATSON, JAMES BERNARD, Dismissed Legal Issues, 01/17/2007, Oakland County, 6th Circuit Court, Child Support-Failing to Pay.

PEOPLE v GAWALL, ABDUL, Pled Guilty, 04/10/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v GAYTAN, RAYMON MARTIN, Pled Guilty, 02/08/2007, Allegan County, 48th Judicial Circuit Court, Disorderly Person- Non-Support, County Jail - 30 Days, Restitution - \$4,460.88, Court Costs - \$500.00.

PEOPLE v GEARLD, ROBERT JOSEPH, Pled Guilty, 01/08/2007, Clinton County, 29th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 3 Years, County Jail - 90 Days, Fines & Costs - \$2,170.00, Extradition Fees - \$290.93, Restitution - \$18,676.75.

PEOPLE v GEIGER, JR, LEO, Dismissed Restitution Made, 05/07/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GEIGER, JR., LEO, Dismissed - Agreement, 04/17/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GEIL, LEE, Pled Guilty, 11/18/2008, Mason County, 51st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, County Jail – 180 Days, 23 Days Credit.

PEOPLE v GERGIS, CHRISTOPHER RAMZI, Pled Guilty, 07/01/2008, Oakland County, 6th Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v GERLACH, PAUL VERNIE, Dismissed - Agreement, 03/07/2008, Schoolcraft County, 11th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v GHIST, FREDRICK WALTER, Pled Guilty, 06/19/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support.

PEOPLE v GHOLSTON, DERWIN LAMONT, Pled Guilty, 12/02/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v GIBBONS, MICHAEL LEONARD, Dismissed - Agreement, 02/13/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v GIBBS, BILLY LEE, Pled Guilty, 10/15/2008, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GIBBS, MARK ELIAS, Pled Guilty, 12/18/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, County Jail – 365 Days, 113 Days Credit, Restitution - \$24,176.31.

PEOPLE v GIBBS, MARK ELIAS, Pled Guilty, 12/18/2007, Genesee County, 7th Judicial Circuit Court, Absconding Or Forfeiting Bond, County Jail – 10 Days, 10 Days Credit.

PEOPLE v GIBSAS, ROBERT JOSEPH, Pled Guilty, 08/02/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$31,660.02, Fines & Costs - \$120.00.

PEOPLE v GIBSON, CARL LAVERN, Pled Guilty, 08/25/2008, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$600.00, County Jail – 180 Days, 63 Days Credit, Restitution - \$15,870.86.

PEOPLE v GIBSON, KEVIN JOHN, Dismissed Restitution Made, 09/26/2007, Calhoun County, 37th Circuit Court, Child Support-Failing to Pay.

PEOPLE v GIBSON, STACY RICHARD, Pled Guilty, 08/22/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$10,376.13, Fines & Costs - \$695.00.

PEOPLE v GILBERT, DOUGLAS W, Pled Guilty, 03/03/2008, Montmorency County, 26th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, Comm. Service – 40 Hours.

PEOPLE v GILES, DERRICK, Pled Guilty, 10/21/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, Restitution - \$51,448.94, Fines & Costs - \$920.00.

PEOPLE v GILES, HEATHER RAE, Dismissed Legal Issues, 01/22/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GILLIGAN, CRAIG MICHAEL, Dismissed - Agreement, 02/05/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v GILLILAND, JAMES DAVID, Pled Guilty, 12/18/2007, Ionia County, 8th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 12 Months, 12 Days Credit, Restitution - \$45,759.06, Fines & Costs - \$620.00.

PEOPLE v GILLOW, EDWARD J, Dismissed by Court, 10/24/2008, Mecosta County, 49th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v GILMAN, RICKY LEE, Dismissed Restitution Made, 02/09/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GILREATH, TERRANCE, Pled Guilty, 12/10/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$10.00, Comm. Service – 100 Hours, Restitution - \$9,158.46, Fines & Costs - \$95.00.

PEOPLE v GIROD, ANDRE RENE, Dismissed Restitution Made, 01/18/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GIRON, PHILLIP ANTHONY, Pled Guilty, 06/03/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, - \$600.00, Restitution - \$127,623.00, Fines & Costs - \$695.00.

PEOPLE v GJESHBITRAJ, GJAFER, Pled Guilty, 04/18/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v GOLEMBIEWSKI, LAWRENCE JEROME, Pled Guilty, 10/24/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v GONZALES, JOHN M, Pled Guilty, 03/19/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$600.00, Restitution - \$66,178.16, Fines & Costs - \$580.00.

PEOPLE v GOODIN, RACHAEL LYNNE, Pled Guilty, 10/08/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, Fines & Costs - \$120.00.

PEOPLE v GOODRICH, RICHARD SMITH, Dismissed Restitution Made, 02/07/2007, Emmet County, 57th Judicial Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$580.00.

PEOPLE v GORDON, GERALD CHRISTOPHER, Pled Guilty, 03/14/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, County Jail – 1 Year, 24 Days Credit, Restitution - \$12,146.99, Extradition Fees - \$443.44, Probation – 60 Months.

PEOPLE v GRAFF, JEFFREY ALLEN, Pled Guilty, 06/11/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$600.00, Restitution - \$57,774.00, Fines & Costs - \$695.00.

PEOPLE v GRANT, CECIL S, Pled Guilty, 10/23/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v GRANVILLE, FREDERICK, Pled Guilty, 06/10/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,120.00, Probation -60 Months - \$600.00, Restitution - \$36,536.00.

PEOPLE v GRAVES, HOWARD L, Dismiss Court, 12/04/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GRAY, ANTHONY RAYMOND, Pled Guilty, 06/04/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GRAY, DARYLL ADONIS, Pled Guilty, 04/24/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, Restitution - \$400.00, Fines & Costs - \$600.00.

PEOPLE v GRAY, JEFFREY ALAN, Pled Guilty, 08/24/2007, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$26,658.98, Fines & Costs - \$120.00.

PEOPLE v GRAY, RANDY, Pled Guilty, 10/20/2008, Wayne County, 3rd Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v GRECH, LISA LYNN, Pled Guilty, 02/06/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Fines & Costs - \$620.00, Restitution - \$29,401.00, Probation – 60 Months.

PEOPLE v GREEN, KEVIN CHRISTOPHER, Pled Guilty, 10/03/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$15,345.00, Fines & Costs - \$1,120.00.

PEOPLE v GREEN, RICK LEE, Pled Guilty, 03/21/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, County Jail – 60 Days, 37 Days Credit, Restitution - \$41,219.38, Court Cost - \$220.00.

PEOPLE v GREEN, RONALD MONTZ, Pled Guilty, 07/23/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice. Delayed Sentence.

PEOPLE v GREEN, SYLVESTER, Dismissed Restitution Made, 10/15/2008, Clare County, 55th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GREER, THOMAS, Pled Guilty, 03/19/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 48 Months, County Jail – 200 Days, 99 Days Credit, Restitution - \$47,532.28, Fines & Costs - \$1,272.36.

PEOPLE v GREGORY, MICHAEL STEVEN, Dismissed - Agreement, 09/11/2008, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GREGORY, WAYNE PRESTON, Pled Guilty, 06/07/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GRIFFIN, RANDY J, Pled Guilty, 12/19/2008, Bay County, 18th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v GRIFFIN, TODD MICHAEL, Dismissed Restitution Made, 07/15/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GROH, TIMOTHY RAY, Pled Guilty, 07/15/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 80 Days, 80 Days Credit, Restitution - \$57,764.67, Fines & Costs - \$120.00.

PEOPLE v GROSSMAN, GARY STEVEN, Pled Guilty, 03/26/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v GROVE, DAVID JOHN, Dismissed Legal Issues, 02/12/2007, Bay County, 18th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GRYCZKA, CONN LYNN, Pled Guilty, 11/26/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, County Jail – 90 Days, 71 Days Credit, Fines & Costs - \$362.00.

PEOPLE v GRZEGORCZYK, BRUCE EDWARD, Dismissed Restitution Made, 02/06/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GUANA, PHILIP ALBERT, Dismissed Restitution Made, 10/26/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GUERRERO, KIMBERLY MARIE, Pled Guilty, 09/02/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Fines & Costs - \$720.00, Restitution - \$400.00, Probation – 60 Months.

PEOPLE v GUERRERO, VICTOR GOMEZ, Pled Guilty, 07/01/2008, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 24 Days, 24 Days Credit, Restitution - \$19,110.71.

PEOPLE v GUNDERSON, ADAM JAY, Pled Guilty, 02/07/2008, Barry County, 5th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v GUNTHER, WILLIAM JEORGE, Dismissed Restitution Made, 08/13/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v HAAN, DARRYL LEE, Pled Guilty, 12/21/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, Restitution - \$72,289.61, Fines & Costs - \$120.00.

PEOPLE v HABBAS-NIMER, FAWAZ, Dismissed Restitution Made, 11/02/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HACKNEY, JR, DENNIS MILTON, Pled Guilty, 07/10/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 18 Months, County Jail – 45 Days, 45 Days Credit, Restitution - \$12,381.62, Fines & Costs - \$1,290.00.

PEOPLE v HACKWORTH, THOMAS DALE, Dismissed - Agreement, 04/09/2007, Calhoun County, 37th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v HAGER, MICHAEL LEE, Pled Guilty, 05/24/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 37 Days, 37 Days Credit, Restitution - \$37,665.73.

PEOPLE v HALAMA, MICHAEL, Pled Guilty, 06/13/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Fines & Costs - \$720.00, Restitution - \$35,144.80, Probation – 60 Months.

PEOPLE v HALE, DAVID ZANE, Pled Guilty, 02/26/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$10.00, County Jail – 9 Months, Restitution - \$250.00.

PEOPLE v HALL, HAROLD DANIEL, Dismissed Legal Issues, 09/19/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v HALL, JR., JAMES ALBERT, Pled Guilty, 05/23/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years.

PEOPLE v HALL, JR, MORRIS BERNARD, Dismissed Restitution Made, 10/17/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HALL, TERESA RENEE, Pled Guilty, 05/28/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, State Prison – 24 to 48 Months, Restitution - \$12,065.49.

PEOPLE v HAMBY, MARK ALAN, Dismissed - Agreement, 03/21/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HAMILTON, CHARLES JOHN, Pled Guilty, 06/01/2007, Osceola County, 49th Judicial Circuit Court, Child Support-Failing to Pay, Probation - Years: 2, County Jail - Days: 21, Restitution - Amount: \$34,805.46, Fines & Costs - Amount: \$860.00.

PEOPLE v HAMILTON, DALE LEE, Dismissed Restitution Made, 07/19/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HAMILTON, DAVID DUANE, Pled Guilty, 11/16/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person-Non-Support, County Jail -5 Days, 5 Days Credit, Fines & Costs - \$80.00.

PEOPLE v HAMILTON, JOHN THOMAS, Pled Guilty, 02/09/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, County Jail – 31 Days, 31 Days Credit, Restitution - \$74,140.63, Extradition Fees - \$882.90, Court Cost - \$60.00.

PEOPLE v HAMLIN, MATTHEW JOEL, Dismissed Restitution Made, 08/08/2007, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HAMPTON, KEVIN, Pled Guilty, 04/04/2007, Wayne County, 3rd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, Restitution - \$5,460.00, Fines & Costs - \$1,380.00.

PEOPLE v HANCOCK, EDWARD ALAN, Pled Guilty, 01/10/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HANNON, MICHAEL JOHN, Pled Guilty, 06/04/2008, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation - 5 Years, County Jail – 42 Days, Restitution - \$33,402.00.

PEOPLE v HANSON, SCOTT LEE, Dismissed - Agreement, 12/04/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v HARDIN, RAYMOND GOSHA, Dismissed Legal Issues, 02/01/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v HARDY, DANIEL LEE, Dismissed - Agreement, 07/30/2008, Mecosta County, 49th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HARDY, DANIEL LEE, Dismiss Court, 07/18/2007, Mecosta County, 49th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v HARDY, JEFFREY, Pled Guilty, 01/02/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, Restitution - \$58,470.20, Fines & Costs - \$1,600.00.

PEOPLE v HARGIS, KIRK DENNIS, Pled Guilty, 08/17/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HARMONY, DONALD, Dismissed - Agreement, 07/31/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HARNEY, MICHAEL PAUL, Dismissed Legal Issues, 08/14/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v HARP, JOHN TIMOTHY, Pled Guilty, 02/21/2008, Barry County, 5th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v HARP, III, JOSEPH RICHARD, Pled Guilty, 10/31/2008, Branch County, 15th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HARPER, SCOTT WAYNE, Dismissed Legal Issues, 10/19/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v HARPOLE, JR., DOYLE LEA, Pled Guilty, 09/07/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 50 Days, Restitution - \$23,799.42, Extradition Fees - \$250.00.

PEOPLE v HARRIS, CALVIN RUBEN, Dismissed - Agreement, 08/19/2008, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v HARRIS, MARCUS LAMANZ, Pled Guilty, 06/04/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, County Jail – 4 Days, Restitution - \$22,263.44, Fines & Costs - \$570.00.

PEOPLE v HARRIS, MARK DEANDRE, Pled Guilty, 01/02/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 4 Years, County Jail – 5 Months, Restitution - \$45,874.00, Fines & Costs - \$720.00.

PEOPLE v HARRIS, RICHARD ALLEN, Pled Guilty, 12/16/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v HARRIS, ROBERT P, Pled Guilty, 11/14/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v HART, DAVID A, Pled Guilty, 04/12/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 48 Months, Restitution - \$20,702.90, Court Cost - \$600.00

PEOPLE v HARTLEY, JEFFREY ALAN, Pled Guilty, 10/11/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Fines & Costs - \$720.00.

PEOPLE v HARTSHORN, SHAWN KERRY, Pled Guilty, 11/01/2007, Osceola County, 49th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HARVATH, CLYDE JOSEPH, Pled Guilty, 08/29/2008, Calhoun County, 37th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, County Jail – 6 Months, Restitution - \$31,583.24.

PEOPLE v HASVOLD, DONALD RAY, Dismissed Restitution Made, 12/07/2007, Midland County, 42nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HATT, JACK LEROY, Pled Guilty, 04/07/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v HAUPRICHT, MARK THOMAS, Pled Guilty, 10/08/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 1 Year, 43 Days Credit, Restitution - \$79,453.38, Probation – 5 Years.

PEOPLE v HAVRILLA, ROBERT ANDREW, Dismissed Restitution Made, 08/03/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v HAWKINS, KENNETH RANDALL, Pled Guilty, 09/19/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 4 Days, Restitution - \$7,220.71.

PEOPLE v HAYES, JR, CLIFTON, Pled Guilty, 03/20/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, County Jail – 6 Months, Probation – 6 Months, Restitution - \$1,000.00, Fines & Costs - \$120.00.

PEOPLE v HAYES, JERRY LEE, Pled Guilty, 01/28/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$22,570.47, Fines & Costs - Amount: \$620.00.

PEOPLE v HAYNES, CHARLES LAMONT, Pled Guilty, 02/27/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, State Prison – 16 to 48 Months, Restitution - \$76,975.37, Fines & Costs - \$120.00.

PEOPLE v HEARD, DARRYL, Pled Guilty, 03/07/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Fines & Costs - \$720.00 Restitution - \$105,866.00, Probation – 60 Months - \$600.00.

PEOPLE v HEDIN, SVEN ANDERS, Dismissed Restitution Made, 06/20/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HEIDENREICH, JASON LAROY, Pled Guilty, 06/12/2007, Mecosta County, 49th Judicial Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$863.60.

PEOPLE v HEILIGH, DEREK ALLEN, Pled Guilty, 02/14/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v HEISE, AIMEE LEE, Dismissed Legal Issues, 03/10/2008, Jackson

County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v HEISLER, RONALD JOSEPH, Pled Guilty, 03/26/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 3 Years, Other – 100 Hours, Fines & Costs - \$120.00.

PEOPLE v HELGEMO, DONALD WAYNE, Pled Guilty, 01/09/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation – 18 Months, Restitution - \$19,994.62, Fines & Costs - \$1,410.00.

PEOPLE v HENDRA, MICHAEL THOMAS, Pled Guilty, 10/27/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 46 Days, 46 Days Credit, Restitution - \$19,745.82.

PEOPLE v HENNING, GARY MICHAEL, Pled Nolo, 11/26/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 46 Days, 46 Days Credit, Restitution - \$54,982.92, Fines & Costs - \$1,620.00.

PEOPLE v HENNINGER, ROBERT BRUCE, Pled Guilty, 02/28/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 60 Months, Fines & Costs - \$1,320.00.

PEOPLE v HENRY, JR, RICHARD ALBERT, Pled Guilty, 05/09/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 3.5 Months, Court Cost - \$120.00

PEOPLE v HERMOSILLO, DEAN WARREN, Pled Guilty, 08/10/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 45 Days, 45 Days Credit, Restitution - \$49,048.00, Extradition Fees - \$470.50.

PEOPLE v HERNANDEZ, LUIS LAURO, Dismissed Restitution Made, 10/22/2007, Calhoun County, 37th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HERRING, STEPHEN W, Dismissed - Agreement, 08/21/2007, Chippewa County, 50th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HEYSTEK, CHAD RICHARD, Dismissed Legal Issues, 12/10/2008, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v HICKS, BRETT ALLAN, Pled Guilty, 02/25/2008, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 53 Days, 43 Days Credit, Restitution - \$63,022.21, Fines & Costs - \$570.00.

PEOPLE v HIGGINS, CHARLES, Pled Guilty, 06/19/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, Restitution - \$30,897.95, Fines & Costs - \$60.00.

PEOPLE v HIGGINS, THOMAS JUWAYNE, Dismissed Restitution Made, 03/02/2007, Cass County, 43rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HILL, BRYAN MICHAEL, Dismissed Restitution Made, 03/20/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HILL, JOE PRESTON, Pled Guilty, 07/24/2008, Midland County, 42nd Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 5 Months, Fines & Costs - \$120.00, Restitution - \$40,434.74.

PEOPLE v HILL, KEVIN ROLAND, Pled Guilty, 08/07/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation - 60 Months, Restitution - \$31,019.35, Fines & Costs - \$1,120.00.

PEOPLE v HILL, RICHARD PAT, Pled Guilty, 10/19/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 1 Year, 135 Days Credit.

PEOPLE v HILL, RICHARD PAT, Pled Guilty, 10/19/2007, Livingston County, 44th Judicial Circuit Court, Absconding Or Forfeiting Bond, County Jail – 1 Year, 114 Days Credit.

PEOPLE v HILLARD, EDWARD BRUCE, Dismissed - Agreement, 07/11/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v HILLIARD, DAVID ALLEN, Pled Guilty, 12/13/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, Restitution - \$30,215.20, Fines & Costs - \$570.00.

PEOPLE v HILLIKER, PHILLIP WAYNE, Dismissed Restitution Made, 04/20/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HILLS, JASON PATRICK, Dismissed Restitution Made, 06/27/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HILTON, JAMES J, Pled Guilty, 12/17/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v HINES, ANTONE TERRANCE, Pled Guilty, 10/10/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 4 Years, County Jail – 180 Days, 22 Days Credit, Restitution - \$26,188.72.

PEOPLE v HINES, DEAN MICHAEL, Pled Guilty, 08/07/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 24 Months, \$240.00, Restitution - \$319,280, Fines & Costs - \$970.00.

PEOPLE v HINOJOSA, ANTHONY ERICH, Pled Lesser, 05/05/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support, Habitual Offender-Second Offense Notice, Fines & Costs - \$95.00, County Jail – 57 Days, 57 Days Credit.

PEOPLE v HINOJOSA, JOSE LUIS, Pled Guilty, 04/15/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v HINOJOSA, RICARDO, Pled Guilty, 04/18/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Fines & Costs - \$600.00, Restitution - \$19,662.67, Probation - 60 Months.

PEOPLE v HIPPENSTEEL, DONOVAN, Pled Guilty, 10/17/2007, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay, Probation, Restitution - \$42,951.66, Fines & Costs - \$120.00.

PEOPLE v HOCK, CHRISTOPHER JAMES, Pled Guilty, 05/18/2007, Charlevoix County, 33rd Judicial Circuit Court, Child Support-Failing to Pay, Probation - 60 Months, County Jail - 365 Days, Restitution - \$58,617.99, Court Cost - \$470.00.

PEOPLE v HOFFMAN, JEFFREY SCOTT, Pled Guilty, 01/02/2008, Oceana County, 27th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HOJNACK, CRAIG JAMES, Pled Guilty, 11/14/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation - 60 Months, \$10.00, Comm. Service - 150 Hours, Restitution - \$50,182.00, Fines & Costs - \$120.00.

PEOPLE v HOLLAND, JR, CHARLES EDWARD, Dismissed Restitution Made, 12/14/2007, Shiawassee County, 35th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HOLLEY, JONATHAN K, Dismissed - Agreement, 04/19/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v HOLLIDAY, LINWOOD, Pled Guilty, 06/12/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,095.00, Restitution - \$15,923.99, Probation - 24 Months.

PEOPLE v HOLLOWAY, GEORGE P, Pled Guilty, 05/07/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 60 Months, County Jail - 30 Days, Restitution - \$53,000.00, Fines & Costs - \$120.00.

PEOPLE v HOLLOWAY, GEORGE P, Pled Guilty, 05/07/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 60 Months, County Jail - 30 Days, Restitution - \$53,000.00, Fines & Costs - \$120.00.

PEOPLE v HOLLOWAY, GEORGE PERRY, Pled Guilty, 03/22/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$600.00, Restitution - \$400.00, Probation - 60 Months.

PEOPLE v HOLLOWELL, PAUL JUDE, Pled Guilty, 03/08/2007, Bay County, 18th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 5 Years, County Jail - 164 Days, 164 Days Credit, Restitution - \$24,776.47, Fines & Costs - \$120.00.

PEOPLE v HOOSE, JR., JOHN WILLIAM, Dismissed Restitution Made,

10/03/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HOPE, JULIUS ESCOUS, Dismissed - Agreement, 07/10/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v HOPKINS, DOUGLAS GEAN, Pled Guilty, 05/07/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HOPSON, JR, DONNIE ALLEN, Pled Guilty, 11/01/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$50,354.00, Fines & Costs - \$1,005.

PEOPLE v HORVATH, PAUL GERARD, Dismissed Restitution Made, 03/25/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HOTTUM, JAMES, Pled Guilty, 01/16/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Fines & Costs - \$720.00, Probation – 60 Months, Restitution - \$33,999.23.

PEOPLE v HOUGH, CAROL LEE, AKA CAROL LEE MATHEWS and CAROL LEE POPMA, Dismissed Restitution Made, 06/18/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HOWARD, DARRYL, Pled Guilty, 08/11/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Fines & Costs - \$120.00, Probation – 60 Months, \$600.00, Restitution - \$10,306.

PEOPLE v HOWARD, MCKENSLEY LAMONT, Dismissed Legal Issues, 08/18/2008, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v HOWARD, JR., OSSIE, Pled Guilty, 04/23/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 5 Years, Restitution - \$54,169.47, Fines & Costs - \$120.00.

PEOPLE v HOWARD, SHANE DEAN, Pled Guilty, 11/08/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HOYT, MICHAEL, Pled Guilty, 04/02/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$8,705.30, Fines & Costs - \$1,120.

PEOPLE v HROMEK, LAWRENCE E, Pled Guilty, 05/31/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v HUDSON, MICHAEL EUGENE, Pled Guilty, 10/15/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, Comm. Service – 200 Hours, County Jail – 28- Days, 62 Days Credit, Fines & Costs - \$120.00.

PEOPLE v HUGAN, EDWARD CHARLES, Dismissed Legal Issues, 05/20/2008, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v HUGAN, EDWARD CHARLES, Dismissed Legal Issues, 05/20/2008, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v HUGAN, EDWARD CHARLES, Pled Guilty, 05/20/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Probation – 60 Months -\$600.00, Fines & Costs - \$1,120.00, Restitution - -\$54,079.63.

PEOPLE v HUGGINS, SR., THOMAS JEROME, Pled Guilty, 12/03/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 5 Months, 133 Days Credit., Restitution - \$37,791.77.

PEOPLE v HUGHES, AARON JAMES, Pled Guilty, 06/19/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, County Jail – 1 Days, 1 Days Credit, Fines & Costs - \$120.00.

PEOPLE v HUGHES, DONALD CRAIG, Dismissed - Agreement, 02/27/2008, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HUGHES, MARK ANTHONY, Pled Guilty, 10/22/2007, Lapeer County, 40th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, County Jail – 365 Days, 43 Days Credit, Fines & Costs - \$120.00.

PEOPLE v HUIZENGA, CHAD CLINTON, Pled Lesser, 10/22/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person-Non-Support, Delayed Sentence, Probation – 24 Months, Fines & Costs - \$495.00.

PEOPLE v HULETT, DEANDRE, Pled Guilty, 08/05/2008, Saginaw County, 10th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HUNTER, JEFFERY REED, Pled Guilty, 06/20/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Month, County Jail – 180 Days, 88 Days Credit, Restitution - \$99,238.50, Fines & Costs - \$1,282.00.

PEOPLE v HUPP, ALFRED JAMES, Pled Guilty, 10/24/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HURST, JOHN D, Pled Guilty, 09/10/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 60 Months, County Jail – 75 Days, 66 Days Credit, Fines & Costs - \$958.00.

PEOPLE v HURST, STACY LYNN, Pled Guilty, 12/10/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v HUTTING, JR., WILMER DAVID, Dismissed Restitution Made,

04/18/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v HUYSER, MICHAEL JAY, Pled Guilty, 12/05/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support, Habitual Offender-Second Offense Notice.

PEOPLE v HYATT, DANIEL ALLEN, Pled Guilty, 03/13/2007, Genesee County, 7th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Probation – 2 Years, Restitution - \$15,900.85, Court Cost - \$120.00.

PEOPLE v HYATT, DANIEL ALLEN, Pled Guilty, 05/24/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence, Probation – 2 Years, Restitution - \$26,058.00, Fines & Costs - \$1,920.00.

PEOPLE v HYSEL, CRAIG ALLEN, Pled Guilty, 02/27/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support., Restitution - Amount: \$11,700.24, Fines & Costs - Amount: \$395.00.

PEOPLE v HYSEN, JANETTE LYNN, Dismissed Restitution Made, 12/14/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v INGALLS, SCOTT MICHAEL, Pled Guilty, 03/27/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$19,808.23, Fines & Costs - \$120.00.

PEOPLE v INGALLS, TROY ALAN, Dismissed - Agreement, 07/16/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person-Non-Support, Habitual Offender-Third Offense Notice, Probation – 1 Years, Fines & Costs - \$390.00.

PEOPLE v ISHAM, WILLIAM, Dismissed Restitution Made, 09/25/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v JACKSON, DAMIAN RAMON, Dismissed - Agreement, 07/02/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v JACKSON, JAMES, Dismissed - Agreement, 07/03/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v JACKSON, JEFFERY, Dismissed Legal Issues, 09/23/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v JACKSON, KEITH, Pled Guilty, 10/21/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v JACKSON, MARTEZ, Pled Guilty, 08/26/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v JACKSON, MINDY M, Pled Guilty, 09/18/2007, Ogemaw County, 34th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v JACKSON, REGINALD ANTHONY, Pled Guilty, 01/24/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Fines & Costs - \$480.00, Restitution - \$480.00, Probation - 60 Months.

PEOPLE v JACKSON, JR., ROBERT MARTIN, Pled Guilty, 07/07/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v JACKSON, TERRANCE LAMONT, Pled Guilty, 06/05/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation - 60 Months, Restitution - \$34,356.17, Court Cost - \$620.00.

PEOPLE v JACKSON, TERRANCE LAMONT, Pled Guilty, 06/05/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation - 60 Months, Restitution - \$40,406.60, Fines & Costs - \$620.

PEOPLE v JACKSON, TERRANCE LAMONT, Pled Guilty, 06/22/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation - 60 Months, Restitution - \$27,418.82, Fines & Costs - \$620.

PEOPLE v JACOBS, LEONARD PAUL, Pled Guilty, 11/14/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 5 Years, Restitution - \$44,377.25, Fines & Costs - \$2,220.00.

PEOPLE v JACOBSON, DANIEL MICHAEL, Pled Guilty, 08/03/2007, Charlevoix County, 33rd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - Years: 5, County Jail - Days: 270 Days Credit: 64, Restitution - Amount: \$17,115.99.

PEOPLE v JACOPELLI, ALLAN, Dismissed Restitution Made, 02/27/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v JAHN, DENNIS PATRICK, Pled Guilty, 04/09/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 24 Months, County Jail - 74 Days, Court Cost - \$1,680.

PEOPLE v JAHN, MARTIN L, Pled Guilty, 09/25/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation - 5 Years, County Jail - 120 Days, 38 Days Credit, Restitution - \$52,265.91, Fines & Costs - \$460.

PEOPLE v JAKUBOWSKI, MICHAEL WILLIAM, Pled Guilty, 08/03/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 5 Years, Restitution - \$15,234.14, Fines & Costs - \$1,720.

PEOPLE v JAMES, BILLY L, Pled Guilty, 03/26/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation - 2 Years.

PEOPLE v JAMESON, EDWARD ALLEN, Pled Guilty, 11/02/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 18 Months, County Jail – 155 Days, 155 Days Credit, Restitution - \$11,261.75, Extradition Fees - \$596.65, Fines & Costs - \$120.

PEOPLE v JAMISON, DANIEL TIRRELL, Dismissed - Agreement, 03/23/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v JARVI, THOMAS EDSEL, Pled Guilty, 04/16/2007, Alpena County, 26th District Court, Child Support-Failing to Pay.

PEOPLE v JEFFERSON, MICHAEL, Pled Guilty, 03/02/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Habitual Offender-Second Offense Notice.

PEOPLE v JEFFERSON, MICHAEL, Pled Guilty, 03/02/2007, Wayne County, 3rd Circuit Court, Absconding Or Forfeiting Bond, Habitual Offender-Second Offense Notice, County Jail – 6 Months, 71 Days Credit, Probation – 60 Months, Restitution - \$1,211.

PEOPLE v JEFFERSON, KURT W, Pled Guilty, 11/20/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$10.00, Comm. Service - 100 Hours, Fines & Costs - \$120.

PEOPLE v JEFFERSON, KURT WALTER, Pled Guilty, 11/20/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$10.00, Comm. Service - 100 Hours, Restitution - \$21,172.62, Fines & Costs - \$120.

PEOPLE v JEWELL, JEFFREY JAMES, Dismissed - Agreement, 12/03/2008, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v JEWELL, JEFFREY JAMES, Dismissed - Agreement, 12/03/2008, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v JEWELL, RAYMOND EDWARD, Pled Guilty, 01/22/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v JIMENEZ, JR, CARMELO, Pled Guilty, 08/07/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v JOBIN, II, HAROLD JAMES, Dismissed - Agreement, 01/29/2007, Alpena County, 26th Circuit Court - Alpena, Child Support-Failing to Pay.

PEOPLE v JOHNSON, ARNOLD, Pled Guilty, 09/24/2008, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Probation - 60 Months - \$600.00, Restitution - \$186,078, Fines & Costs - \$720.

PEOPLE v JOHNSON, BROCK LEE, Dismissed Restitution Made, 01/25/2008, Cheboygan County, 53rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v JOHNSON, EDWARD WADE, Dismissed by Court, 11/06/2008, Bay County, 18th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v JOHNSON, ERIC KARL, Pled Guilty, 09/25/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$60,053.35, Fines & Costs - \$120, Comm. Service – 100 Hours.

PEOPLE v JOHNSON, JAMES LAWRENCE, Pled Guilty, 01/16/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v JOHNSON, KONDO, Pled Guilty, 07/02/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v JOHNSON, MICHAEL MAYNARD, Pled Guilty, 01/18/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 3-5 Years, Fines & Costs - \$1,320.

PEOPLE v JOHNSON, MICHAEL RENARD, Pled Guilty, 01/15/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$81,487.29, Fines & Costs - \$720.

PEOPLE v JOHNSON, PATRICK EARL, Pled Guilty, 10/09/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, Restitution - \$12,599.68, Fines & Costs - \$1,095.

PEOPLE v JOHNSON, ROBERT BRIAN, Dismissed - Agreement, 07/10/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v JOHNSON, THOMAS EDWARD, Dismissed - Agreement, 01/22/2007, Alcona County, 23rd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v JOHNSTON, STEPHEN EDWARD, Dismissed Restitution Made, 01/04/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v JOHNSTONE, TIMOTHY KEITH, Pled Guilty, 07/07/2008, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$11,743.

PEOPLE v JONES, DEREK ALAN, Dismissed - Agreement, 01/18/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v JONES, DESMOND CARTER, Pled Guilty, 09/03/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$141,327.85.

PEOPLE v JONES, GEOFFREY WAYNE, Pled Guilty, 03/13/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Comm. Service – 120 Hours.

PEOPLE v JONES, JASON WADE, Dismissed Restitution Made, 07/09/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v JONES, JR, MCNEAL N, Dismissed Restitution Made, 09/24/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v JONES, ROBERT GEROME, Pled Guilty, 09/04/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, County Jail – 60 Days, Fines & Costs - \$698.

PEOPLE v JONES, SAMUEL ANTHONY, Pled Guilty, 07/24/2007, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$90.00.

PEOPLE v JONES, TYREE KEITH, Pled Guilty, 05/20/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v JORDAN, SCOTT GUTHRIE, Pled Guilty, 09/26/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 77 Days, Restitution - 18,480.86.

PEOPLE v JORDAN, AUGUSTUS PETER, Pled Guilty, 08/07/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, County Jail – 54 Days, Restitution - \$31,535.38, Fines & Costs - \$1,320.

PEOPLE v JOSEPH, YUSUF A, Pled Guilty, 01/23/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$600.00, Restitution - \$400.00, Probation – 60 Months.

PEOPLE v JOZWIAK, RONALD JAMES, Pled Guilty, 01/22/2007, Mecosta County, 49th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Probation – 3 Years, County Jail – 76 Days, 76 Days Credit, Fines & Costs - \$480.

PEOPLE v JUAREZ, JAMIE, Pled Guilty, 10/03/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, Restitution - \$7,503.34, Fines & Costs - \$1,095.00.

PEOPLE v JUSI, RANDOLPH, Dismissed - Agreement, 04/18/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v JUSTICE, GEORGE ROGER, Dismissed Restitution Made, 07/18/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v KAISER, WILLIAM W, Dismissed Restitution Made, 04/16/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KAMMEYER, RICHARD JOHN, Dismissed Legal Issues, 05/21/2007, Washtenaw County, 22nd District Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v KAMMEYER, RICHARD JOHN, Pled Guilty, 07/12/2007, Washtenaw County, 22nd Judicial Circuit Court, Desertion/Abandonment/Non-Support, Probation - 5 Years, Restitution - \$94,693.44, Fines & Costs - \$4,180.

PEOPLE v KARSTEN, SAMUEL JAMES, Pled Guilty, 04/16/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, Restitution - \$7,510.80.

PEOPLE v KATER, GREG MICHAEL, Pled Guilty, 11/07/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KAZMIERCZAK, BENJAMIN L, Pled Guilty, 04/16/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 60 Months, County Jail – 52 Days, 52 Days Credit, Restitution - \$26,070.26, Court Cost - \$1,000.

PEOPLE v KEDZIOR, MICHAEL VERNON, Dismissed - Agreement, 10/12/2007, Antrim County, 13th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v KEELER, KEVIN, Pled Guilty, 07/20/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$10,860.00, Fines & Costs - \$720.

PEOPLE v KEITH, BRIAN ALLAN, Pled Guilty, 05/21/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Delayed Sentence.

PEOPLE v KELLAMS, GREGORY REX, Pled Guilty, 09/14/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 14 Days, 14 Days Credit, Restitution - \$19,855.12.

PEOPLE v KELLER, TIMOTHY ALAN, Pled Guilty, 06/18/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 12 Months, County Jail – 2 Days, Fines & Costs - \$1,020.

PEOPLE v KELLEY, CORY WAYNE, Pled Guilty, 05/25/2007, Calhoun County, 37th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, Restitution - \$10,370.51.

PEOPLE v KELLY, JR., JAMES TIMOTHY, Pled Guilty, 11/17/2008, Kalkaska County, Crawford County Circuit Court, Child Support-Failing to Pay.

PEOPLE v KELVIN, GEORGE DOUGLAS, Dismissed - Agreement, 12/03/2008, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KEMP, GREGORY LAMONT, Pled Guilty, 01/04/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, County Jail – 2 Days Credit, Restitution - \$33,359.85, Court Cost - \$175.

PEOPLE v KENAN, QUINTEN LARMARR, Pled Guilty, 09/17/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KERBUSKI, NICHOLE LEIGH, Pled Guilty, 07/07/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, County Jail – 139 Days, Extradition Fees - \$272.00, Fines & Costs - \$632.

PEOPLE v KERNS, RICHARD BOYD, Pled Guilty, 09/29/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KEYES, DONALD WAYNE, Dismissed - Agreement, 05/29/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v KIBBLE, SUSAN KAY, Dismissed - Agreement, 03/08/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KIGER, MICHAEL, Pled Guilty, 02/27/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Court Cost - \$395.00.

PEOPLE v KILGORE, ANSON DARNELL, Dismissed - Agreement, 03/01/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v KILGORE, ANSON DARNELL, Pled Guilty, 03/01/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$58,569.82, Extradition Fees - \$700, Fines & Costs - \$600.00.

PEOPLE v KING, RICHARD CURTIS, Pled Guilty, 12/08/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v KIRK, BOBBY DONNIE, Dismissed - Agreement, 03/13/2007, Iosco County, 23rd Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v KISH, JESSE, Pled Guilty, 09/10/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months - \$240.00, Restitution - \$31,628.91, Fines & Costs - \$820.

PEOPLE v KLOPF, THOMAS M, Dismissed Restitution Made, 07/20/2007, Arenac County, 23rd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v KLOPFENSTEIN, MICHAEL TRAVIS, Pled Guilty, 04/30/2007, Cass County, 43rd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation - 3 Years, County Jail – 270 Days, 91 Days Credit, Restitution - \$15,573.41.

PEOPLE v KNACK, JEREMY LANE, Pled Guilty, 11/27/2007, Arenac County, 23rd Judicial Circuit Court, Child Support-Failing to Pay, Probation - 6 Months, County Jail - 29 Days, 29 Days Credit.

PEOPLE v KNAPP, FRANCIS LORAL, Pled Guilty, 11/28/2007, Kent County, 17th

Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$32,956.53, Fines & Costs - \$1,440.

PEOPLE v KNAPP, GREGORY ALLEN, Pled Guilty, 06/16/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 60 Days, 2 Days Credit, Restitution - \$56,654.89, Fines & Costs - \$120.

PEOPLE v KOHALISKY, NICHOLAS PAUL, Pled Guilty, 09/19/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$66,564.25, Fines & Costs - \$1,120.

PEOPLE v KORHONEN, KERRY M, Pled Guilty, 02/20/2007, Roscommon County, 34th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 12 Months, County Jail – 14 Days, Court Cost - \$570.

PEOPLE v KOVERMAN, EDWARD LOUIS, Pled Guilty, 04/30/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$235,838.26, Court Cost - \$600.

PEOPLE v KOZUSZEK, RICHARD LOUIS, Pled Guilty, 05/09/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 1 Year, County Jail – 6 Months, 121 Days Credit, Restitution - \$121,061.86, Fines & Costs - \$120.

PEOPLE v KRAFT, JAY ALAN, Pled Guilty, 02/12/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v KRAUS, JR, TERRY FLOYD, Dismissed Restitution Made, 08/08/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KREIS, RONALD WILLIAM, Dismissed Restitution Made, 08/06/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KRIEG, JOHN JASON, Dismissed - Agreement, 10/03/2008, Alpena County, 26th District Court, Child Support-Failing to Pay.

PEOPLE v KRIEG, JOHN JASON, Dismissed - Agreement, 10/03/2008, Alpena County, 26th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KRUGER, JR., DAVID PAUL, Dismissed Restitution Made, 10/24/2008, Barry County, 5th District Court, Child Support-Failing to Pay.

PEOPLE v KRZEMINSKI, KEITH EUGENE, Dismissed - Agreement, 04/04/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KUHN, MICHAEL CHRISTOPHER-LIN, Pled Guilty, 02/08/2008, Osceola County, 49th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v KURNAT, MONICA LEE, Pled Guilty, 06/11/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 4 Years, Fines & Costs - \$820.

PEOPLE v KWILOS, ALPHONSE, Pled Guilty, 09/27/2007, Osceola County, 49th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 6 Months, County Jail – 52 Days, Fines & Costs - \$670.00.

PEOPLE v LACASCIO, JR., ANTHONY M, Pled Guilty, 05/29/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LACOMBE, SCOTT MICHAEL, Dismissed - Agreement, 10/22/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v LACOMBE, RICHARD MERRITT, Dismissed - Agreement, 10/28/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v LAFRANCA, ALESSANDRO VITO, Pled Guilty, 01/10/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 70 Days, 70 Days Credit, Restitution - \$18,308.83, Fines & Costs - \$1,020.

PEOPLE v LAIRD, CHARLES HENRY, Pled Guilty, 08/27/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$103,522.33, Fines & Costs - \$1,320.

PEOPLE v LALONDE, ROBERT JOHN, Pled Guilty, 04/30/2007, Lapeer County, 40th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail - 90 Days, 8 Days Credit.

PEOPLE v LAMB, MATTHEW EVERETT, Dismissed - Agreement, 12/12/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LAMOREAUX, BRIAN PATRICK, Dismissed - Agreement, 09/19/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LANCE MICHAEL MCDANIEL, LANCE MICHEAL MCDANIEL AK, Dismissed Restitution Made, 02/21/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LANDFAIR, DEWAYNE MORRIS, Pled Guilty, 05/20/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$120.00, Probation – 60 Days - \$600, County Jail – 20 Days, Restitution - \$16,759.

PEOPLE v LANG, BRIAN SCOTT, Dismissed Restitution Made, 11/10/2008, Arenac County, 23rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LANG, VINCENT EDWARD, Pled Guilty, 10/16/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 4 Years, County Jail – 12 Days, 7 Days Credit, Restitution - \$25,601.91.

PEOPLE v LANGDON, KEVIN EDWARD, Pled Guilty, 03/27/2008, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LARKINS, JEROME THOMAS, Pled Guilty, 10/13/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v LARSON, JENNIFER LYNN, Pled Guilty, 07/03/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LASHUAY, JOHN ISOM, Pled Guilty, 10/17/2008, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months - \$360, County Jail – 90 Days, 1 Day Credit, Restitution - \$3,884.00, Fines & Costs - \$957.50.

PEOPLE v LAUBE, CHRISTOPHER A, Dismissed - Agreement, 07/30/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v LAUTNER, II, DONALD ANTHONY, Pled Guilty, 08/22/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, County Jail – 51 Days, 51 Days Credit, Restitution - \$56,013.97, Fines & Costs - \$120.00.

PEOPLE v LAVICTOIRE, PAUL FRANCIS, Dismissed - Agreement, 03/05/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LAVIGNE, THOMAS MATHEW, Dismissed Restitution Made, 06/14/2007, Midland County, 42nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LAWLER, DAWN MARIE, Pled Guilty, 10/09/2007, Sanilac County, 24th Judicial Circuit Court, Child Support-Failing to Pay, Non-Support - Escape From Jail, Probation – 6 Months, County Jail -365 Days, 104 Days Credit, Fines & Costs - \$505.

PEOPLE v LAWRENCE, TED GERARD, Pled Guilty, 11/27/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 52 Days, 52 Days Credit, Restitution - \$39,811.31, Fines & Costs - \$480.

PEOPLE v LAWRENCE, WESTON ALLEN, Pled Guilty, 06/11/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v LAWRENCE, JR., JAMES ELWOOD, Pled Guilty, 11/10/2008, Clinton County, 29th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LAWSON, DAVID ALVIN, Pled Guilty, 10/13/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 71 Days, 71 Days Credit.

PEOPLE v LAWTON, JOHN KEVIN, Dismissed Restitution Made, 05/02/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v LAYMAN, DWIGHT R, Dismissed - Agreement, 03/21/2007, Oscoda County, 23rd District Court, Child Support-Failing to Pay.

PEOPLE v LAZAR, MARTIN ANTHONY, Pled Guilty, 06/18/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 30 Months, County Jail – 120 Days, 102 Days Credit, Fines & Costs - \$365.

PEOPLE v LEAL, ROBERT, Pled Guilty, 09/22/2008, Crawford County, Crawford County Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support, Habitual Offender-Second Offense Notice.

PEOPLE v LEDBETTER, DAVID NEALON, Pled Guilty, 08/22/2007, Gratiot County, 29th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 47 Days, Restitution - \$54,000.78, Extradition Fees - \$1,973.16, Fines & Costs - \$120.

PEOPLE v LEDIN, DONALD HARRY, Pled Guilty, 12/11/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$64,938.00, Fines & Costs - \$600.

PEOPLE v LEONARD, DAVID, Dismissed Restitution Made, 02/13/2007, Mason County, 51st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LESZCZYNSKI, MARK, Dismissed Restitution Made, 02/07/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LEVELSTON, CLINTON LEWIS, Pled Guilty, 06/22/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, County Jail – 87 Days, Restitution - \$55,105.11, Fines & Costs - \$3,420.

PEOPLE v LEVERENZ, RONALD EDWARD, Dismissed - Agreement, 07/08/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LEWANDOWSKI, DAVID J, Dismissed Restitution Made, 10/08/2008, St. Joseph County, 45th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LEWIS, ANDREW, Dismissed - Agreement, 04/05/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v LEWIS, MIKE ARTHUR, Pled Guilty, 05/06/2008, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Restitution - \$33,200.63, County Jail – 6 Days, 6 Days Credit, Probation – 5 Years.

PEOPLE v LEWIS, MARK EDWARD, Pled Guilty, 10/15/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, Fines & Costs - \$720.

PEOPLE v LEWIS, NIKKIELI DEMONE, Pled Guilty, 11/10/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LEWKOWICZ, PAUL STEVEN, Pled Guilty, 05/05/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,120.00, Restitution - \$36,929.32, Probation – 60 Months - \$600.

PEOPLE v LIBERTY, DONALD ALLEN, Pled Nolo, 05/17/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v LIEDTKE, DAVID JOHN, Pled Guilty, 02/12/2007, Presque Isle County, 53th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 60 Days, Extradition Fees - \$1,817.04, Fines & Costs - \$120.

PEOPLE v LIKELY III, WILLIE BEE, Pled Guilty, 11/12/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, Restitution - \$21,972.15, Fines & Costs - \$820.

PEOPLE v LILLARD, LARRY DEAN, Dismissed - Agreement, 09/19/2007, Wayne County, 3rd Circuit Court, Absconding or Forfeiting Bond.

PEOPLE v LILLIS, JAMES, Dismissed - Agreement, 07/03/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v LINCOLN, DANIEL CHARLES, Dismissed Restitution Made, 11/02/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LINGENFELTER, DAVID EUGENE, Pled Guilty, 09/10/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 43 Days, 43 Days Credit.

PEOPLE v LIPPONEN, DWANE, Dismissed Restitution Made, 07/24/2008, Luce County, 11th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v LITTLETON, DARAN, Pled Guilty, 07/22/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,320.00, Restitution - \$32,144.00, Probation – 60 Months - \$600.

PEOPLE v LIVINGSTON, LYLE LEON, Pled Guilty, 10/03/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Probation – 60 Months, County Jail - 6 Days, 4 Days Credit, Restitution - \$45,825.00, Fines & Costs - \$120.

PEOPLE v LLOYD, RANDY ALLEN, Pled Guilty, 07/01/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$24,760.33, Fines & Costs - \$620.

PEOPLE v LOBATO, SALVADORE FERNANDEZ, Dismissed Legal Issues, 02/08/2008, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v LOBATO, SALVADORE FERNANDEZ, Dismissed Legal Issues, 02/08/2008, Jackson County, 4th Judicial Circuit Court, Absconding or Forfeiting Bond.

PEOPLE v LOCKE, MICHAEL, Pled Guilty, 08/27/2008, Roscommon County, 34th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LONAKER, ALAN LEE, Dismiss Court, 11/12/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v LONDOWSKI, LEROY JAMES, Pled Guilty, 09/10/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, County Jail – 30 Days, 2 Days Credit, Restitution - \$29,439.01.

PEOPLE v LONG, AMY LOUISE, Dismissed Restitution Made, 10/17/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LONG, JOHN EDDIE, Dismissed Restitution Made, 09/05/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LONG, RICKEY LEE, Pled Guilty, 09/27/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$55,900.00, Fines & Costs - \$420.

PEOPLE v LONGORIA, GABRIEL, Pled Guilty, 06/12/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, County Jail – 180 Days, Restitution - \$22,770.56, Fines & Costs - \$120.

PEOPLE v LOVE, OLIVER JAMES, Pled Guilty, 05/27/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Fines & Costs - \$1,500.

PEOPLE v LOVE, WILLIAM ANTHONY, Pled Guilty, 06/06/2008, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LOVE, DENNIS VANCE, Pled Lesser, 05/11/2007, Otsego County, Crawford County Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$200.

PEOPLE v LOVEJOY, CHARLES BRIAN, Pled Guilty, 10/28/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LOWDER, ROBERT MICHAEL, Pled Guilty, 03/05/2007, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 60 Months, Restitution - \$37,368.37.

PEOPLE v LOWE, JEFFERY ALAN, Dismissed Restitution Made, 03/06/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LOWREY, WADE RANDALL, Pled Guilty, 08/27/2007, Ottawa County,

20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, County Jail – 90 Days, Fines & Costs - \$1,260.

PEOPLE v LOY, MARK ANTHONY, Pled Guilty, 02/28/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LOZANO, AUGUSTINE N, Dismissed Legal Issues, 12/01/2008, Roscommon County, 34th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v LOZON, JASON, Pled Guilty, 08/18/2008, Crawford County, 46th Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v LUBNOW, GEORGE, Pled Guilty, 01/15/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 4 Months, 31 Days Credit, Restitution - \$24,317.86, Fines & Costs - \$360.

PEOPLE v LUHTANEN, ERIC DENNIS, Pled Guilty, 05/27/2008, Wexford County, 28th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v LUKITSCH, III, FRANK JOSEPH, Pled Guilty, 09/29/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LUMM, KENT, Pled Guilty, 06/24/2008, Cheboygan County, 53rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LUNDQUIST, JR, EARL DALE, Pled Guilty, 12/10/2007, Antrim County, 13th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LURIE, SCOT PAUL, Dismissed Restitution Made, 10/22/2007, Emmet County, 57th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LUSTER, PATRICK O'NEIL, Dismissed - Agreement, 04/16/2008, Ionia County, 8th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LUTTKE, CHARLES KENT, Pled Guilty, 03/15/2007, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LUX IV, WILLIAM GEORGE, Pled Guilty, 03/02/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v LYALL, DAVID JOHN, Pled Guilty, 01/28/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v MACMILLAN, TIMOTHY, Dismissed - Agreement, 07/07/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v MADDOX, SUE ANN, Pled Guilty, 12/04/2008, Osceola County, 49th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MAJOR, WASHINGTON NEDLAND, Pled Guilty, 06/15/2007, Oakland County, 6th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, State Prison - Months: 34-Years: 8.

PEOPLE v MANER, ERIC LEON, Pled Guilty, 09/08/2008, Saginaw County, 10th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 36 Months, Restitution, Fines & Costs - \$120.

PEOPLE v MANIER, EDWARD BARTRAM, Pled Lesser, 03/19/2007, Washtenaw County, 22nd District Court, Child Support-Failing to Pay.

PEOPLE v MANN, JAMES, Dismissed Restitution Made, 01/31/2007, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v MANN, RONNIE JOSEPH, Pled Guilty, 03/28/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Delayed Sentence, Probation – 5 Years, Restitution - \$65,688.08, Fines & Costs - \$2,250.

PEOPLE v MANTEI, MICHAEL ALLEN, Pled Guilty, 05/19/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 8 Days, 8 Days Credit Restitution - \$19,420.79, Fines & Costs - \$120.

PEOPLE v MANTEL, JOHANNES FRANCISCUS, Pled Guilty, 06/04/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MANZANO, JOSE, Pled Guilty, 08/06/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, County Jail – 60 Days, 60 Days Credit, Restitution - \$51,682.54, Fines & Costs - \$120.

PEOPLE v MARCHBANKS, TITUS, Pled Guilty, 02/27/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v MARCKINI, RONALD P, Dismissed Restitution Made, 01/05/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v MARKAJ, SOKOL, Pled Guilty, 09/12/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v MARKAJ, SOKOL, Pled Guilty, 09/24/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v MARKS, DAN EMERY, Dismissed Restitution Made, 01/04/2007, Montcalm County, 8th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v MARLETTE, SCOTT RICHARD, Pled Guilty, 01/28/2008, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay, Restitution - \$10,596.49, Fines & Costs - \$120.

PEOPLE v MARNELL, WILLIAM FRANCIS, Dismissed Legal Issues, 10/23/2007, Hillsdale County, 1st Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v MARSH, II, GEORGE EDWARD, Dismissed Restitution Made, 02/06/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MARSHALL, ROBERT ARTHUR, Pled Guilty, 07/18/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 5 Years, Restitution - \$53,573.32, Fines & Costs - \$720.

PEOPLE v MARSHALL, WILLIS THURMAN, Pled Guilty, 12/09/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation – 2 Years, Restitution - \$119,816.39, Fines & Costs - \$660.

PEOPLE v MARTIN, DONNIE RAY, Dismissed Restitution Made, 05/14/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v MARTIN SR, JAMES EDWARD, Pled Guilty, 04/12/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, County Jail – 300 Days, 39 Days Credit, Restitution - \$46,389.25, Fines & Costs - \$120.

PEOPLE v MARTIN, TERRANCE, Pled Guilty, 10/10/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v MARTIN, TERRANCE, Pled Guilty, 10/10/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v MARTIN, THEODORE BERNARD, Pled Guilty, 11/05/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MARTINEZ, ANTONIO, Pled Guilty, 06/23/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$720, Probation – 60 Months - \$600, Restitution - \$119,000.

PEOPLE v MARTINEZ, MANUEL, Dismissed - Agreement, 11/08/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v MASCORRO, GABRIEL JUAN, Pled Guilty, 12/03/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 3 Years, County Jail – 20 Days, 20 Days Credit, Restitution - \$9,840.24, Fines & Costs - \$480, Comm. Service – 100 Hours.

PEOPLE v MASLANY, ERIC JOSEPH, Dismissed Restitution Made, 01/25/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MASTROMONACO, GIOVANNI ANTONIO, Pled Guilty, 12/16/2008, Roscommon County, 34th Judicial Circuit Court, Child Support-Failing to Pay,

Habitual Offender-Second Offense Notice, County Jail – 9 Months, Restitution - \$2,122.88, Fines & Costs - \$420.

PEOPLE v MATELA, THOMAS EDWARD, Pled Guilty, 02/16/2007, Charlevoix County, 33rd Judicial Circuit Court, Child Support-Failing to Pay, Probation - 24 Months, County Jail – 30 Days, Restitution - \$2,642.01, Court Cost - \$470.

PEOPLE v MATONICH, TODD, Dismissed - Agreement, 10/18/2007, Dickinson County, 41st Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v MATTESON, JOHN DAVID, Pled Guilty, 04/22/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MATTHEWS, MARLON D, Guilty-Bench Trial, 02/04/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, State Prison – 14-48 Months, Restitution - \$27,444.76, Fines & Costs - \$720.

PEOPLE v MATTHIES, SCOTT G, Pled Guilty, 01/29/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MATVCHUK, CHARLES RICHARD, Pled Guilty, 10/13/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v MAXFIELD, BRIAN, Dismiss Court, 12/05/2008, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay.

PEOPLE v MAXFIELD, MICHAEL ESTON, Pled Guilty, 02/11/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 36 Months, Comm. Service – 50 Hours, County Jail – 5 Days, 5 Days Credit, Fines & Costs - \$1,505.

PEOPLE v MAXON, HERMAN LAVERN, Dismiss Court, 12/12/2007, Montcalm County, 8th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Habitual Offender-Second Offense Notice.

PEOPLE v MAXWELL, ROBERT LEE, Pled Guilty, 06/09/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Probation – 2 Years, County Jail – 128 Days, 128 Days Credit, Restitution - \$63,222.10, Extradition Fees - \$1,722.43.

PEOPLE v MAYER, DAVID, Pled Guilty, 09/02/2008, Chippewa County, 50th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 18 Months, County Jail – 300 Days, 78 Days Credit, Restitution - \$38,000.00.

PEOPLE v MAYFIELD, DAVY, Dismissed - Agreement, 12/03/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v MAYSONET, RAUL ROSARIO, Pled Guilty, 03/13/2008, Kent County,

17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 180 Days, 124 Days Credit, Restitution - \$109,733.70, Extradition Fees - \$1,894.08, Fines & Costs - \$1,320.

PEOPLE v MAYZALIS, STANISLAV, Pled Guilty, 12/22/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v MAZUR, GREGORY, Dismissed Restitution Made, 10/29/2007, Washtenaw County, 22nd Judicial Circuit Court, Desertion/Abandonment/Non-Support, Habitual Offender-Second Offense Notice.

PEOPLE v MCADOO, THEODORE ROOSEVELT, Pled Lesser, 01/26/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation - \$60, Restitution - \$21,300.00, Fines & Costs - \$2,560.

PEOPLE v MCBEATH, DARIUS DEMONE, Dismissed Legal Issues, 09/17/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v MCBURROWS, GERALD, Dismissed - Agreement, 03/21/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v MCCAFFREY, MICHAEL JOHN, Pled Guilty, 04/03/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$620.00, Restitution - \$10,301.14, Probation – 36 Months.

PEOPLE v MCCALL, TERRY ALAN, Pled Guilty, 04/25/2008, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 141 Days, 141 Days Credit, Restitution - \$35,305.64, Extradition Fees - \$1,119.80.

PEOPLE v MCCANN, STEVEN MICHAEL, Dismiss Court, 08/20/2007, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v MCCANN, STEVEN MICHAEL, Pled Guilty, 03/14/2008, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, County Jail – 180 Days, 7 Days Credit, Restitution - \$22,375.77.

PEOPLE v MCCARRICK, EDWARD JAY, Pled Guilty, 06/18/2007, Shiawassee County, 35th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person-Non-Support, Habitual Offender-Second Offense Notice. Delayed Sentence, Probation – 12 Months, Restitution, Fines & Costs - \$240.

PEOPLE v MCCASTER, DARRICK HENRY, Pled Guilty, 07/23/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v MCCLOSKEY, JOHN PATRICK, Pled Guilty, 12/10/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-

Second Offense Notice, Probation – 60 Months, County Jail – 7 Days, 7 Days Credit, Fines & Costs - \$474.

PEOPLE v MCCLURKIN, CURTIS DWAYNE, Pled Guilty, 07/31/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$40,755, Fines & Costs - \$695.

PEOPLE v MCCORD, JASON RICHARD, Dismissed Restitution Made, 09/30/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MCCOWN, DENNIS TIMOTHY, Dismissed - Agreement, 04/23/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v MCCOY, JACK BRIAN, Pled Guilty, 08/13/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Habitual Offender-Third Offense Notice, Probation – 2 Years, Restitution - \$16,415, Fines & Costs - \$1,920.

PEOPLE v MCCRAY, BREON TRACEY, Pled Guilty, 11/19/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v MCDANIELD, TODD WILLIAM, Pled Guilty, 06/12/2008, Osceola County, 49th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, County Jail – 10 Days, 10 Days Credit, Restitution - \$9,707.76, Fines & Costs - \$270.

PEOPLE v MCDERMOTT, JR., PATRICK, Pled Guilty, 08/14/2007, Alcona County, 23rd Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 90 Days, 84 Days Credit, Restitution - \$1,037.40, Fines & Costs - \$120.

PEOPLE v MCDONALD, JONATHAN OMAR, Pled Guilty, 07/22/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 3 Years, County Jail – 2 Months, Restitution - \$12,606.85, Fines & Costs - \$820.

PEOPLE v MCELWEE, ALAN DEWAYNE, Pled Guilty, 08/20/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 4 Years, County Jail – 3 Days, Fines & Costs - \$1,200. Judicial Circuit Court

PEOPLE v MCFARLAND, MICHAEL, Pled Guilty, 06/22/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Fines & Costs - \$480, Restitution - \$240, Probation - 60 Months.

PEOPLE v MCFARLAND, MICHAEL C, Pled Guilty, 06/22/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Fines & Costs - \$480, Restitution - \$240, Probation – 60 Months - \$600.

PEOPLE v MCFARLANE, KEVIN, Pled Guilty, 02/05/2007, Mecosta County, 49th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second

Offense Notice, Probation – 60 Months, Comm. Service – 40 Hours, Fines & Costs - \$933.67.

PEOPLE v MCGOWAN, III, EARLY, Pled Guilty, 11/12/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$52,417.35, Fines & Costs - \$1,805.49.

PEOPLE v MCGUIRE, WAYNE MICHAEL, Pled Guilty, 03/17/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v MCGURK, WILLIAM JOHN MICHAEL, Pled Guilty, 02/21/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Probation – 2 Years, Restitution - \$22,369.88, Fines & Costs - \$1,560.

PEOPLE v MCKAY, RITA MARIE, Pled Guilty, 07/28/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 24 Months, County Jail – 2 Days, 2 Days Credit, Fines & Costs - \$360.

PEOPLE v MCKIAN, THOMAS FRANCIS, Pled Guilty, 05/08/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 90 Days, Restitution - \$22,748, Fines & Costs - \$570.

PEOPLE v MCKINNEY, DARRELL LYNN, Pled Guilty, 06/04/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 5 Years, Restitution - \$43,693.43, Fines & Costs - \$820.

PEOPLE v MCKINNEY, JAMES WILLIAM, Dismissed - Agreement, 09/26/2008, Kalamazoo County, 9th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v MCKINNEY, JOHN WILLIAM, Dismissed - Agreement, 08/22/2008, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v MCLAUGHLIN, JAMIE VERN, Pled Guilty, 07/11/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, County Jail – 15 Days, 15 Days Credit, Restitution - \$25,760.39, Fines & Costs - \$120.

PEOPLE v MCLAURINE, JULIOUS FOSTER, Dismissed Restitution Made, 02/27/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MCMAHON, PATRICK, Pled Guilty, 11/08/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$5.00, Restitution - \$48,640, Fines & Costs - \$1,370.

PEOPLE v MCMILLAN, SEAN, Dismissed Legal Issues, 03/26/2008, Iron County, 41st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MCNIVEN, JEFFREY H, Pled Guilty, 07/17/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$34,983.42, Fines & Costs - \$695.

PEOPLE v MCRAE, TROY T, Dismissed - Agreement, 08/07/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v MEADE, SHAWN PAUL, Pled Guilty, 07/10/2007, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MEHDER, JR., ALEX DAVID, Dismissed Legal Issues, 10/24/2007, Muskegon County, 14th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v MELCHER, JR., ERNEST WILLIAM, Dismiss Court, 10/27/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v MELCHER, JR., ERNEST WILLIAM, Pled Guilty, 10/13/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 18 Months, Restitution - \$900, Oversight Fee – 18 Months - Amount: \$20.

PEOPLE v MELVIN, EDWARD GALLE, Pled Guilty, 01/15/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 36 Months, County Jail – 190 Days, Restitution - \$846.42, Court Cost - \$480.

PEOPLE v MEREDITH, JOHN THOMAS, Pled Guilty, 05/16/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Probation – 5 Years, Restitution - \$95,382.26, Fines & Costs - \$2,200.

PEOPLE v MERKEL, KEVIN JOSEPH, Pled Guilty, 04/09/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 67 Days, 67 Days Credit, Restitution - \$28,500.41.

PEOPLE v MERRELL, JR., THOMAS EARL, Dismissed - Agreement, 10/04/2007, Alcona County, 23rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MERROW, MICHAEL ROBERT, Pled Guilty, 12/10/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$46,919.03, Fines & Costs - \$695.00.

PEOPLE v METRUSIAS, GUSTAS GEORGE, Dismissed - Agreement, 05/23/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v METZ, GEORGE IRVIN, Pled Guilty, 10/14/2008, Ionia County, 8th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 12 Months, County Jail – 4 Days, 4 Days Credit, Restitution - \$15,787.88, Fines & Costs - \$1,120.

PEOPLE v MICHAELS, AMY MARIE, Dismissed Restitution Made, 11/19/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support.

PEOPLE v MIESCH, JASON DANIEL, Pled Guilty, 02/19/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, County Jail – 30 Days, Fines & Costs - \$1,920.

PEOPLE v MILCHER, DUANE LEE, Pled Guilty, 08/22/2008, Eaton County, 56th Judicial Circuit Court, Absconding or Forfeiting Bond, Probation – 5 Years, County Jail – 150 Days, 58 Days Credit, Restitution - \$23,480.93, Fines & Costs - \$1,300.32.

PEOPLE v MILLER, CHRISTOPHER LLOYD, Pled Guilty, 05/08/2007, Roscommon County, 34th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, County Jail – 60 Days, Fines & Costs - \$920.

PEOPLE v MILLER, GLYNN, Pled Guilty, 09/26/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation - \$600, Restitution - \$14,536.14, Fines & Costs - \$120.

PEOPLE v MILLER, GORDON LYNN, Pled Guilty, 04/22/2008, Newaygo County, 27th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MILLER, JAMES HAROLD, Dismissed Legal Issues, 05/02/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MILLER, JEFFREY C, Pled Guilty, 06/14/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Fines & Costs - \$720.00, Probation – 60 Months, Restitution - \$42,396.41.

PEOPLE v MILLER, MARK CHARLES, Dismissed Restitution Made, 06/05/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MILLER, MARK DUANE, Pled Guilty, 02/28/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, Restitution - \$51,705.41.

PEOPLE v MILLER, MARK DUANE, Pled Guilty, 04/10/2008, Genesee County, 7th Judicial Circuit Court, Absconding or Forfeiting Bond, County Jail - 88 Days, 88 Days Credit.

PEOPLE v MILLER, MARK LAMAR, Dismissed Restitution Made, 02/08/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MILLER, MICHAEL ROBERT, Dismissed Restitution Made, 07/20/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MILLER, ROBERT GLENN, Dismissed - Agreement, 12/10/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Habitual Offender-Second Offense Notice.

PEOPLE v MILLER, WYATT JAY, Pled Guilty, 08/15/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 2 Years, County Jail – 5 Months, Restitution - \$59,804.81.

PEOPLE v MILLS, JEFFREY WAYNE, Pled Guilty, 04/02/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v MILLS JR., WAYNE JAMES, Pled Guilty, 09/10/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, County Jail – 30 Days, Fines & Costs - \$2,630.

PEOPLE v MITCHELL, AARON L, Dismissed - Agreement, 03/19/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v MITCHELL, JR, EDWARD STEWART, Pled Guilty, 08/21/2007, Mecosta County, 49th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 24 Months, Fines & Costs - \$360.

PEOPLE v MITCHELL, JEFFREY HERMAN, Pled Guilty, 11/28/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 3 Years, Fines & Costs - \$720.

PEOPLE v MITCHELL, RON WILLIAM, Pled Guilty, 08/02/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$42,094.17, Fines & Costs - \$120.

PEOPLE v MITCHELTREE, JR, THEODORE MARVIN, Pled Guilty, 04/30/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$44,363.61, Fines & Costs - \$520.

PEOPLE v MITEEN, AARON WINSTON JOHN, Dismissed Restitution Made, 06/13/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MOEDERZOOM, DWAYNE FREDERIK, Pled Guilty, 07/16/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$15,869, Fines & Costs - \$1,420.

PEOPLE v MOHR, STEPHEN LEWIS, Pled Guilty, 04/21/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MONDY III, MURRAY, Pled Guilty, 01/07/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 5 Years, Comm. Service – 100 Hours, County Jail – 6 Months, Restitution - \$112,406.49, Fines & Costs - \$720.

PEOPLE v MONGER, MATTHEW STEVEN, Pled Guilty, 05/27/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 12 Days, 2 Days Credit, Restitution - \$65,733.18.

PEOPLE v MONROE, MICHAEL PAUL, Pled Guilty, 10/18/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$5.00; Restitution - \$30,186, Fines & Costs - \$1,320.

PEOPLE v MONTAGUE, RICHARD MARK, Pled Guilty, 08/02/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 5 Years, County Jail – 90 Days, 67 Days Credit, Restitution - \$80,278.08, Fines & Costs - \$593.77.

PEOPLE v MONTANO III, ROGER JOSEPH, Dismissed Legal Issues, 02/15/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MONTGOMERY, KEITH, Dismissed Restitution Made, 08/27/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MONTOYA, JOE MARTINEZ, Dismissed Restitution Made, 02/27/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MONTROY, MARC WILLIAM, Dismissed Restitution Made, 02/08/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay.

PEOPLE v MOODY, TYRONE SHELDON, Dismissed Restitution Made, 10/22/2007, Lake County, 51st Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v MOON, STEVEN DOUGLAS, Pled Guilty, 11/13/2007, Clinton County, 29th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail -28 Days, 28 Days Credit, Restitution - \$67,797.42, Fines & Costs - \$3,370.

PEOPLE v MOORE, CLINTON, Dismissed Legal Issues, 04/23/2008, Wayne County, 3rd Civil Division, Child Support-Failing to Pay.

PEOPLE v MOORE, DANIEL, Pled Guilty, 04/17/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 3 Years, County Jail – 1 Year, 365 Days Credit, Court Cost - \$880.

PEOPLE v MOORE, KENNETH MICHAEL, Pled Guilty, 02/13/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Fines & Costs - \$620, Restitution - \$38,381.45, Probation – 60 Months – \$600.

PEOPLE v MOORE, MICKEY MITCHEL, Dismissed - Agreement, 12/11/2008, Iosco County, 23rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MOORE, MICKEY MITCHEL, Dismissed - Agreement, 12/11/2008, Iosco County, 23rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MOORE, JR., WILLIAM FRANCIS, Pled Guilty, 01/03/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-

Third Offense Notice, Probation – 2 Years, County Jail – 150 Days, 52 Days Credit, Restitution - \$25,762.28, Fines & Costs - \$1,320.

PEOPLE v MOORE, WILLIAM MARK, Pled Guilty, 10/11/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$49,470.73, Fines & Costs - \$2,500.

PEOPLE v MORANG, THOMAS LEE, Pled Guilty, 03/03/2008, Iosco County, 23rd Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 3 Months, 97 Days Credit, Restitution - \$1,649.62.

PEOPLE v MORENO, MARTIN Y, Dismissed Legal Issues, 01/09/2008, Lenawee County, 39th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v MORGAN, ERIC DWAYNE, Pled Guilty, 10/09/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Probation - 4 Years, Restitution - \$20,487.50, Fines & Costs - \$60.

PEOPLE v MORGAN-HUBBERT, STEWARD SHELDON, Dismissed Restitution Made, 08/22/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MORIN, JAMIE, Pled Guilty, 12/03/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 60 Days, 45 Days Credit, Restitution - \$33,522.54, Fines & Costs - \$120.

PEOPLE v MORIN, III, LEE, Pled Guilty, 01/02/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 12 Months, County Jail – 180 Days, 54 Days Credit, Restitution, Fines & Costs - \$333.

PEOPLE v MORPHEW, THOMAS FRANKLIN, Pled to Lesser Charge, 06/06/2007, Alpena County, 26th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MORROW, HOUSTON, Pled Guilty, 10/22/2008, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Restitution - \$32,055.10, Probation – 5 Years.

PEOPLE v MORROW, JEFFERY ORLANDO, Pled Guilty, 11/10/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v MOSER, WILLIAM J, Pled Guilty, 07/30/2008, Wayne County, 3rd Circuit Court, Desertion/Abandonment/Non-Support, Fines & Costs - \$695, Restitution - \$60,000, Probation – 60 Months - \$600.

PEOPLE v MOSES, DANE, Dismissed - Agreement, 09/18/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v MOSLEY, TONY, Pled Guilty, 05/06/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 64 Days, 54 Days Credit, Restitution - \$29,130.48, Fines & Costs - \$820.

PEOPLE v MOSS, ROBERT JAMES, Pled Guilty, 11/18/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v MUELLER, JEFFREY DAVID, Dismissed Restitution Made, 10/17/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MUHAMMAD, BRIAN C, Pled Guilty, 09/15/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MUINO, JR., JOSE MIGUEL, Dismissed - Agreement, 12/04/2007, St. Joseph County, 45th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MULLINS, RONALD W, Dismiss Court, 02/15/2008, Iosco County, 23rd Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v MURALT, MICHAEL, Pled Guilty, 12/04/2007, Mason County, 51st Judicial Circuit Court, Child Support-Failing to Pay, Probation, County Jail – 365 Days, 67 Days Credit, Fines & Costs - \$120.

PEOPLE v MURPHY, PATRICK TIMOTHY, Dismissed Restitution Made, 09/06/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v MURPHY, SAMUEL JOHN, Pled Guilty, 07/20/2007, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, County Jail – 150 Days, 34 Days Credit, Restitution - \$184,458.83.

PEOPLE v MYERS, KENNETH LEE, Dismissed Restitution Made, 10/15/2008, Lenawee County, 39th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v MYLES, MICHAEL L, Pled Guilty, 08/06/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v MYS, JOHN ALAN, Dismissed Legal Issues, 09/21/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v NADEAU, SELMA, Pled Guilty, 08/31/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,120, Restitution - \$100, Probation – 60 Months.

PEOPLE v NARYSHKIN, GEORGE, Dismissed Restitution Made, 06/28/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v NASH, JOSEPH DAVID, Pled Guilty, 10/20/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 2 Years, County Jail – 2 Day, 2 Days Credit, Fines & Costs - \$120.

PEOPLE v NATION, BRIAN MATTHEW, Pled Guilty, 10/01/2008, Wayne County,

3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$120, Probation – 48 Months - \$480, Restitution - \$9,510.

PEOPLE v NEAGLE, MICHAEL ROY, Pled Guilty, 10/29/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Fines & Costs - \$720, Restitution - \$86,434.78, Probation – 60 Months, \$600.

PEOPLE v NELL, JEFFREY ALLEN, Pled Guilty, 05/08/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Habitual Offender-Second Offense Notice, Probation - 5 Years, Restitution - \$50,336.83, Fines & Costs - \$2,520.

PEOPLE v NELSON, DAVID GORDON, Pled Guilty, 11/20/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v NELUND, LARRIE, Dismissed - Agreement, 02/28/2008, Iron County, 41st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v NEQUIST, DOUGLAS, Pled Guilty, 05/19/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Comm. Service – 200 Hours, County Jail – 11 Days, 11 Days Credit, Restitution - \$23,174.78, Fines & Costs - \$820.

PEOPLE v NESBITT, LEDERRICK C, Pled Guilty, 06/04/2007, Roscommon County, 34th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v NEWBERRY, BENJAMIN CHARLES, Dismissed Restitution Made, 06/01/2007, Mecosta County, 49th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v NEWLAND, WILLIAM LAMONT, Pled Guilty, 04/09/2008, Kent County, 17th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Probation – 60 Months, County Jail – 77 Days, 77 Days Credit, Restitution - \$58,788.11, Fines & Costs - \$820.

PEOPLE v NICHOLS, LORI SUE, Dismissed Restitution Made, 12/10/2008, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v NICHOLSON, CHARLES ARNOLD, Dismissed Restitution Made, 01/09/2008, Eaton County, 56th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v NIELSEN, WILLIAM D, Dismissed Restitution Made, 03/23/2007, Berrien County, 2nd Circuit Court/Trial Court, Desertion/Abandonment/Non-Support.

PEOPLE v NIENOW, WILLIAM ROBERT, Pled Guilty, 01/23/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$35,808.68, Fines & Costs - \$620.

PEOPLE v NIMMOOR, MITCHELL N, Pled Guilty, 10/14/2008, Macomb County,

16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$51,020.42, Fines & Costs - \$770.

PEOPLE v NITZ, STEPHEN CRAIG, Pled Guilty, 03/28/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Fines & Costs - \$420, Restitution - \$78,000, Probation – 60 Months.

PEOPLE v NOBLE, JR, JACK, Pled Guilty, 07/15/2008, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay, Probation - 60 Months, County Jail – 54 Days, Fines & Costs - \$120.

PEOPLE v NOLAN, TERRY JOEL, Dismissed Restitution Made, 10/05/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v NOLAND, KIRK, Dismissed Restitution Made, 03/17/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v NORKOWSKI, MICHAEL JOSEPH, Pled Lesser, 01/30/2008, Kalkaska County, Crawford County Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 180 Days Credit, Restitution - \$39,950.96, Fines & Costs - \$1,370.

PEOPLE v NORMAN, HEATH JOSEPH, Pled Guilty, 04/01/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 120 Days, 99 Days Credit, Restitution - \$29,970.01, Fines & Costs - \$980.

PEOPLE v NORMAN, JAMES EARL-LEE, Pled Guilty, 09/05/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 75 Days, 41 Days Credit, Restitution - \$12,547.89.

PEOPLE v NORRIS, PHILLIP JAMES, Dismissed Restitution Made, 10/19/2007, Schoolcraft County, 11th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v NORRIS, TERRY LEE, Dismissed Restitution Made, 02/08/2008, Oakland County, 6th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v NORTON, GEORGE EDWIN, Pled Guilty, 02/16/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$29,845.64, Court Cost, County Jail – 30 Days, 30 Days Credit.

PEOPLE v NOWLAND, ROBERT PAUL, Pled Guilty, 11/25/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v O'BRIEN, LAWRENCE M, Dismissed - Agreement, 05/01/2008, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v O'BRIEN, JAMES PARKER, Pled Guilty, 11/21/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v O'BRIEN, THOMAS SHAWN, Pled Guilty, 04/07/2008, Wayne County,

3rd Judicial Circuit Court-Criminal, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, State Prison – 12-72Months.

PEOPLE v OCHOA, RAYMOND KEITH, Dismissed - Agreement, 07/07/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v OKLAD, JOSHUA SCOTT, Pled Guilty, 09/10/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, County Jail – 96 Days, Restitution - \$13,651.92, Fines & Costs - \$120.

PEOPLE v OLTERSODORF-HANSEN, JODI LYNN, Dismissed Restitution Made, 05/03/2007, Washtenaw County, 22nd District Court, Child Support-Failing to Pay.

PEOPLE v OLTERSODORF-HANSEN, JODI LYNN, Dismissed Restitution Made, 05/03/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ONDERSMA, MARVIN JACK, Pled Guilty, 11/05/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ONEAL, CHARLES E, Pled Guilty, 01/24/2008, Alpena County, 26th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 1 Year, County Jail – 90 Days, 30 Days Credit, Restitution - \$57,003.06.

PEOPLE v ORCUTT, JEFFREY WAYNE, Pled Guilty, 05/01/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 5 Months, 2 Days, Restitution - \$20,813.20, Fines & Costs - \$1,020.

PEOPLE v ORLIKOWSKI, DANIEL RAYMOND, Dismissed Restitution Made, 05/01/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v OROURKE, DAVID GERARD, Pled Guilty, 09/25/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$23,971.11, Fines & Costs - \$320.

PEOPLE v ORSO, DAVID GRANT, Pled Guilty, 02/13/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Probation – 2 Years, Restitution - \$51,249.97.

PEOPLE v OSBURN, BRIAN SCOTT, Dismissed - Agreement, 05/01/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v OSORIO, MIGUEL ANGEL, Pled Guilty, 04/21/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v OSTERHOUT, DAVID CLIFFORD, Pled Guilty, 08/01/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$51,559.22, Fines & Costs - \$4,120.

PEOPLE v OVERBEY, ROGER DAVID, Dismissed - Agreement, 07/09/2008, Kalkaska County, 46th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PAASCH, JR., JOEL WILLIAM, Pled Guilty, 04/16/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PAGE, CARL GEORGE, Dismissed Restitution Made, 07/27/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PAIZ, RANDY MARTIN, Pled Guilty, 08/29/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail -101 Days, Fines & Costs - \$720.

PEOPLE v PARISH, KEVIN LEE, Pled Guilty, 09/29/2008, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PARKER, GILBERT, Pled Guilty, 10/30/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v PARSON, TYRONE LAMONT, Pled Guilty, 04/30/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, County Jail - 75 Days, Court Cost - \$772.

PEOPLE v PARSONS, DART RICHARD, Pled Guilty, 08/21/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v PARSONS, JAMES ARTHUR, Pled Guilty, 01/08/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, County Jail – 180 Days, 71 Days Credit.

PEOPLE v PARTEE, ERIC, Pled Guilty, 02/26/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 3 Years, County Jail – 60 Days, 59 Days Credit, Court Cost - \$697.

PEOPLE v PARTEE, KEVIN LONTEL, Pled Guilty, 03/05/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 3 Years, County Jail – 60 Days, 59 Days Credit, Restitution - \$31,212.01, Court Cost - \$1,714.45.

PEOPLE v PASSOW, SARAH MARIE, Pled Guilty, 04/23/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PATON, PAUL WILLIAM, Pled Guilty, 04/21/2008, Washtenaw County, 22nd District Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$59,494.16, Fines & Costs - \$2,600.

PEOPLE v PATON, PAUL WILLIAM, Pled Guilty, 04/21/2008, Washtenaw County, 22nd District Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$59,494.16.

PEOPLE v PATRICK, STANLEY, Pled Guilty, 06/24/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v PAYMENT, RUSSEL, Dismissed - Agreement, 01/11/2008, Chippewa County, 50th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PAYMON, LEE, Pled Guilty, 12/17/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 36 Months - \$360, Restitution - \$12,808, Fines & Costs - \$1,020.

PEOPLE v PAYNE, JORGE ROSS, Pled Guilty, 09/28/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 5 Years, County Jail - 92 Day, 92 Days Credit, Restitution - \$49,150.09, Fines & Costs - \$673.55.

PEOPLE v PEACHEY, TIMOTHY CHARLES, Dismissed Legal Issues, 05/02/2007, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v PEARSON, QUINCY PHILLIP, Pled Lesser, 12/18/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support, Habitual Offender-Third Offense Notice. Delayed Sentence, Fines & Costs - \$700.

PEOPLE v PEDERSEN, RYAN CHARLES, Dismissed Restitution Made, 01/25/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v PEE, MICHAEL ANTHONY, Pled Guilty, 03/01/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Delayed Sentence -, Probation - 5 Years, Restitution - \$12,575.46, Fines & Costs - \$1,900.

PEOPLE v PELLEGGATA, KENNETH J, Pled Guilty, 04/17/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PELLEGRINI, JUDY ANN, Pled Guilty, 07/02/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation - 5 Years, County Jail - 5 Days, 5 Days Credit, Restitution - \$17,451.36.

PEOPLE v PENN, WALTER, Pled Guilty, 12/03/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation - 4 Years, County Jail - 30 Days, 3 Days Credit, Restitution - \$32,362.73, Fines & Costs - \$220.

PEOPLE v PENNINGTON, JR., JAMES R., Pled Guilty, 02/01/2008, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PENNUCCI, NICHOLAS JOHN, Dismissed Restitution Made, 07/30/2008, Cass County, 43rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PENOYER, STEVEN ERICH, Dismissed Restitution Made, 01/11/2008, Osceola County, 49th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PENSINGER, GEORGE, Pled Guilty, 09/17/2008, Allegan County, 48th

Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, County Jail – 60 Days, 57 Days Credit, Restitution - \$44,805.60, Fines & Costs - \$300.

PEOPLE v PERA, JR, GEORGE AMATO, Pled Guilty, 01/30/2007, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 47 Days, Restitution - \$29,123.56, Court Cost - \$1,320.

PEOPLE v PEREZ, EDWIN, Pled Guilty, 08/13/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v PERLA, JOSE MAURICIO, Pled Guilty, 04/17/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v PERRIGO, KADE KRISTON, Pled Guilty, 07/17/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$18,662.15, Fines & Costs - \$1,420.

PEOPLE v PERRY, KYLE J, Pled Guilty, 10/10/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation - \$60, Fines & Costs - \$1,120, Restitution - \$50,624.76.

PEOPLE v PERSKY, PAUL MICHAEL, Dismissed - Agreement, 05/01/2007, Clare County, 55th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v PETERS, ALFRED, Pled Guilty, 04/04/2007, Oakland County, 6th Judicial Circuit Court Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation - 4 Years, Restitution - \$45,884.00, Fines & Costs - \$120.

PEOPLE v PETERS, JR., ROBERT, Dismissed - Agreement, 10/17/2007, Chippewa County, 50th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PETERS, JR., ROBERT, Dismissed - Agreement, 10/17/2007, Chippewa County, 50th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PETERSON, OMAR RAYMOND, Pled Guilty, 12/11/2007, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 60 Months, Restitution, Fines & Costs - \$720.

PEOPLE v PETERSON, RONALD ERIC, Pled Guilty, 11/20/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 1 Year.

PEOPLE v PETILLO, JAMIE KENNETH, Pled Guilty, 01/03/2008, Mecosta County, 49th Judicial Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$120.

PEOPLE v PETTY, SALLY, Pled Guilty, 05/01/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation -36 Months, County Jail – 40 Days, 40 Days Credit, Extradition Fees - \$1,223.00, Restitution - \$26,839.92, Fines & Costs - \$2,100.

PEOPLE v PHILLIPS, RANDALL P., Pled Guilty, 04/10/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v PHILLIPS, RODERICK DWAYNE, Pled Guilty, 09/09/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$600, Comm. Service – 100 Hours, Restitution - \$14,096.15, Fines & Costs - \$420.

PEOPLE v PHIPPS, STEPHEN WILLIAM, Pled Guilty, 02/06/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PIAZZA, LEE THOMAS, Pled Guilty, 07/28/2008, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PIERCE, JERRY MICHAEL, Pled Guilty, 12/12/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PIERCE, THOMAS PAUL, Pled Guilty, 02/16/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 1 Year, 110 Days Credit, Restitution - \$17,708.41, Court Cost - \$120.

PEOPLE v PINEDA, MAX, Dismissed Restitution Made, 01/19/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v PIOTROWSKI, CLAYTON, Dismissed Restitution Made, 05/31/2007, Midland County, 42nd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v PIRROTTA, DANIEL JOSEPH, Pled Guilty, 09/13/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$14,977.05, Fines & Costs - \$620.

PEOPLE v PITCHFORD, JR., LEON J, Pled Guilty, 10/19/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 75 Days, 75 Days Credit, Restitution - \$37,263.00, Extradition Fees - \$750.

PEOPLE v PITROFF, KEITH IRWIN, Dismissed - Agreement, 10/24/2007, Kent County, 17th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v PLAZOLA, RICKY RICARDO, Dismissed Legal Issues, 10/01/2007, Barry County, 5th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PLEMMONS, LEWIS EDWARD, Dismissed - Agreement, 02/27/2007, Alpena County, 26th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v POIRIER, KEITH ANDREW, Dismissed Restitution Made, 04/21/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v POLGAR, ANTHONY, Dismissed Restitution Made, 08/12/2008, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v POLL, ROBERT RUSSELL, Pled Guilty, 09/06/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail -2 Days, Restitution - \$37,874.96, Fines & Costs - \$720.

PEOPLE v POLLARD, STEVEN, Pled Guilty, 12/12/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Probation – 60 Months - \$10, County Jail – 45 Days, 1 Day Credit, Restitution - \$88,865.39, Fines & Costs - \$120, Comm. Service – 150 Hours.

PEOPLE v POMERICO, WILLIAM JOSEPH, Pled Guilty, 06/28/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v POPE, DALE, Pled Guilty, 01/16/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Restitution - \$3,590.12.

PEOPLE v POPLAR, TYRONE ELROY, Pled Guilty, 04/14/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$78,195.88, Fines & Costs - \$120.

PEOPLE v PORTER, WILLIE EARL, Pled Guilty, 11/02/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$31,090.51.

PEOPLE v POWELL, DAVID MICHAEL, Pled Guilty, 01/14/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PRATER, JEFFERY KENT, Pled Guilty, 03/20/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay.

PEOPLE v PRENDERGAST, WILLIAM CARL, Pled Guilty, 04/21/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PRESTON, DANIEL CURTIS, Pled Guilty, 06/17/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$795.00, Restitution - \$31,606.07, Probation – 60 Months - \$600.

PEOPLE v PRICE, CHRISTOPHER DELANE, Pled Guilty, 03/19/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Delayed Sentence, Probation – 2 Years, Restitution - \$33,215.00, Fines & Costs - \$960.

PEOPLE v PRICE, CHRISTOPHER DELANE, Pled Guilty, 06/13/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, Restitution - \$43,552.64, Fines & Costs - \$720.

PEOPLE v PRICE, NORMAN HENRY, Dismissed - Agreement, 06/21/2007, Calhoun County, 37th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Habitual Offender-Second Offense Notice.

PEOPLE v PRICE, SHAMOND, Pled Guilty, 12/01/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v PRIMOZICH, DANNY DUANE, Pled Guilty, 09/15/2008, Oakland County, 6th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Probation – 3 Years, Restitution - \$48,869.70, Fines & Costs - \$2,100.

PEOPLE v PRINCE, HAROLD LEE, Pled Guilty, 01/03/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 64 Days, 64 Days Credit, Restitution - \$74,458.83, Fines & Costs - \$957.09.

PEOPLE v PRINCE, JOEL RAY, Dismissed - Agreement, 05/02/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v PRINCE, JR., ROBERT LEE, Dismissed Legal Issues, 02/20/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v PRINGLE, JR, KENNETH R, Pled Guilty, 05/23/2007, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 9 Day, 9 Days Credit.

PEOPLE v PRINGLE, LOUIS WAYNE, Pled Guilty, 09/24/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PRITCHARD, JAMES, Pled Guilty, 07/11/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Delayed Sentence, Fines & Costs - \$120, Probation – 60 Months - \$600, Restitution - \$29,023.

PEOPLE v PROVO, THOMAS W, Pled Guilty, 10/22/2008, Arenac County, 23rd Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support, Habitual Offender-Second Offense Notice, County Jail – 86 Days, 86 Days Credit, Fines & Costs - \$1,490.

PEOPLE v PRUITT, ANTHONY WAYNE, Pled Guilty, 12/03/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 6 Months, Restitution - \$240,550, Fines & Costs - \$120.

PEOPLE v PUIDOKAS, JONAS, Dismissed - Agreement, 10/19/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v PULLEN, BRIAN, Pled Guilty, 02/28/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$670, Restitution - \$34,650.57, County Jail – 45 Days, Probation – 60 Months.

PEOPLE v QUERIO, HAROLD, Dismissed Restitution Made, 07/18/2007, Dickinson County, 41st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v QUERTERMUS, JOHN FRANK, Dismissed Restitution Made, 01/09/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v QUICK, ERIC STEVEN, Dismissed Restitution Made, 08/05/2008, Mason County, 51st Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v QUILLEN, RAYMOND SCOTT, Dismissed - Agreement, 05/31/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v RAFFAELE, CARL JOSEPH, Dismissed - Agreement, 10/30/2007, Chippewa County, 50th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v RAIMER, RODNEY FLOYD, Pled Guilty, 08/21/2008, Kent County, 17th Judicial Circuit Court, Restitution - \$36,308.86, Fines & Costs - \$1,420.

PEOPLE v RAINS, JR, THOMAS ERNEST, Dismissed - Agreement, 04/25/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v RAMIREZ, JR., PASQUAL, Dismissed Legal Issues, 12/12/2007, Cass County, 43rd Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v RAMON, GILBERT, Pled Guilty, 11/26/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 3 Years, Fines & Costs - \$800.

PEOPLE v RAMOS, OSCAR, Pled Guilty, 02/12/2008, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay, Habitual Offender-2Nd Offense Notice, Habitual Offender-Second Offense Notice.

PEOPLE v RATCLIFF, RALPH, Pled Guilty, 09/23/2008, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v RATHBUN, ERIC ROY, Dismissed Restitution Made, 01/15/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v RAYKHINSHTEYN, GARRY ISAAK, Dismissed Restitution Made, 03/07/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v RAYMOND, CHRISTOPHER DEAN, Pled Guilty, 02/19/2008, Branch County, 15th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v REED, CYNTHIA, Pled Guilty, 01/16/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,120, Restitution - \$119,661.50, Probation - 60 Months.

PEOPLE v REED, JIMMIE LEE, Pled Guilty, 03/28/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation - 5 Years, Restitution - \$44,281.03, Court Cost - \$720.

PEOPLE v REED, KEVIN LAMAR, Dismissed - Agreement, 05/01/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v REED, KEVIN LAMAR, Pled Guilty, 11/03/2008, Genesee County, 7th

Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 100 Days, 60 Days Credit, Restitution - \$61,846.24, Extradition Fees - \$1,009.67.

PEOPLE v REED, SHERROD STANLEY, Pled Guilty, 02/05/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 60 Months, Comm. Service – 100 Hours, County Jail – 6 Months, Restitution - \$55,118.82, Fines & Costs - \$120.

PEOPLE v REESE, ANTHONY EUGENE, Pled Guilty, 09/19/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 3 Years, County Jail -150 Days, Days Credit.

PEOPLE v REEVES, DENNIS CARL, Pled Guilty, 02/23/2007, Genesee County, 7th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$26,182.93, Extradition Fees - \$1,977.68, Court Cost - \$120.

PEOPLE v REID, DERRICK, Dismissed - Agreement, 03/07/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v REISINGER, MICHAEL PAUL, Pled Guilty, 06/12/2007, Alcona County, 23rd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, Fines & Costs - \$120.

PEOPLE v REVETTE, RICHARD LEE, Dismissed - Agreement, 02/08/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v REVILLA, FRANCISCO, Dismissed - Agreement, 08/28/2008, Alpena County, 26th Circuit Court - Alpena, Child Support-Failing to Pay.

PEOPLE v REYNA, EFRAIN SOLIS, Pled Guilty, 11/10/2008, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v REYNOLDS, GREGORY SCOTT, Dismissed Restitution Made, 03/21/2007, Mecosta County, 49th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v REYNOLDS, MARK ANTHONY, Pled Guilty, 01/25/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, Restitution - \$25,008.41.

PEOPLE v RICE, JAMES G, Pled Guilty, 06/03/2008, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support, Fines & Costs - \$95.

PEOPLE v RICHARDSON, ALONZO, Pled Guilty, 06/20/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Fines & Costs - \$60, Restitution - \$200, Probation – 60 Months.

PEOPLE v RICHARDSON, CEDRIC DARNELL, Pled Guilty, 04/16/2007, Newaygo County, 27th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, County Jail - 9 Months, Fines & Costs - \$120.

PEOPLE v RIDDLE, DAVID MARVIN, Pled Guilty, 05/31/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 5 Years, County Jail – 27 Days, Restitution - \$25,061.78, Fines & Costs - \$720.

PEOPLE v RIEGLE, JERRY JAMES, Dismissed Restitution Made, 12/14/2007, Midland County, 42nd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v RIFE, DAVID COLBY, Dismissed Restitution Made, 07/01/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v RIFE, DAVID COLBY, Dismissed Restitution Made, 07/01/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v RIGOT, SCOTT LANE, Pled Guilty, 02/12/2007, Presque Isle County, 53rd Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 3 Months, Restitution - \$653.00, Fines & Costs - \$120.

PEOPLE v RILEY, CORY, Pled Guilty, 12/23/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v RISNER, JR, LAWRENCE GREY, Pled Guilty, 05/14/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v RITSON, DAVID LEE, Pled Guilty, 07/27/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, Restitution - \$7,880, Fines & Costs - \$1,220.

PEOPLE v RITTENHOUSE, ERIC MICHAEL, Pled Guilty, 08/13/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v RITTER, MARK DOUGLAS, Pled Guilty, 11/21/2007, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 6 Months, Restitution - \$20,005.71, Fines & Costs - \$1,170.

PEOPLE v RIVARD, JASON EDWARD, Dismissed Restitution Made, 10/09/2008, Gratiot County, 29th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v ROBERTS, JR, JOHNNY M, Dismissed - Agreement, 02/01/2008, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v ROBERTS, RONALD DAVID, Dismissed by Court, 10/31/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v ROBERTSON, JOHN E, Pled Guilty, 08/29/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, County Jail – 70 Days, Fines & Costs - \$120.

PEOPLE v ROBINSON, DALE LAKEEM, Pled Guilty, 10/08/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, Fines & Costs - \$820.

PEOPLE v ROBINSON, JEROME ANTHONY, Pled Guilty, 06/13/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, County Jail – 100 Days, Restitution, Fines & Costs - \$1,120.

PEOPLE v ROBINSON, LISA SCHELL, Dismissed Legal Issues, 12/04/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ROBINSON, LLOYD, Pled Guilty, 05/23/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$480, Restitution - \$8,011.83, Probation – 48 Months.

PEOPLE v ROBINSON, MICHAEL FAY, Dismissed Restitution Made, 05/09/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ROBINSON, REGINALD E., Pled Guilty, 03/06/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$600, Restitution - \$22,000, Fines & Costs - \$720.

PEOPLE v ROCK, DAVID JOHN, Dismissed Restitution Made, 01/25/2008, Wexford County, 28th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ROCK, RALPH W, Pled Guilty, 09/03/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$120, State Prison – 17 Months.

PEOPLE v RODARTE, ANGEL, Pled Guilty, 02/29/2008, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v RODGERS, CHRISTOPHER MICHAEL, Pled Guilty, 05/06/2008, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 10 Days, 10 Days Credit, Restitution - \$31,303.61.

PEOPLE v RODRIGUEZ, MARCOS, Pled Guilty, 09/22/2008, Newaygo County, 27th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 1 Year, County Jail – 365 Days, 41 Days Credit.

PEOPLE v ROEBUCK, MATTHEW JAMES, Pled Guilty, 09/29/2008, Calhoun County, 37th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 5 Years, County Jail – 365 Days, 59 Days Credit, Restitution - \$17,681.41.

PEOPLE v ROEPER, CHRISTOPHER AUGUST, Dismissed Restitution Made, 06/18/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ROGERS, LAWRENCE RALPH, Dismissed Restitution Made, 01/03/2007, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ROGERS, KEVIN SCOTT, Pled Guilty, 08/14/2007, Newaygo County, 27th District Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$26,416.75, Fines & Costs - \$120.

PEOPLE v ROGERS, KEVIN SCOTT, Pled Guilty, 08/14/2007, Newaygo County, 27th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$26,416.75, Fines & Costs - \$120.

PEOPLE v ROLLER, THOMAS E, Pled Guilty, 01/09/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 62 Days, 62 Days Credit, Restitution - \$30,570.57.

PEOPLE v ROLLINS III, CHARLES F, Pled Guilty, 03/07/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$995, Restitution - \$59,429.67, Probation – 60 Months.

PEOPLE v ROLLISON, THOMAS WENDELL, Pled Guilty, 10/13/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ROMAN, DAREK TODD, Pled Lesser, 01/12/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 1 Year.

PEOPLE v ROMANSKI, JACK, Dismissed - Agreement, 05/29/2008, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay.

PEOPLE v ROMERO, ANDY ABEL, Dismissed Restitution Made, 05/02/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ROOT, BRIAN PAUL, Pled Guilty, 03/12/2007, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 1 Day, 1 Day Credit. Restitution - \$7,324.87.

PEOPLE v ROSE, DWAYNE OLA, Pled Guilty, 08/12/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 12 Days, 12 Days Credit, Restitution - \$55,566.15.

PEOPLE v ROSS, KEITH RICHARD, Pled Guilty, 09/20/2007, Bay County, 18th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, County Jail, Restitution - \$24,420.

PEOPLE v ROSS, JR., LEE ARTHUR, Pled Guilty, 04/25/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$26,047.12.

PEOPLE v ROSS, RONALD E, Dismissed Legal Issues, 11/19/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v RUDY, MATTHEW STEVEN, Pled Guilty, 05/21/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v RUIZ, AARON SCOTT, Pled Guilty, 03/31/2008, Ottawa County, 20th

Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, Restitution - \$18,865.25, Fines & Costs - \$300.

PEOPLE v RUIZ, JOHN, Pled Guilty, 03/21/2007, Mason County, 51st Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 24 Months, County Jail – 365 Days, 185 Days Credit, Fines & Costs - \$345.

PEOPLE v RULONG, JEFFREY S, Pled Guilty, 10/10/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 9 Days, 9 Days Credit, Restitution - \$16,050.08.

PEOPLE v RUNKEL, MICHAEL JAMES, Dismissed by Court, 10/01/2007, Mason County, 51st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v RUNKEL, MICHAEL JAMES, Dismiss Court, 10/01/2007, Mason County, 51st Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v RUNKEL, MICHAEL JAMES, Dismiss Court, 10/01/2007, Mason County, 51st Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v RUSSELL, JON BENTON, Dismissed Legal Issues, 03/06/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v RUTHERFORD, IRA-HASSAN MALIK, Pled Guilty, 10/15/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation 2 Years, County Jail – 60 Days, 18 Days Credit, Restitution - \$67,987.33.

PEOPLE v RUZSA, SHON KEVIN, Dismissed - Agreement, 12/02/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v RYAN, JAMES CHARLES, Pled Guilty, 10/20/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v RYAN, MARTIN THOMAS, Pled Guilty, 10/06/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation -36 Months, Restitution - \$16,531.34, Fines & Costs - \$820.

PEOPLE v RYAN, MICHAEL DOUGLAS, Pled Guilty, 05/08/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SACKETT, MARQUIS PAUL, Pled Guilty, 09/26/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 11 Months, 18 Days Credit, Restitution - \$14,053.64.

PEOPLE v SAGE II, TIMOTHY MICHAEL, Pled Guilty, 10/08/2007, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$75,610.14.

PEOPLE v SALEM, SUHEIL MICHAEL, Dismissed Restitution Made, 03/29/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SALEWSKE, JAMES A, Pled Guilty, 05/23/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$240, Probation – 24 Months, Restitution - \$5,077.57.

PEOPLE v SALLEE, THOMAS M, Pled Guilty, 04/21/2008, Roscommon County, 34th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SALTERS, JOHN KENNETH, Pled Guilty, 03/12/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SALYERS, TONIA RENEE, Dismissed Restitution Made, 08/21/2007, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SAMKO, BRIAN JOHN, Pled Guilty, 10/21/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, Restitution - \$19,580.94, Fines & Costs - \$60.

PEOPLE v SAMPSON, CARLOS, Pled Guilty, 03/25/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$567.

PEOPLE v SAMUEL, SCOTT RYAN, Dismissed Restitution Made, 04/03/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v SANCHEZ, DAMACIO, Pled Guilty, 03/16/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years., 14 Days Credit, County Jail – 5 Months, Restitution - \$16,010.56, Court Cost - \$1,920.

PEOPLE v SANDERS, DEAN MICHAEL, Pled Guilty, 07/10/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 3 Years, Restitution - \$28,283.08, Fines & Costs - \$1,380.

PEOPLE v SANDERS, ROBERT PAUL, Pled Guilty, 05/06/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 3 Years, Fines & Costs - \$820.

PEOPLE v SANDOVAL, GEORGE, Pled Guilty, 04/14/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v SANFORD, ROBERT MICHAEL, Dismissed - Agreement, 04/17/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SANFORD, TIMOTHY ALLEN, Pled Guilty, 10/01/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SANTAROSSA, ROBERTO, Dismissed Restitution Made, 10/07/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SANTIAGO, VICKIE, Pled Guilty, 03/15/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$23,717.69, Fines & Costs - \$120.

PEOPLE v SARNIK, IAN ROGER, Dismissed Restitution Made, 06/20/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v SAULSBERRY, MEREDITH WYATT, Pled Guilty, 08/01/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 90 Days, Restitution - \$40,070.46, Fines & Costs - \$720.

PEOPLE v SAUNDERS, JEFFERY DENNIS, Pled Guilty, 08/09/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SAYERS, JEREMY LEE, Dismissed - Agreement, 12/10/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCAGGS, SHAWN CHRISTOPHER, Dismissed Restitution Made, 09/19/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCALLAN, MARK DAVID, Dismissed - Agreement, 02/01/2008, Kalamazoo County, 9th Judicial Circuit Court, Absconding or Forfeiting Bond.

PEOPLE v SCHAAF, JASON ANDREW, Pled Guilty, 01/04/2007, Iosco County, 23rd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 4 Months, 25 Days Credit, Restitution - \$20,630.63.

PEOPLE v SCHEANWALD, MATTHEW PAUL, Pled Guilty, 06/25/2007, Wexford County, 28th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 12 Months, County Jail – 1 Day, Fines & Costs - \$120.

PEOPLE v SCHIESLER, JOSEPH L, Pled Guilty, 12/18/2007, Clare County, 55th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCHIPPERS, MICHAEL ALAN, Pled Guilty, 04/25/2008, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCHIRMER, CHORON SHANE HENRY, Dismissed Legal Issues, 11/28/2007, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCHLEH, CHRISTOPHER A, Pled Guilty, 02/12/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, Restitution - \$43,482.76.

PEOPLE v SCHLOSS, KEVIN LEE, Dismissed Legal Issues, 10/17/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v SCHMID, JONATHAN PAUL, Dismissed Restitution Made, 11/20/2007, Ionia County, 8th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCHMIDT, JEFFREY LEE, Pled Guilty, 03/12/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCHMIDT, STEVEN RICHARD, Pled Guilty, 06/06/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,120, Restitution - \$36,032.65, Probation – 60 Months.

PEOPLE v SCHOONBECK, JEFFREY SCOTT, Pled Guilty, 03/01/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 24 Months, County Jail – 2 Days, Restitution - \$23,807.70, Fines & Costs - \$1,530.

PEOPLE v SCHOONHOVEN, CHRISTOPHER SCOTT, Dismissed - Agreement, 06/20/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v SCHOONHOVEN, CHRISTOPHER SCOTT, Pled Guilty, 11/14/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCHOPPER, WADE PATRICK, Pled Guilty, 08/17/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 120 Days, Restitution - \$32,897.85, Extradition Fees - \$1,176.41.

PEOPLE v SCHRADER, GARY PAUL, Pled Guilty, 06/25/2007, Huron County, 52nd Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 90 Days, 25 Days Credit, Fines & Costs - \$480, Restitution - \$29,581.19, Probation – 36 Months.

PEOPLE v SCHRAM, RICHARD ALLEN, Pled Guilty, 01/11/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 39 Days, 39 Days Credit, Restitution - \$78,417.23.

PEOPLE v SCHRAMM, TIMOTHY ALLAN, Dismissed Restitution Made, 03/25/2008, Saginaw County, 10th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v SCHROEDER, SCOTT ALLEN, Pled Guilty, 02/28/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, County Jail – 90 Days, Restitution - \$18,757.67, Court Cost - \$2,730.

PEOPLE v SCHRIVERS, RICKIE DEAN, Pled Guilty, 09/28/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 1 Year, 175 Days Credit, Fines & Costs - \$120.

PEOPLE v SCHULZ, STONY VAN, Pled Guilty, 09/21/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCHUMAKER, KEVIN JON, Dismissed Restitution Made, 04/15/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCHUMAKER, KEVIN JON, Dismissed Restitution Made, 01/12/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCHWARK, RICHARD JASON, Pled Guilty, 12/22/2008, Calhoun County, 37th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$12,554.25, Fines & Costs - \$120.

PEOPLE v SCHWARTZ, II, FRANK, Pled Guilty, 06/07/2007, Otsego County, Crawford County Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 90 Days, 73 Days Credit, Restitution - \$23,242.33, Fines & Costs - \$790.

PEOPLE v SCOFIELD, MICHAEL JAMES, Pled Guilty, 08/27/2008, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 12 Months. 24 Days Credit, Restitution - \$25,052.43.

PEOPLE v SCOTT, DOUGLAS WILLIAM, Dismissed - Agreement, 01/18/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCOTT, STEPHEN LOUIS, Pled Guilty, 06/04/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 12 Months, County Jail – 25 Days, 25 Days Credit.

PEOPLE v SCOTT, III, GUY BRANNON, Dismissed Restitution Made, 08/13/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SCYPINSKI, MARTIN STANLEY, Dismissed Restitution Made, 07/16/2007, Oakland County, 6th Judicial Circuit Court, Disorderly Person- Non-Support, Child Support-Failing to Pay.

PEOPLE v SEARCY, HERMAN, Pled Guilty, 01/16/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Days, County Jail – 60 Days, Restitution - \$480, Fines & Costs - \$840.

PEOPLE v SEARS, ROBERT JOSEPH, Pled Guilty, 09/23/2008, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SELLERS, MAJOR ANTHONY, Dismissed Restitution Made, 02/27/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SEMANIUK, SHAWN H, Pled Guilty, 05/18/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,120, Restitution - \$56,654, Probation – 60 Months.

PEOPLE v SHAFER, DEAN ARNOLD, Dismissed Restitution Made, 12/07/2007, St. Joseph County, 45th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SHAFFER, DONALD LEE, Dismissed Legal Issues, 07/30/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v SHAH, AZZIEM, Dismissed - Agreement, 03/31/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v SHARBNOW, KEVIN, Pled Guilty, 05/20/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v SHARICK, GEORGE MONTY, Pled Guilty, 06/04/2007, Genesee County, 7th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Habitual Offender-Second Offense Notice, Probation – 3 Years, Restitution - \$116,629.57.

PEOPLE v SHAUGHNESSY, JOHN PETER, Dismissed Restitution Made, 02/15/2008, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SHELDON, CHATTERSON RAY, Pled Guilty, 03/21/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 38 Days, 38 Days Credit, Restitution - \$20,937.69, Court Cost - \$320.

PEOPLE v SHELTON, JOHN R, Dismiss Court, 10/24/2008, Clare County, 55th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v SHELTON, MICHAEL LAMOND, Pled Guilty, 02/07/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, Restitution - \$40,604.69, Fines & Costs - \$890.

PEOPLE v SHEPHARD, STANLEY, Pled Guilty, 03/28/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v SHEPPARD, JAMES DENNIS, Pled Guilty, 02/29/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 3 Years, Fines & Costs - \$720.

PEOPLE v SHERRILL, MAURICE LAMAR, Pled Guilty, 07/10/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 30 Months, County Jail – 63 Days, Restitution - \$14,358.34, Fines & Costs - \$1,770.

PEOPLE v SHILLINGSFORD, WILLIAM, Dismissed Restitution Made, 09/05/2008, Lenawee County, 39th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v SHOLLER, JR, HARVEY DALE, Pled Guilty, 02/22/2007, Shiawassee County, 35th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, County Jail – 9 Months, Court Cost - \$420.

PEOPLE v SHOOTER, JEFF WAYNE, Dismissed Legal Issues, 01/25/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SHORTER, BRYAN LEE, Pled Guilty, 09/28/2007, Kalamazoo County,

9th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$27,026.78, Fines & Costs - \$920.

PEOPLE v SHOVER, JASON KEITH, Pled Guilty, 05/16/2008, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 60 Months - \$10, County Jail – 60 Day, Restitution - \$16,173, Fines & Costs - \$1,317.

PEOPLE v SILVA, CARLOS M., Dismissed Restitution Made, 11/28/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SIMMONS, BRYANT ERIC, Pled Guilty, 11/14/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Days, Restitution - \$35,620.43, Fines & Costs - \$120.

PEOPLE v SIMMONS, BRYANT ERIC, Pled Guilty, 11/14/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 45 Day, Restitution - \$110,000, Fines & Costs - \$120.

PEOPLE v SIMMONS, BRYANT ERIC, Pled Guilty, 11/14/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 45 Days, Restitution - \$18,684.62, Fines & Costs - \$1,095.

PEOPLE v SIMMONS, BRYANT ERIC, Pled Guilty, 11/14/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 45 Days, Restitution - \$14,977, Fines & Costs - \$95.

PEOPLE v SIMMONS, KEVIN FITZGERALD, Pled Guilty, 10/29/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SIMPSON, JEFFREY CLARK, Dismissed Restitution Made, 04/11/2007, Allegan County, 48th Judicial Circuit Court, Disorderly Person- Non-Support.

PEOPLE v SINGH, MANJINDER, Dismissed Restitution Made, 07/24/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v SIVER, WILLIAM ERHARD, Dismissed Restitution Made, 07/23/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SKAGGS, JOHN OMER, Pled Guilty, 05/12/2008, Antrim County, 13th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SKAGGS, WILLIAM HENRY, Dismissed Restitution Made, 03/13/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v SKAGGS, WILLIAM HENRY, Dismissed Restitution Made, 03/13/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v SKAGGS, JR., WILLIAM HENRY, Pled Guilty, 06/23/2008, Genesee County, 7th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Habitual Offender-Second Offense Notice, Probation – 3 Years, County Jail – 41 Days, 41 Days Credit, Restitution - \$45,000, Extradition Fees - \$495.54.

PEOPLE v SKELTON, JR, JL, Pled Guilty, 08/07/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$17,542.75, Fines & Costs - \$695.

PEOPLE v SLADE, ALVIN CARLOS, Dismissed - Agreement, 11/19/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v SLAGER, MATTHEW ALLYN, Pled Guilty, 02/18/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 37 Days, 37 Days Credit.

PEOPLE v SLANGA, ANTHONY THOMA, Pled Guilty, 01/08/2007, Washtenaw County, 22nd Judicial Circuit Court, Desertion/Abandonment/Non-Support, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$18,635.35, Court Cost - \$4,260.

PEOPLE v SLAVENS, BRIAN EVERETT, Dismissed - Agreement, 10/24/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SLIVICK, TIMOTHY JOHN, Pled Guilty, 06/18/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 12 Months, Fines & Costs - \$940.

PEOPLE v SLOAN, GARY THOMAS, Pled Guilty, 04/25/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$13,721.91, Court Cost - \$1,120.

PEOPLE v SLOAN, JOSEPH ALLAN, Dismissed Restitution Made, 09/05/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v SMITH, ALAN CLAY, Pled Guilty, 11/18/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v SMITH, CHARAMBE, Pled Guilty, 08/16/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 36 Months, County Jail – 66 Days, Restitution - \$27,292.39, Fines & Costs - \$2,010.

PEOPLE v SMITH, EUGENE K, Pled Guilty, 08/07/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, Restitution - \$41,106.27, County Jail – 30 Days.

PEOPLE v SMITH, GREGORY, Dismissed Legal Issues, 09/19/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v SMITH, JOSEPH ANTHONY, Dismissed Restitution Made, 07/30/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SMITH, KEVIN GENE, Pled Guilty, 02/01/2008, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 40 Days, 40 Days Credit, Restitution - \$40,433.57.

PEOPLE v SMITH, KEVIN LYNN, Pled Guilty, 10/12/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, Restitution - \$17,730.03.

PEOPLE v SMITH, KURTIS RAYMOND, Dismissed - Agreement, 06/20/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SMITH, MICHAEL EUGENE, Dismiss Court, 10/06/2008, Kalkaska County, Crawford County Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v SMITH, MYCHAEL MONROE, Dismissed Restitution Made, 12/21/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SMITH, NANCY SUSANNE, AKA NANCY SUZANNE TALLENT; NANCY S COCKBURN; NANCY PERKINS SMITH; and NANCY WEATHERS, Dismissed Restitution Made, 01/09/2007, Ottawa County, 20th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v SMITH, PAUL, Pled Guilty, 02/08/2008, Osceola County, 49th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v SMITH, OTTO, Pled Guilty, 02/20/2008, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 97 Days, 97 Days Credit.

PEOPLE v SMITH, RICHARD AUGUSTUS, Dismissed Restitution Made, 09/19/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SMITH, RONALD EUGENE, Pled Guilty, 07/06/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 30 Days, 9 Days Credit, Restitution - \$24,951.15.

PEOPLE v SMITH, JR., RONALD WADE, Dismissed Restitution Made, 12/17/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SMITH, SCOTT ALLEN, Pled Guilty, 07/09/2007, Cass County, 43rd Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 180 Days, Restitution, Fines & Costs - \$120.

PEOPLE v SMITH, WINSTON LAMONT, Pled Guilty, 12/02/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v SMYTH, JERRY ALLEN, Pled Guilty, 07/17/2008, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SNIDER, JAMES LEE, Pled Guilty, 06/04/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v SNYDER, JEREMY JUSTIN, Dismissed Restitution Made, 08/22/2008, Barry County, 5th District Court, Child Support-Failing to Pay.

PEOPLE v SNYDER, JOHN EDWARD, Dismissed - Agreement, 12/04/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SOLOC, BRIAN CHRISTOPHER, Pled Guilty, 10/01/2008, Shiawassee County, 35th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 94 Days, Restitution - \$19,393.32, Fines & Costs - \$1,720.

PEOPLE v SOPER, JR., JULIUS WALTER, Pled Guilty, 09/15/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years.

PEOPLE v SORENSON, FREDERICK ROY, Pled Guilty, 07/10/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, County Jail – 90 Days, Restitution - \$20,163.74, Fines & Costs - \$1,290.

PEOPLE v SORNSON, ANTHONY CHARLES, Pled Guilty, 10/13/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v SOTO, RICARDO GOMEZ, Pled Guilty, 05/23/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, State Prison – 23-48 Months, 44 Days Credit, Restitution - \$49,312.92.

PEOPLE v SOTO, DANIEL S, Pled Nolo, 03/27/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SOULSBY, VINCENT, Pled Guilty, 11/18/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 24 Months, Restitution - \$20,011.76, Fines & Costs - \$320.

PEOPLE v SPAIN, STEVEN, Pled Guilty, 01/15/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Restitution - Amount: \$100.00, State Prison – 21 Months, 67 Days Credit.

PEOPLE v SPANGLER, JR., STAN EDWIN, Dismissed Restitution Made, 06/11/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SPANO, NICHOLAS L, Support Settle, 06/26/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SPEAR, DANIEL KURT, Pled Guilty, 09/14/2007, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 3 Years, Restitution - \$9,296.47.

PEOPLE v SPIKER, VERNE C, Dismissed by Court, 10/06/2008, Clare County, 55th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SPRINGER, RONALD PETE, Pled Guilty, 12/16/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v SPURLOCK, JAMES HAROLD, Pled Guilty, 03/26/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs, Probation – 60 Months - Amount: \$600, Restitution - \$110,000, Fines & Costs - \$120.

PEOPLE v ST PIERRE, MICHAEL ALLEN, Pled Guilty, 12/16/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v STACHOWSKI, LEONARD, Dismiss Court, 08/23/2007, Oakland County, 6th Judicial Circuit Court Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v STALLINGS, MICHAEL S, Dismissed - Agreement, 12/03/2008, Mason County, 51st Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v STANISLAWSKI, RICHARD JOSEPH, Dismissed Restitution Made, 04/25/2008, Cass County, 43rd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v STANLEY, JANICE L., Pled Guilty, 09/15/2008, Clare County, 55th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v STANLEY, MICHAEL RUSSELL, Dismissed - Agreement, 05/29/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v STANNARD, III, ROBERT LEE, Pled Guilty, 08/08/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, Restitution - \$52,905.56.

PEOPLE v STANTON, NATHAN LEWIS, Pled Guilty, 01/15/2008, Ionia County, 8th Judicial Circuit Court, Child Support-Failing to Pay, County Jail -6 Months, Fines & Costs - \$420.

PEOPLE v STARR, ROBERT MARTIN, Pled Guilty, 11/02/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, Restitution - \$9,068.29, Fines & Costs - \$570.

PEOPLE v STAUFFER, ERIC WILLIAM, Pled Lesser, 10/22/2007, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$890.

PEOPLE v STEFFEY, PATRICK JAMES, Pled Guilty, 02/01/2008, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$21,443.48, Fines & Costs - \$120.

PEOPLE v STEGER, CLIFTON ONEAL, Dismissed - Agreement, 10/08/2007, Wayne County, 3rd Circuit Court, Absconding or Forfeiting Bond.

PEOPLE v STEPANSKI, STEVEN THOMAS, Pled Guilty, 09/23/2008, Alpena County, 26th District Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 2 Years, County Jail – 33 Days, 33 Days Credit.

PEOPLE v STEPHEN, RICHARD CECIL, Pled Guilty, 11/24/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 180 Days, 74 Days Credit, Restitution - \$54,775.96, Fines & Costs - \$420.

PEOPLE v STERLING, TERRY L., Pled Guilty, 10/29/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 151 Days, 151 Days Credit, Restitution - \$41,799.99, Fines & Costs - \$4,057.

PEOPLE v STERNAL, DAVID, Pled Guilty, 07/23/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Fines & Costs - \$120, Probation – 60 Months - \$600, Restitution - \$37,376.

PEOPLE v STEVENS, MICHAEL DEWAYNE, Pled Guilty, 04/02/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, Comm. Service – 40 Hours, Fines & Costs - \$820.

PEOPLE v STEVENS, SCOTT EDWARD, Pled Guilty, 11/09/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, County Jail – 1 Year, 60 Days Credit, Fines & Costs - \$1,667.50.

PEOPLE v STEVENSON, JAMES EDWARD, Pled Guilty, 04/23/2008, Barry County, 5th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 6 Months, 42 Days Credit, Fines & Costs - \$620.

PEOPLE v STEWART, SCOTT D, Dismissed Restitution Made, 03/20/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v STEWART, TRAVIS R, Pled Guilty, 08/07/2007, Mason County, 51st Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 180 Days, 79 Days Credit, Restitution - \$527, Fines & Costs - \$120.

PEOPLE v STIFFLER, DAVID R, Dismissed - Agreement, 03/30/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v STIFFLER, KEITH ALVIN, Pled Guilty, 02/16/2007, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months,

County Jail – 60 Days, 38 Days Credit, Restitution - \$61,953.00, Fines & Costs - \$570.

PEOPLE v STIMAGE, DERK CHRISTOPHER, Pled Guilty, 06/12/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 60 Months, County Jail – 12 Months, Restitution - \$50,227.02, Fines & Costs - \$3,420.00.

PEOPLE v STINSON, ROBERT LEE, Dismiss Court, 10/10/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v STINTON, KEVIN LEE, Pled Guilty, 05/25/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 3 Years, Restitution - \$6,359.66.

PEOPLE v STIVER, JEFFREY SCOTT, Pled Lesser, 01/16/2007, Mason County, 51st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, County Jail – 180 Days, 1 Day Credit, Fines & Costs - \$420.

PEOPLE v STODDARD, TIMOTHY DONALD, Dismissed Restitution Made, 08/24/2007, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v STOKES, JOSEPH, Dismissed Legal Issues, 11/20/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v STOPCHINSKI, CLAUD, Dismissed Restitution Made, 08/23/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v STORM, JR, EUGENE HENRY, Pled Guilty, 08/10/2008, St. Joseph County, 45th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v STOTLER, KENNETH L, Pled Guilty, 03/09/2007, Clare County, 55th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v STRACHAN, EDWARD FRANKLIN, Dismissed - Agreement, 09/08/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v STRAIGHT, KEITH ALLEN, Pled Guilty, 11/07/2008, St. Joseph County, 45th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 49 Days, 49 Days Credit.

PEOPLE v STRAUCHMAN, KEVIN, Pled Guilty, 08/12/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation – 5 Years, County Jail – 6 Months, Fines & Costs - \$870, Restitution - \$86,422.35.

PEOPLE v STRAUSS, BRIAN MITCHELL, Dismissed Legal Issues, 09/19/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v STRECH, DOUGLAS E, Pled Guilty, 06/20/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v STREETER, JOHN THOMAS, Pled Guilty, 08/27/2008, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Fines & Costs - \$720, Restitution - \$59,074.19, Probation – 60 Months.

PEOPLE v STRICKER, JONATHAN SCOTT, Pled Guilty, 05/22/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 90 Days, 2 Days Credit, Restitution - \$78,337.96.

PEOPLE v STRICKLAND, JR., ROGER RAY, Pled Guilty, 12/18/2007, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, County Jail – 180 Days.

PEOPLE v STRICKLIN, SCOTT NATHANIEL, Pled Lesser, 07/12/2007, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Fines & Costs - \$140.

PEOPLE v STROBEL, RICHARD TODD, Pled Guilty, 04/06/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, Restitution - \$19,079.74.

PEOPLE v STRONG, RICHARD LEE, Dismissed Restitution Made, 04/02/2008, Chippewa County, 50th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v STRONG, SR., ALFONSO DARRELL, Pled Guilty, 02/06/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$1,060, Restitution - \$74,780.00, County Jail – 2 Months, 20 Days Credit, Probation - 60 Months.

PEOPLE v SUAREZ, MICHAEL SEAN, Dismissed Legal Issues, 05/02/2008, Kent County, 17th Judicial Circuit Court,

PEOPLE v SUMLING, RUSSELL, Pled Guilty, 03/18/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, State Prison – 14 Months, 6 Years, Restitution - \$37,238.12, Fines & Costs - \$120.

PEOPLE v SUMLING, RUSSELL, Pled Guilty, 03/18/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, State Prison – 14 Months, 6 Years, Restitution - \$43,749.39, Fines & Costs - \$120.

PEOPLE v SUTTON, GEORGE, Pled Guilty, 02/21/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation - 60 Months - \$10, Restitution - \$47,624.00, Fines & Costs - \$120.

PEOPLE v SUTTON, MARTIN EDWARD, Dismissed - Agreement, 06/05/2007, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v SWANSON, KRIS ROBERT, Pled Guilty, 10/01/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$17,699.73, Fines & Costs - \$420.

PEOPLE v SWARTZ, ROBERT CHARLES, Dismissed - Agreement, 04/25/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SWARTZ, ROBERT CHARLES, Pled Guilty, 03/27/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SWEENEY, JOHN T, Pled Guilty, 09/15/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 2 Years, County Jail – 180 Days, 64 Days Credit, Restitution - \$70,955.32, Fines & Costs - \$1,680.

PEOPLE v SWEET, BRAD L, Pled Guilty, 02/06/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 72 Days, 72 Days Credit, Restitution - \$36,216.87.

PEOPLE v SWITZENBERG, DEREK SCOTT, Dismissed Restitution Made, 07/09/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v SYKES, JAMES FRANCIS, Dismissed Restitution Made, 08/23/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TACKETT, LARRY D, Pled Guilty, 02/19/2007, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 90 Days, 70 Days Credit, Restitution - \$72,962.00, Extradition Fees - \$304.15, Court Cost - \$372.

PEOPLE v TACKETT, JONATHAN ANDREW, Pled Guilty, 09/19/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 36 Months, Restitution - \$8,784.

PEOPLE v TALAGA, JR., RICHARD JOHN, Dismissed - Agreement, 03/18/2008, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TALLEY, GEORGE E, Pled Guilty, 12/19/2008, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TALLEY, JUAN L, Pled Guilty, 08/15/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v TAYLOR, DARRELL LEE, Pled Guilty, 01/07/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Habitual Offender-Third Offense Notice, Probation – 5 Years, Restitution - \$37,363.22, Fines & Costs - \$2,140.

PEOPLE v TAYLOR, JEFFRY S, Pled Guilty, 09/15/2008, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Fines & Costs - \$120, Probation – 22 Months - \$220, Restitution - \$17,181.

PEOPLE v TAYLOR, SHAUN LEE, Pled Guilty, 03/28/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 6 Months, 56 Days Credit, Restitution - \$27,876.97.

PEOPLE v TAYLOR, TERRY CHANTAL, Pled Guilty, 06/27/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation, Restitution - \$34,038.38, Fines & Costs - \$1,120.

PEOPLE v TAYLOR, TONY LIONEL, Dismissed Restitution Made, 01/24/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TENZY, ASHLEY DEWAYNE, Pled Guilty, 04/23/2008, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, State Prison – 12-48 Months, 143 Days Credit, Restitution - \$13,552.

PEOPLE v TERRY, DENNIS R, Pled Guilty, 03/25/2008, Wayne County, 3rd Circuit Court, Desertion/Abandonment/Non-Support, Probation – 60 Months - \$10, Comm. Service – 150 Hours, Restitution - \$150,600, Fines & Costs - \$120.

PEOPLE v TERRY, SAMUEL RAY, Pled Guilty, 06/08/2007, St. Joseph County, 45th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years.

PEOPLE v THAYER, PAUL EDWARD, Pled Guilty, 07/25/2008, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 18 Months, Fines & Costs - \$1,860.

PEOPLE v THEISS, THOMAS N, Pled Guilty, 04/10/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Fines & Costs - \$620, Restitution - \$40,713, Probation – 60 Months.

PEOPLE v THEUS, RAY, Pled Guilty, 09/11/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 12 Months - \$120, Restitution - \$7,009.96, Fines & Costs - \$240.

PEOPLE v THOMAS, ANTHONY JAMIER, Pled Guilty, 05/06/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v THOMAS, CHARLES DEVONE, Dismissed Restitution Made, 02/20/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v THOMAS, DOUGLAS LEE, Pled Guilty, 11/19/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v THOMAS, III, JAMES, Dismissed Restitution Made, 02/28/2008, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v THOMAS, MARVIN RAE, Pled Guilty, 01/03/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$96,841.64, Fines & Costs - \$1,320.

PEOPLE v THOMAS, MICHAEL ANTHONY, Pled Guilty, 03/31/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v THOMAS, NICOLE EWING, Pled Guilty, 03/03/2008, Ottawa County, 20th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 1 Day, 1 Day Credit, Comm. Service – 60 Hours.

PEOPLE v THOMAS, VERONICA, Pled Guilty, 05/16/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Absconding Or Forfeiting Bond, Habitual Offender-Second Offense Notice, Probation – 60 Months, Restitution - \$9,782.33, Fines & Costs - \$1,080.

PEOPLE v THOMAS, VERONICA, Dismiss Court, 04/18/2007, Kent County, 17th Judicial Circuit Court, Absconding Or Forfeiting Bond.

PEOPLE v THOMAS, WILLIE MCKINLEY, Dismissed - Agreement, 03/19/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v THOMPSON, JOHN SCOTT, Dismissed - Agreement, 07/07/2008, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v THOMPSON, JOSHUA RAY, Pled Guilty, 04/30/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 6 Months, 101 Days Credit, Extradition Fees - \$1,151.62, Restitution - \$16,970.64.

PEOPLE v THOMPSON, ROCKY DENNIS, Pled Guilty, 02/08/2007, Calhoun County, 37th Circuit Ct - Calhoun, Child Support-Failing to Pay, Probation -48 Months, County Jail – 150 Days, 100 Days Credit, Restitution - \$26,140.38.

PEOPLE v THRASH, JR., DAVID, Pled Guilty, 03/07/2007, Allegan County, 48th Judicial Circuit Court, Disorderly Person- Non-Support, Habitual Offender-Second Offense Notice, Probation – 1 Year, County Jail – 12 Days, 12 Days Credit, Restitution - \$7,495.81.

PEOPLE v TINSLEY, GARY A, Pled Guilty, 05/29/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$720, Probation – 60 Months, Restitution - \$129,700.

PEOPLE v TOBLECK, JULIE KAY, Dismissed Restitution Made, 10/05/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TOLBERT, ELIAS, Pled Guilty, 08/20/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Child Support-Failing to Pay.

PEOPLE v TOMEI, ANTHONY SCOTT, Dismissed - Agreement, 04/10/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v TOMPKINS, JAMES WESLEY, Pled Guilty, 02/04/2008, Genesee

County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person-Non-Support, Habitual Offender-Second Offense Notice, County Jail – 90 Days.

PEOPLE v TORDY, FRANCIS XAVIER, Pled Guilty, 12/17/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v TORELLA, CANNIE, Dismissed - Agreement, 09/17/2007, Arenac County, 23rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TOWNES, KEITH EUGENE, Dismissed Restitution Made, 10/03/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Fines & Costs - \$120.

PEOPLE v TOWNSEND, ROBERT LOWELL, Pled Lesser, 11/19/2007, Crawford County, Crawford County Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support, Probation – 2 Years, County Jail – 50 Days, 50 Days Credit, Fines & Costs - \$110.

PEOPLE v TRAPP, KEVIN, Dismissed Restitution Made, 10/01/2007, Presque Isle County, 53rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TRAVANI, STEVEN JOSEPH, Dismissed - Agreement, 06/15/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TRIBBEY, WILLIAM CHARLES, Dismissed - Agreement, 10/30/2007, Arenac County, 23rd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v TRUJILLO, ERIC GEORGE, Dismissed Restitution Made, 12/18/2007, Washtenaw County, 22nd District Court, Child Support-Failing to Pay.

PEOPLE v TRUJILLO, ERIC GEORGE, Dismissed - Agreement, 07/23/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v TRUMBO, BRANT ALAN, Pled Guilty, 05/20/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs, Probation – 60 Months.

PEOPLE v TRUONG, ANH XUAN, Pled Guilty, 04/14/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$23,266.94, Fines & Costs - \$820.

PEOPLE v TULLY, FRANCIS, Pled Guilty, 10/02/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v TURNER, DAVID SHANE, Pled Guilty, 06/10/2008, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$78,324.93, Fines & Costs - \$2,220.

PEOPLE v TURNER, MARVIN JOSEPH, Pled Guilty, 12/17/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TURNER, MARVIN JOSEPH, Pled Guilty, 12/17/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 90 Days, 56 Days Credit, Restitution - \$38,722.83.

PEOPLE v TURNER, MAXINE TANISHA AKA MAXINE GRAHAM, Pled Guilty, 01/08/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, Restitution - Extradition Fees - \$1,076.89, Court Cost - \$660.

PEOPLE v TURNER, TERRY, Dismissed - Agreement, 07/30/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TYE, III, DONALD, Pled Guilty, 07/03/2008, Washtenaw County, 22nd District Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 10 Days Credit, Restitution - \$31,303.61.

PEOPLE v TYE, III, DONALD, Pled Guilty, 07/03/2008, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v TYSON, LAMARINE, Pled Guilty, 10/17/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, Restitution - \$480, Fines & Costs - \$840.

PEOPLE v UEBERROTH, TRAVIS PAUL, Pled Guilty, 02/19/2008, Shiawassee County, 35th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, County Jail – 6 Months.

PEOPLE v ULRICH, ROBERT SHERIDAN, Dismissed Restitution Made, 01/26/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v UNDERHILE, JR., MELVIN LEE, Pled Guilty, 09/28/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Delayed Sentence, Probation – 2 Years, County Jail – 2 Days, 2 Days Credit.

PEOPLE v UPSHAW, ANDREW EDWARD, Dismissed Legal Issues, 01/04/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v UPSON, WILFRED L, Dismissed Restitution Made, 01/08/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v USREY, DONALD E, Pled Guilty, 04/16/2007, Presque Isle County, 53rd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 2 Years, County Jail – 85 Days, 85 Days Credit, Restitution - \$2,200, Fines & Costs - \$600.

PEOPLE v VALENTIN, RAFAEL, Pled Guilty, 09/03/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, Restitution - \$21,407.70, Fines & Costs - \$820.

PEOPLE v VAN ALSTINE, RUSSELL, Pled Guilty, 12/22/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, State Prison – 17 Months, 105 Days Credit, Restitution - \$17,796.48.

PEOPLE v VANARSDOL, DAVID MICHAEL, Pled Guilty, 10/27/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 24 Months, Restitution - \$18,462.18, Fines & Costs - \$120.

PEOPLE v VANDENDIRESSCHE, JOEY, Pled Guilty, 11/27/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 45 Days, 37 Days Credit, Restitution, Fines & Costs - \$120.

PEOPLE v VANDERBOS, WILLIAM RALPH, Dismissed Restitution Made, 03/16/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v VANSTEENKISTE, ALBERT EUGENE, Pled Guilty, 11/20/2007, Lenawee County, 39th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 6 Months, 67 Days Credit, Restitution - \$66,227.

PEOPLE v VANTONGEREN, KEVIN JAMES, Pled Guilty, 02/27/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 5 Years, Restitution, Fines & Costs - \$720.

PEOPLE v VANTUINEN, DOUGLAS ROGER, Pled Guilty, 04/19/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years.

PEOPLE v VANWORMER, REX LOUIS, Pled Guilty, 03/25/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, State Prison – 9-48 Months, Restitution - \$175,316.83.

PEOPLE v VEAN, RAHEIM DARRYL, Dismissed - Agreement, 07/11/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v VINCENT, JAMES SAMUEL, Dismissed Restitution Made, 08/22/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v VINCENT, PATRICK STEVEN, Pled Guilty, 11/17/2008, Newaygo County, 27th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice.

PEOPLE v VINCENT, ROY NELSON, Pled Guilty, 02/06/2007, Benzie County, 19th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, Restitution - \$22,466.14, Court Cost - \$870.

PEOPLE v VIOLETTE, GREGORY L, Pled Guilty, 02/01/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 31 Days, 31 Days Credit, Restitution - \$44,037.68.

PEOPLE v VISSER, STEPHEN PAUL, Dismissed - Agreement, 07/27/2007,

Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay, Disorderly Person- Non-Support.

PEOPLE v VROSH, DONALD, Pled Guilty, 07/14/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, State Prison – 23-48 Months, Restitution - \$29,396.72, Fines & Costs - \$120.

PEOPLE v WADSWORTH, KEVIN SCOT, Pled Guilty, 10/09/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 48 Months, Restitution - \$11,772.45, Fines & Costs - \$695.

PEOPLE v WAGNER, MAX EDWARD, Dismissed Restitution Made, 02/05/2007, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v WAGNER, MATTHEW FRANK, Pled Guilty, 04/28/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 119 Days, 119 Days Credit, Restitution - \$47,162.65, Fines & Costs - \$719.96.

PEOPLE v WAHL, DIANE LYNN, Dismissed Restitution Made, 10/01/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WAITE, RICKY ALLEN, Dismissed Restitution Made, 03/22/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WALBECQ, JASON DANEILL, Pled Guilty, 10/27/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WALKER, CORY RAYMOND, Pled Guilty, 10/21/2008, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WALKER, LARRY E, Pled Guilty, 04/16/2008, Wayne County, 3rd Circuit Court, Desertion/Abandonment/Non-Support, Desertion/Abandonment/Non-Support, Fines & Costs - \$1,095, Restitution - \$35,812, Probation – 60 Months - \$600.

PEOPLE v WALKER, RALPH, Pled Guilty, 06/04/2008, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 48 Months, County Jail – 150 Days, 44 Days Credit, Restitution - \$42,741.37, Fines & Costs - \$120.

PEOPLE v WALRAVEN, EDWARD JOSEPH, Dismissed Restitution Made, 09/17/2007, Bay County, 18th Judicial Circuit Court, Desertion/Abandonment/Non-Support.

PEOPLE v WALSH, JR., LOUIS MICHAEL, Pled Guilty, 01/08/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WALTER, ROY WAYNE, Pled Guilty, 08/26/2008, Washtenaw County, 22nd Judicial Circuit Court, Desertion/Abandonment/Non-Support, Habitual Offender-Second Offense Notice.

PEOPLE v WALTON, ROBERT FRANKLIN, Pled Guilty, 05/11/2007, Jackson

County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence, Probation – 3 Years, Restitution - \$8,034.

PEOPLE v WALVATNE, GALEN ERIC, Dismissed Restitution Made, 05/21/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WARD, JAMES TERRANCE, Pled Guilty, 05/13/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support.

PEOPLE v WARD, LAWRENCE COLBY, Dismissed Restitution Made, 04/09/2007, Oakland County, 6th Judicial Circuit Court, Desertion/Abandonment/Non-Support, Child Support-Failing to Pay.

PEOPLE v WARNKE, JAMES MARTIN, Dismissed Restitution Made, 04/23/2007, Berrien County, 2nd Judicial Circuit Court/Trial Court, Desertion/Abandonment/Non-Support.

PEOPLE v WARREN, BRENT JOSEPH, Pled Guilty, 06/19/2008, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, Fines & Costs - \$1,310.

PEOPLE v WASHPUN, CARL, Pled Guilty, 07/16/2007, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Delayed Sentence, Probation – 5 Years, Restitution - \$15,844.30, Fines & Costs - \$120.

PEOPLE v WATKINS, JERRY WAYNE, Dismissed Legal Issues, 08/12/2008, Berrien County, 2nd Judicial Circuit Court/Trial Court, Desertion/Abandonment/Non-Support.

PEOPLE v WEBER, CHRISTOPHER JOSEPH, Dismissed Restitution Made, 08/24/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WEBER, TODD WILLIAM, Pled Guilty, 05/24/2007, Washtenaw County, 22nd Judicial Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Habitual Offender-Second Offense Notice.

PEOPLE v WEBSTER, AARON DOUGLAS, Pled Guilty, 05/04/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 6 Months, 113 Days Credit, Extradition Fees - \$1,722.43.

PEOPLE v WEBSTER, WILLIE FRANK, Pled Guilty, 01/31/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Third Offense Notice, Probation – 5 Years, Restitution - \$15,889.58, Fines & Costs - \$720.

PEOPLE v WEISHUHN, ROBERT HARLAND, Pled Guilty, 12/19/2008, Midland County, 42nd Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Extradition Fees - \$1,542.38, Fines & Costs - \$120.

PEOPLE v WELLS, DAVID, Pled Guilty, 03/20/2007, Wayne County, 3rd Circuit

Court, Child Support-Failing to Pay, Fines & Costs - \$720, Restitution - \$29,518.50, Probation – 60 Months - \$600.

PEOPLE v WELLS, KELLY DEWAYNE, Dismissed Legal Issues, 09/14/2007, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice.

PEOPLE v WENDT A/K/A HOGSDON, DANIEL A., Pled Guilty, 10/31/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Desertion/Abandonment/Non-Support, Probation – 60 Months, Restitution - \$104,560, Fines & Costs - \$695.

PEOPLE v WEST, JEFFREY, Dismissed Restitution Made, 02/07/2007, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v WETTHUHN, HENRY PORTER, Dismissed - Agreement, 02/23/2007, Delta County, 47th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v WHEELER, REX ALLEN, Pled Guilty, 12/30/2008, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WHEELER, THOMAS NOLAND, Pled Guilty, 07/16/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$53,605.96, Fines & Costs - \$720.

PEOPLE v WHITAKER, JAYSON TROY, Pled Guilty, 11/26/2007, Saginaw County, 10th Judicial Circuit, Child Support-Failing to Pay, Probation – 5 Years, Fines & Costs - \$720.

PEOPLE v WHITE, ARLANDUS RENE, Pled Guilty, 12/01/2008, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 5 Years, Restitution - \$14,252.89, Fines & Costs - \$920, Extradition Fees - \$1,646.04.

PEOPLE v WHITE, DOUGLAS WAYNE, Pled Guilty, 01/26/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 37 Days, 37 Days Credit, Court Cost - \$120.

PEOPLE v WHITE, ERNIE WAYNE, Pled Guilty, 10/27/2008, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 41 Days, 41 Days Credit, Restitution - \$12,490.89.

PEOPLE v WHITE, JR., EUGENE LLOYD, Dismissed Legal Issues, 06/11/2007, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WHITE, JAMES LOUIS, Pled Guilty, 05/21/2008, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, State Prison – 18-72 Months, 94 Days Credit, Restitution - \$65,713.68, Fines & Costs - \$120.

PEOPLE v WHITE, JOSEPH BEN, Pled Guilty, 06/18/2008, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 60 Days, Restitution - \$164,348.94.

PEOPLE v WHITE, KENNETH L, Dismissed - Agreement, 03/29/2007, Alcona County, 23rd Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WHITE, LAURENCE E., Pled Guilty, 02/13/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, State Prison – 1-4 Years.

PEOPLE v WHITE, MALIK MANSOOR, Pled Guilty, 06/13/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence, Probation – 5 Years, Restitution - \$50,719.19, Fines & Costs - \$1,740.

PEOPLE v WHITE, TIMOTHY SCOTT, Pled Guilty, 06/24/2008, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WHITED, DANNY, Pled Guilty, 11/18/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v WIATER, JACK E, Pled Guilty, 08/08/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Restitution - \$168,325.92, Fines & Costs - \$1,120.

PEOPLE v WILEY, THOMAS KAVEN, Dismissed Legal Issues, 04/21/2008, Genesee County, 7th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WILHELM, THOMAS EUGENE, Dismissed Legal Issues, 09/12/2007, Manistee County, 19th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WILKINS, TONY S, Pled Guilty, 08/20/2007, Calhoun County, 37th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, Restitution - \$10,078.97.

PEOPLE v WILLIAMS, DWAIN, Pled Guilty, 02/14/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$10, Restitution - \$31,719.14, Fines & Costs - \$520.

PEOPLE v WILLIAMS, KEVIN LAMONT, Pled Guilty, 12/17/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, Fines & Costs - \$720.

PEOPLE v WILLIAMS, LARRY LEVON, Dismissed Legal Issues, 06/11/2008, Ionia County, 8th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WILLIAMS, LESLIE LEE, Dismissed - Agreement, 02/22/2008, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WILLIAMS, LORENZO A, Pled Guilty, 12/08/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v WILLIAMS, STEPHEN WAYNE, Dismissed - Agreement, 01/19/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v WILSON, SR., GARY, Pled Guilty, 07/31/2007, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 180 Days, 37 Days Credit, Fines & Costs - \$120.

PEOPLE v WILSON, GERREN, Pled Guilty, 03/07/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay.

PEOPLE v WILSON, HAROLD PAUL, Pled Guilty, 07/11/2007, Ionia County, 8th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WINANS, DANIEL LAWRENCE, Pled Guilty, 03/05/2007, Van Buren County, 36th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence, Probation – 3 Years, Restitution - \$14,026.28.

PEOPLE v WINCHESTER, JR., ALANSON WEEKS, Dismissed Restitution Made, 05/01/2007, Allegan County, 48th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WING, JOSEPH PAUL, Pled Guilty, 07/26/2007, Eaton County, 56th Judicial Circuit Court, Child Support-Failing to Pay, Delayed Sentence.

PEOPLE v WING, JOSEPH PAUL, Pled Guilty, 12/19/2008, Eaton County, 56th Judicial Circuit Court, Absconding Or Forfeiting Bond, Probation – 5 Years, County Jail – 150 Days, 89 Days Credit, Restitution - \$53,407.72.

PEOPLE v WINN, ANTHONY, Pled Guilty, 11/14/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 3 Years, Restitution, Fines & Costs - \$1,020.

PEOPLE v WINTER, KENNETH JOHN, Dismissed - Agreement, 07/22/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay.

PEOPLE v WISER, DAVID ROY, Dismissed - Agreement, 04/17/2007, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WITTKOPP, JOHN ARTHUR, Pled Guilty, 03/08/2007, Montcalm County, 8th Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 9 Months, Fines & Costs - \$770.

PEOPLE v WOLAN, JAMES PETER, Pled Guilty, 02/21/2007, St. Clair County, 31st Judicial Circuit Court, Child Support-Failing to Pay, County Jail – 1Year, 64 Days Credit, Restitution - \$58,194.87, Fines & Costs - \$499.28.

PEOPLE v WOLDHUIS, ROBERT JOHN, Pled Guilty, 12/20/2007, Barry County, 5th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Probation - 5 Years, County Jail – 5 Months.

PEOPLE v WOODHURST, ROBERT EUGENE, Dismissed - Agreement,

01/09/2008, Jackson County, 4th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice.

PEOPLE v WOODS, JR, CURTIS, Pled Guilty, 01/03/2007, Kalamazoo County, 9th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WOODS, STUART ALBERT AKA STUART ALBERT SIMMONS, Pled Guilty, 03/30/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months, County Jail – 5 Months, Restitution - \$49,077.69, Fines & Costs - \$1,120.

PEOPLE v WOODSON, DAMON A, Pled Guilty, 04/03/2007, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay, Habitual Offender-Fourth Offense Notice, Fines & Costs - \$815, Restitution - \$480, Probation – 60 Months.

PEOPLE v WOOLLEY, DALE ROLAND, Pled Guilty, 10/06/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WOOLMER, JR., JAMES FREDERICK, Dismissed - Agreement, 10/30/2007, Alpena County, 26th District Court, Child Support-Failing to Pay.

PEOPLE v WOOTEN, EDWARD EARL, Pled Guilty, 03/27/2007, Kent County, 17th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, Fines & Costs - \$1,320.

PEOPLE v WORRALL, JEFF MARTIN, Dismissed Legal Issues, 05/29/2008, Livingston County, 44th District Court, Child Support-Failing to Pay.

PEOPLE v WORRALL, JEFF MARTIN, Dismissed - Agreement, 05/29/2008, Livingston County, 44th District Court, Child Support-Failing to Pay.

PEOPLE v WORTHINGTON, KEVIN RAY, Pled Guilty, 12/02/2008, Kalkaska County, Crawford County Circuit Court, Child Support-Failing to Pay, Probation - 60 Months, County Jail – 6 Months, 157 Days Credit, Fines & Costs - \$1,250.

PEOPLE v WRIGHT, BRADLEY SCOTT, Pled Guilty, 07/11/2007, Muskegon County, 14th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 2 Years, County Jail – 1 Days, 1 Day Credit, Restitution - \$13,430.22.

PEOPLE v WRIGHT, JEFFREY JEROME, Pled Guilty, 02/26/2007, St. Joseph County, 45th Judicial Circuit Court, Child Support-Failing to Pay, Probation, County Jail – 15 Days, 15 Days Credit, Restitution - \$48,830.54, Court Cost - \$120.

PEOPLE v WRIGHT, RICHARD ALLEN, Pled Guilty, 11/08/2007, Oakland County, 6th Circuit - Oakland, Child Support-Failing to Pay, Probation – 3 Years, County Jail – 90 Days, 44 Days Credit, Restitution - \$21,889.54, Fines & Costs - \$1,260.

PEOPLE v WRIGHT, ROBERT, Dismissed - Agreement, 02/25/2008, Ingham County, 30th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WRIGHT, TIMOTHY OSBORN, Pled Guilty, 03/02/2007, Berrien County, 2nd Circuit Court/Trial Court, Child Support-Failing to Pay, Probation – 5 Years, Restitution - \$14,734.12.

PEOPLE v WRUBEL, JR., DANIEL ANDREW, Pled Guilty, 03/11/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v WYCKOFF, SCOTT WILLIAM, Dismissed Restitution Made, 09/04/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v YALDO, TONY, Dismissed Legal Issues, 02/08/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v YALDO, TONY, Dismiss Court, 08/28/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v YARBER, ANDREW EDWIN, Pled Guilty, 10/04/2007, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 5 Years, County Jail – 4 Months, Restitution - \$42,034.53, Fines & Costs - \$505.

PEOPLE v YARBROUGH, RODNEY ALLEN, Dismissed - Agreement, 02/15/2008, Berrien County, 2nd Judicial Circuit Court/Trial Court, Child Support-Failing to Pay.

PEOPLE v YODER, RONALD JAMES, Pled Guilty, 11/21/2008, Monroe County, 38th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$600, County Jail – 270 Days, 28 Days Credit, Restitution - \$28,486.00, Fines & Costs - \$320.

PEOPLE v YOUNG, BRYAN TERRELL, AKA BRIAN TERRELL, Pled Guilty, 06/23/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months - \$600, Restitution - \$41,931.05, Fines & Costs - \$920.

PEOPLE v YOUNG, FONTAINE LAMARR, Pled Guilty, 08/26/2008, Wayne County, 3rd Judicial Circuit Court- Criminal, Child Support-Failing to Pay.

PEOPLE v YOUNG SR, THOMAS, Dismissed - Agreement, 03/01/2007, St. Clair County, 31st Judicial Circuit Court, Disorderly Person- Non-Support, Child Support-Failing to Pay.

PEOPLE v ZAAS, DAVID, Pled Guilty, 04/03/2007, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Fines & Costs - \$420, Probation – 36 Months, Restitution - \$9,922.81.

PEOPLE v ZAHN, STEVEN EDWARD, Pled Guilty, 03/25/2008, Wayne County, 3rd Circuit Court, Child Support-Failing to Pay, Probation – 60 Months, County Jail – 5 Days, Restitution - \$215,736, Fines & Costs - \$120.

PEOPLE v ZAHRT, GARY STEVEN, Pled Guilty, 07/15/2008, Newaygo County, 27th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ZALEWSKI, JAMES JERALD, Pled Guilty, 05/18/2007, Livingston County, 44th Judicial Circuit Court, Child Support-Failing to Pay, State Prison – 1-4 Years, 22 Days Credit.

PEOPLE v ZAPATA, NICOLAS GAMEZ, Pled Guilty, 02/12/2007, Gratiot County, 29th Judicial Circuit Court, Child Support-Failing to Pay, Probation - 5 Years, County Jail – 171 Days, Fines & Costs - \$120.

PEOPLE v ZAPPA, PAUL, Pled Guilty, 07/12/2007, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Probation – 24 Months, Restitution - \$6,123.67, Fines & Costs - \$270.

PEOPLE v ZIELKE, THOMAS, Pled Guilty, 10/09/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ZUERN, MICHAEL LEE, AKA MICHAEL MCGUIRE, Pled Guilty, 06/22/2007, Osceola County, 49th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ZUKE, ROBERT DWAYNE, Pled Guilty, 11/18/2008, Oakland County, 6th Judicial Circuit Court, Child Support-Failing to Pay.

PEOPLE v ZYGAI, STEPHEN ANDREW, Pled Guilty, 09/25/2008, Macomb County, 16th Judicial Circuit Court, Child Support-Failing to Pay, Habitual Offender-Second Offense Notice, Probation – 60 Months - \$600, County Jail – 9 Months, 152 Days Credit, Restitution - \$54,230.00, Fines & Costs - \$620.

Criminal Division – Prosecutions 2007 - 2008

PEOPLE v BILL KHALIL ABDALLAH, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person. Pled guilty, sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment for gambling addiction as indicated after screening, and \$300 fines to be paid within 60 days.

PEOPLE v MOHAMAD MAHMOUD ABDUL-KARIM, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty, sentence was delayed for 1 year. Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow treatment, if any, is indicated after the screening and \$250 fines/costs.

PEOPLE v KAZWAN ABEDAL-KADER ABEDAL-JELEEL, 3rd Circuit Court-Wayne County, charged with felony cheating at a gambling game and misdemeanor false pretenses Plea agreement, sentenced to 1 year mail in probation alcohol and gaming screening and pay the \$50 Crime Victim's Rights fee, \$45 fine and \$250 court cost.

PEOPLE v GARY ABNER, 3rd Circuit Court-Wayne County, charged with child sexually abusive activity and using a computer to communicate with another to commit crime. Plea guilty to using a computer to communicate with another to commit crime, sentenced to 13 months - 20 years in prison.

PEOPLE v KEITH GERALD ADAMS, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing. Pled guilty to attempted uttering and publishing. Sentenced to 1 year probation, alcohol and drug testing (AA, NAC), obtain GED, undergo psych evaluation, \$60 fine and \$575 costs or 75 hours community service.

PEOPLE v MARQUITA ADAMS, 3rd Circuit Court-Wayne County, charged with welfare fraud Plea agreement. Sentenced to 2 years probation, 75 hours community service, cost/fees and full restitution of \$8,165.

PEOPLE v SHERRY ADAMS, 3rd Circuit Court-Wayne County, charged with one count of uttering and publishing. Verdict - Court – Convicted. Sentenced to 1 year probation, drug and alcohol testing, substance abuse treatment, if necessary, must obtain GED or enroll in adult education, \$60 Crime Victim's Rights fee, \$60 state fee, \$120 supervision fee, \$600 costs and \$400 attorney fees.

PEOPLE v BASHAR AGHOS, 16th Circuit Court-Macomb County, charged with one count of violation of tobacco products tax act. Plea agreement. Sentenced to 1 year probation, \$480 supervision fee, \$120 court costs, \$60 Crime Victim's Rights fee and \$60 state costs.

PEOPLE v KENDELL MICHELLE AGNEW, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Motor City Casino. Pled guilty. Sentenced to 6 months delayed sentence with no trespass condition, \$100 fines and \$200 costs.

PEOPLE v ALEX AKINS, 3rd Circuit Court-Wayne County, charged with carjacking and robbery armed. Verdict - Jury – Acquittal.

PEOPLE v SABAH AKRAWI, 36th District Court-Wayne County, charged with 2 counts of violation of tobacco products tax act. Plea agreement. Pled to 1 count tobacco products tax act, Sentenced to 6 months probation and \$300 fine.

PEOPLE v MONASSAR ALAROSI, 3rd Circuit Court-Wayne County, charged with felony violation of the tobacco products tax act. Plea agreement. Plea to tobacco products tax act violations-Misdemeanor under advisement.

PEOPLE v LEE WELLINGTON ALDRIDGE, 30th Circuit Court-Ingham County, charged with 8 counts using the internet to communicate with another to commit crime-attempting to distribute child sexually abusive material, 1 count using the internet to communicate with another to commit crime-attempting to commit accosting and soliciting, and 1 count using the internet to communicate with another to commit crime-attempting to disseminate sexually explicit matter to a minor. Plea agreement, pled to counts 1-9. Sentenced to 36 - 120 months, \$540 state costs, \$500 attorney fees, \$500 court costs and \$60 Crime Victim's Rights fee.

PEOPLE v MARSHAL AL ALEXANDER, 3rd Circuit Court-Wayne County, charged with a felony of capping a bet, 3 counts of assault and battery, escape - lawful custody. Plea agreement. Sentenced to 19-120 months, Michigan Department of Corrections, to run concurrent with the current 3-20 years on another case.

PEOPLE v TYWANA ALEXANDER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced 2 years probation, 75 hours community service, \$330 costs, \$6,823 restitution, \$60 Crime Victim's Rights fee, \$60 state fees, \$250 attorney fees and \$240 supervisory fees.

PEOPLE v TRAVIS DEWAYNE ALFORD, 3rd Circuit Court-Wayne County, charged with financial transaction device - uttering and publishing at the MGM Grand Casino. Plea agreement. Pled to financial transaction device - uttering and publishing (attempt), 2 years probation and \$120 supervision fee.

PEOPLE v SAAD HAZIM ALHARRAQ, 3rd Circuit Court-Wayne County, charged with two counts of the 5 year tobacco products tax act violations. Pled guilty to one count tobacco products tax act violations. Sentenced to probation, \$950 fines and costs and tax determination of \$3,672.

PEOPLE v JAMILLAH ALI, 3rd Circuit Court-Wayne County, charged with a felony of 2 counts of uttering and publishing at the MGM Grand Casino. Verdict - Court – Convicted, found guilty of false pretenses \$200 - \$1000. Sentenced to time served.

PEOPLE v YASSER FARAY ALI, 3rd Circuit Court-Wayne County, charged with one count of tobacco products tax act - unauthorized tax stamps. Plea agreement. Sentenced to 6 months probation, \$1,500 fines and costs and \$13,500 in restitution to the state.

PEOPLE v ABDULMALIK AHMAD AL-JUMAIL, 3rd Circuit Court-Wayne County, charged with felony gambling violations at the MGM Grand Casino. Plea agreement. Sentenced to 18 months probation with fines/costs.

PEOPLE v ABDUL ALKAHIF, 3rd Circuit Court-Wayne County, charged with one count to tobacco products tax act. Dismissed by Court/Tribunal. Defendant paid \$2,892 in assessments, \$600 court cost, \$60 Crime Victim's Rights fee and \$60 state fee.

PEOPLE v ALI FOU DA AL-LAMY, 3rd Circuit Court-Wayne County, charged with felony cheating at a gambling game and misdemeanor false pretenses at the Greektown. Plea agreement. Sentenced to 1 year probation, DNA testing, no contact with casinos, \$60 state fee, \$60 Crime Victim's Rights fee, \$120 supervision fees, \$600 court costs and \$400 attorney fees.

PEOPLE v DAVID ALLEN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$58,160 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v HOLLIE SUE ALLEN, 3rd Circuit Court-Wayne County, charged with three counts of uttering and publishing at the MotorCity Casino. Plea agreement. Sentenced to 2 years probation, no contact with casinos, \$5,800 restitution, drug and alcohol testing, GED, must maintain legit and verifiable employment a minimum 30 hours/week, \$50 state fee, \$50 Crime Victim's Rights fee, \$400 attorney fees, \$600 state costs and supervision fees.

PEOPLE v KIEYANA ALLEN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$58,160 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v ABDUL MAJEED AL-SHIMMARI, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. No contact with casinos, no contact with the criminal justice system, screening for gambling addiction and treatment if necessary, \$100 fines, \$200 costs and \$200 attorney fees.

PEOPLE v FALAH SADOON AL-TAMIMI, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, and treatment, as indicated, after the screening, \$100 fines, \$200 costs, \$200 attorney fees. The \$1,707 in winnings seized from Defendant shall be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v ROSEMARY OBIAGELI AMENE, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence was delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health, follow whatever treatment program is indicated, if any, pay \$200 costs and \$100 attorney fees.

PEOPLE v ALFREDA C. ANDERSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$19,593 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v DAVID ANDERSON III, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Plea agreement. Sentenced to 1 year probation with fines and costs.

PEOPLE v TATIANA L. ANDERSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$29,438 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v TRACY ANN ANDERSON, 3rd Circuit Court-Wayne County, charged with felony cheating at a gambling game and misdemeanor larceny under \$200. Plea agreement Pled to an additional count of false pretenses under \$200. Sentenced to 6 months probation, \$50 Crime Victim's Rights fees, \$40 state fee, \$120 supervision fee and \$400 attorney fees.

PEOPLE v NABEEL IBRAHIM ANSARA, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentenced to 1 year probation, no contact with casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment as indicated after the screening, \$100 fines, \$200 costs and \$100 attorney fees.

PEOPLE v MARCOS AORAHA, 6th Circuit Court-Oakland County, charged with 2 counts of violation of tobacco products tax act. Plea agreement. Sentenced to 1 year probation, last 6 months non-reporting, \$60 Crime Victim's Rights fees, \$60 Supervision fee, \$60 fine, \$300 court costs and assessment of \$2,425 was paid at sentencing.

PEOPLE v MARINO NICHOLAS APOLLINARI, 3rd Circuit Court-Wayne County, charged with 1 count child sexually abusive activity and 1 count using a computer to communicate with another to commit crime. Plea agreement. Sentenced to 12-240 months, \$60 Crime Victim's Rights fees, \$60 state costs and sex offender registration.

PEOPLE v MARK ARAFAT, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for one year. Defendant is to have no contact with casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and is to follow whatever treatment program is indicated, if any, after the screening. Defendant must pay \$200 fines/costs, \$1,031 should be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v ARDENDOYL ARMY, 6th Circuit Court-Oakland County, charged with forgery, conspiracy to commit forgery, uttering and publishing, conspiracy to commit uttering and publishing and Habitual Offender – Second Offense. Plea agreement. Sentenced to 3 years probation, 1 day jail - 1 credit day, restitution \$11,325.03, \$60 Crime Victim's Rights fee and \$120 state costs.

PEOPLE v ROBERT CORDELL ARMY, 6th Circuit Court-Oakland County, charged with forgery, conspiracy to commit forgery, uttering and publishing and conspiracy to commit uttering and publishing. Pled guilty to conspiracy to commit uttering and publishing. Sentenced to 3 years probation and ordered to pay \$11,325 in restitution.

PEOPLE v TRINA DAWN ASBERRY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$6,039 restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v FALAH ASMAR, 3rd Circuit Court-Wayne County, charged with 2 counts of violation of tobacco products tax act. Verdict - Court – Acquittal. Found not guilty by Bench Trial.

PEOPLE v DEANA ASSAF, 3rd Circuit Court-Wayne County, charged with felony cheating at a gambling game and 3 counts of attempted cheating at a gambling. Plea agreement. Pled to attempt-felony gambling violation. Sentenced to 2 years probation; \$60 state costs, \$60 Crime Victim's Rights fee, \$240 supervisor fee and \$600 court costs.

PEOPLE v BASIM MIKHA ASTIFO, 36th District Court-Wayne County, charged with one count of misdemeanor trespass at the MGM Grand Casino. Plea agreement. Pled to disassociated person. Sentenced to 1 year probation, no contact with casinos, no contact with the criminal justice system, \$200 fine, \$200 court costs, \$100 attorney fee and gambling screening and treatment as indicated.

PEOPLE v NICOLE PAULINE ATHEY, 8th Circuit Court-Montcalm County, charged with one count criminal enterprises, three counts embezzlement over \$20,000 and one count embezzlement \$1,000 to \$20,000. Pled guilty to criminal enterprises and one count embezzlement over \$20,000, with agreement to dismiss 3 counts embezzlement over \$20,000, and one count embezzlement \$1,000 to \$20,000. Sentenced to 5 to 20 years prison; fines \$300, costs \$300, Crime Victim's Rights fees, \$60, state cost \$120, other \$50, with restitution ordered \$1,924,293.06.

PEOPLE v MARK NAJIB ATTY, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment is indicated after the screening, fines/costs.

PEOPLE v WILLIAM D. ATWOOD, 30th Circuit Court-Ingham County, charged sex offender – failure to register. Pled guilty. Sentenced to 180 days in jail, credit for 134, with the balance to be suspended if he paid his total of \$620 in fines and costs.

PEOPLE v ROBERT AUGUSTYN, 3rd Circuit Court-Wayne County, charged with 2 counts of uttering and publishing and habitual 4th offense notice at the MotorCity Casino. Plea agreement. Sentenced to 2 years probation, credit for three days served.

PEOPLE v ERAITT VERNON AUSTIN, 3rd Circuit Court-Wayne County, charged with 2 counts using a computer to communicate with another to accost and solicit a minor for immoral purposes and 1 count using a computer to communicate with another to disseminate sexually explicit matter to minors. Plea agreement. Guilty plea on all counts. Sentenced to 1 to 10 years per plea agreement.

PEOPLE v JERRY AUSTIN/JEFFERSON TWP ZONING INSP (DEQ), 4th District Court-Cass County, charged with solid waste – general violations and count 2 air pollution control – general violations. Plea agreement.

PEOPLE v TAWANNA AUSTIN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation for welfare fraud, restitution \$12,220, costs \$855 and fees \$370.

PEOPLE v KENYATTA ABDUL AVERY, 3rd Circuit Court-Wayne County, charged with assault with intent to rob armed, firearms possession/felon, felony firearm and habitual 2nd. Dismissed by Court/Tribunal.

PEOPLE v ANTHONY BAILEY, 6th Circuit Court-Oakland County, charged with one count of conducting criminal enterprise and three counts of insurance fraud. Plea agreement to dismiss conducting criminal enterprise if plead to three counts of insurance fraud. Sentenced to 5 years probation, six months in jail, with credit for 90 days; restitution \$15,153.72.

PEOPLE v RHONDA ALICIA BAKER, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Pled guilty to attempted uttering and publishing. Sentenced to probation; abuse assessment and treatment \$400 attorney fee and \$600 cost.

PEOPLE v DEVIN ARMOND BALDWIN, 36th District Court-Wayne County, charged with felony larceny in a building, larceny less than \$200, and conspiracy. Plea agreement. Pled to larceny less than \$200. Sentenced to 6 months probation, \$75 fine, \$60 costs.

PEOPLE v CHRISTOPHER MICHAEL BALLARD, 29th Circuit Court-Clinton County, charged with one count of internet - disseminating. Pled as charged. Sentenced to 5 years probation, first 6 months in jail, and \$60 Crime Victim's Rights fees.

PEOPLE v MICHAEL BANDA, 3rd Circuit Court-Wayne County, charged with robbery armed, assault with intent to rob armed and habitual 2nd. Verdict - Court – Convicted. Sentenced to 2 years probation.

PEOPLE v CLEATUS BANKS, 3rd Circuit Court-Wayne County, charged with one count of uttering and publishing at the MotorCity Casino. Plea agreement. Sentenced to 18 months probation; no contact with casinos, random drug screening, \$600 costs and \$50/year supervision fees.

PEOPLE v DARNETTA FAY BANKS, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the Greektown Casino. Plea agreement. Sentenced delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, provide proof of having completed gambling addiction treatment with a certified counselor since the date of this incident and pay \$100 fine, \$200 costs and \$200 attorney fees.

PEOPLE v LISA BARBOUR, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 2 years probation, 75 hours community service, and pay \$3,536 cost/fees and \$250 attorney fees.

PEOPLE v KENNETH DARRELL BARNARD, 54-A District Court-Ingham County, charged sex offender – failure to register. Pled guilty. Sentenced to 10

months in jail, \$60 Crime Victim's Rights fee, \$60 state costs, \$500 attorney fee and \$500 court costs.

PEOPLE v DENISE RENEE BARNES, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction and treatment as indicated after the screening, \$200 fines and \$200 costs.

PEOPLE v MICHAEL F. BASTIAN, 3rd Circuit Court-Wayne County, charged with two counts of computers - internet - communicating with another to commit crime, accosting and soliciting a minor for immoral purposes and two counts of computers - internet - communicating with another to commit crime, dissemination of sexually explicit matter to a minor. Pled guilty. Sentenced to 3 years probation, sex offender counseling, and registration, costs and fees.

PEOPLE v TAQUELA AUJEMA BATES, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Plea agreement. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program is indicated, if any, and must pay \$200 fine, \$200 costs and \$200 attorney fees.

PEOPLE v SAMMY BATSHON, 3rd Circuit Court-Wayne County; charged with violation of tobacco products tax act. Dismissed by Court/Tribunal, with prejudice.

PEOPLE v ABDUL AZIZ BAZZI, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty to MCC 111-06, MCC 149-06 was dismissed. Sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by Michigan Department of Community Health and treatment as indicated after the screening, pay \$100 fines, \$200 costs and \$200 attorney fees. Also, \$362 seized shall be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v ABDUL MAJID BAZZI, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. He was sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment as indicated after the screening, \$100 fines, \$200 costs, \$200 attorney fees. Also, the \$671.50 seized shall be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v SHAKER MOHAMAD BAZZI, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program is indicated and pay \$200 fines and \$200 costs.

PEOPLE v LYNNETTE MARIE BEAUCHAMP, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment as indicated after the screening, pay \$100 fine, \$200 costs and \$200 attorney fees.

PEOPLE v MATTHEW RYAN BEAUJEAN, 16th Circuit Court-Macomb County, charged with 2 counts using a computer to communicate with another to commit accosting of a child for immoral purposes and 1 count using a computer to communicate with another to disseminate sexually explicit matter to a minor. Pled guilty. Sentenced to 0-17 months, 5 years probation, first 140 days Macomb County Jail - Credit for 140 days, no Internet, no unsupervised minor contact (except daughter), must complete sex offender treatment, must register as sex offender.

PEOPLE v BENJAMIN BELKNAP, 3rd Circuit Court-Wayne County, charged with felony gambling and false pretenses less than \$200. Pled to drunken disorderly. Sentenced to 1 year probation, alcohol and drug screening, Crime Victim's Rights fee \$50, state costs \$45, court costs \$200 and supervision \$120.

PEOPLE v ANDRIAN DESHAUN BELL, 3rd Circuit Court-Wayne County, charged with robbery - armed, firearm possession/felon and felony firearm. Verdict - Jury – Acquittal.

PEOPLE v BELL, HENRY DONELL, 54-A District Court-Ingham County, charged with sex offender – failure to register. Pled guilty. Sentenced to 2 years probation, \$330 costs and \$760 fees.

PEOPLE v KAREN LOUELLA BELL, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Plea agreement. Sentenced to 1 year probation, AA meetings three times a week, random urinalysis, 30 days community service in lieu of fines/costs, defendant must provide proof of treatment for gambling addiction.

PEOPLE v KENNETH JAMES BELL, 3rd Circuit Court-Wayne County, charged with robbery armed and felony firearm. Pled as charged. Sentenced to 3-1/2 to 15 years, plus 2 years.

PEOPLE v MALIKAH BELL, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$20,478.49 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v VERONICA WANTAE BELL aka VERONICA BROWN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and restitution of \$40,810.

PEOPLE v LAURA MARIE BENAVIDEZ, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Plea agreement. Sentenced to 18 months probation and pay \$600 attorney fees, \$450 court costs, \$25/month supervision fees, \$60 Crime Victim's Rights fee and \$60 state fees.

PEOPLE v VIKAS BERI, 3rd Circuit Court-Wayne County, charged with child sex-

ually abusive activity and using a computer to communicate with another to commit crime. Pled guilty to using a computer to communicate with another to commit crime. Sentenced to 12 months jail, 24 months probation, \$60 Crime Victim's Rights fee, \$60 state costs, \$240 supervision fees and \$600 court costs.

PEOPLE v REDA BERRO, 6th Circuit Court-Oakland County, charged with 2 counts of tobacco products tax act violations. Plea agreement. Sentenced to 1 year probation, \$60 Crime Victim's Rights fee, \$60 supervision fee, \$300 court costs, \$60 state costs and \$2,500 fine.

PEOPLE v DAJUANA RENEE BERRYMAN aka DAJUANA RENEE JACKSON, 3rd Circuit Court-Wayne County; charged with welfare fraud. Pled guilty. Sentenced to \$6,232 restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v KENNETH BEVERLY, 3rd Circuit Court-Wayne County, charged with one count of violation of uttering and publishing. Verdict - Jury – Acquittal.

PEOPLE v ALI BEYDOUN, 3rd Circuit Court-Wayne County, charged with criminal enterprise – conducting food stamp fraud over \$1,000, money laundering - 2nd degree, financial transaction device and 3 counts conspiracy. Plea agreement. Pled to food stamp fraud. Sentenced to 5 years probation and \$10,000 forfeiture.

PEOPLE v HUSSIEN BEYDOUN, 3rd Circuit Court-Wayne County, charged with criminal enterprise – conducting food stamp fraud over \$1,000, money laundering - 2nd degree, financial transaction device and 3 counts conspiracy. Plea agreement. Pled to financial transaction device. Sentenced to \$10,000 forfeiture and 5 years probation.

PEOPLE v SCOTT BIETH, 72nd District Court-St. Clair County, charged with uttering and publishing. Plea agreement. Sentenced to \$825 fine and community service.

PEOPLE v WESLEY JOSEPH BIGGER, 38th District Court-Macomb County, using internet to communicate with another to commit a crime. Dismissed by Court/Tribunal, found incompetent to stand trial.

PEOPLE v LESLIE MISCHWAN BINION, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty to 1 count of trespass by a disassociated person. Sentence was delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program, if any, is indicated, and pay \$200 costs and \$200 attorney fees.

PEOPLE v BARBARA BISHOP, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, restitution \$7,021, costs \$495, Crime Victim's Rights fee \$60, state \$60, attorney fees \$250, and supervision \$600.

PEOPLE v ARTHUR EUGENE BLACK, 36th District Court-Wayne County, charged with felony uttering and publishing at the Motor City Casino. Plea agreement. Pled to 1 count of false pretenses greater than \$200, less than \$1,000. Sentenced to 1 year probation and assessed a \$200 fine.

PEOPLE v MICHELE CHERIS BLACKWELL, 3rd Circuit Court-Wayne County, charged with 5 counts of felony uttering and publishing at the Motor City Casino. Plea agreement. Pled to 1 count of uttering and publishing. Sentenced 14 months to 14 years with the Michigan Department of Corrections, to run concurrent with her sentence in Missouri. Credit given for 57 days. The remaining counts were dismissed. Defendant must continue to cooperate with the investigation and prosecution of others involved in this check fraud ring, return to Michigan as needed, and provide Michigan State Police with contact information if she's released from prison before her cooperation is needed.

PEOPLE v MICHELE CHERIS BLACKWELL, 3rd Circuit Court-Wayne County, charged with 5 counts of felony uttering and publishing at the MGM Grand Casino. Plea agreement. Sentenced to 14 months to 14 years with the Michigan Department of Corrections, to run concurrent with her sentence in Missouri. Credit given for 57 days. The remaining counts were dismissed in each case. Defendant must continue to cooperate with the investigation and prosecution of others involved in this check fraud ring, return to Michigan as needed, and provide Michigan State Police with contact info if she's released from prison before her cooperation is needed.

PEOPLE v HUMPHREY EDWARD BLAKE, 3rd Circuit Court-Wayne County, charged with firearm possession/felon and felony firearm. Pled guilty to firearm possession by felon. Sentenced to 1 year in Wayne County Jail, 2 years probation, \$60 state fee, \$400 attorney fees and \$600 court costs

PEOPLE v RENDY BLOUNT, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$8,553 restitution, \$730 costs, \$495 fees and 3 years probation.

PEOPLE v DANIEL BODA, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced on 01/08/2007 to 2 years probation, 150 hours community service, costs, fees and full restitution of \$5,351.

PEOPLE v NIESHA KASHAUNDA BONNER, 3rd Circuit Court-Wayne County, charged with 2 counts of felony uttering and publishing, conspiracy to utter and publish, and 2 counts of attempted uttering and publishing at the MGM Grand Casino. Pled to larceny \$200 - \$1,000. Sentenced to 91 days in jail (time served) and continued on probation to March 2008 on a prior conviction. Her probation stipulates that she must continue to co-operate with us and testify truthfully in any and all hearings related to this matter.

PEOPLE v CHERYL BONYNGE, 17th Circuit Court-Kent County, charged with 2 counts embezzlement \$20,000 or more and 1 count \$1,000 or more but less than \$20,000. Plea agreement. Pled guilty to one count embezzlement \$20,000 or more, and embezzlement \$200 or more, and counts embezzlement \$20,000 or more. Sentenced to probation for 48 months and restitution of \$66,165.

PEOPLE v MONIQUE BOUNDS, 3rd Circuit Court-Wayne County, charged with 1 count of perjury - other than court proceeding, and 2 counts of notary public - general violations. Plea agreement. Sentenced to 18 months probation.

PEOPLE v YVETTE MARIE BOWDEN, 3rd Circuit Court-Wayne County, charged

with welfare fraud. Pled Guilty. Sentenced to 5 years probation, \$970 fees and \$825 costs, and restitution of \$24, 688.

PEOPLE v SHELLY BOYNTON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$9,350 restitution, \$495 costs, \$730 fees, and 3 years probation.

PEOPLE v PHILLIP HARVEY BRADEN, 3rd Circuit Court-Wayne County, charged with 2 counts assault with intent to murder and felony firearm. Verdict - Court – Convicted. Found guilty of 3 counts of discharging pistol at person and felony firearm. Sentenced to 18 months probation and substance abuse testing

PEOPLE v WANDA LASHONE BRADFORD-STEWART, 48th Circuit Court-Allegan County, charged with insurance fraud - conspiracies, false pretenses - \$20,000 or more, and insurance - fraudulent acts. Plea agreement, pled to insurance fraud - conspiracies, and insurance – fraudulent acts. Sentenced to total restitution of \$24,876, 60 months probation with \$2,400 for probation supervision fee, jail of 45 days beginning 7/7/08 with 38 days to serve.

PEOPLE v HILTON FRANKLIN BRAGGS, 3rd Circuit Court-Wayne County, charged with uttering and publishing at the Motor City Casino. Plea agreement. Pled to attempted uttering and publishing. Sentenced per agreement to probation.

PEOPLE v ADAM ROBERT BRANDENBURG, 3rd Circuit Court-Wayne County, charged with 2 counts computers-internet-communicating with another to commit crime and 2 counts computers-internet-communicating with another to commit crime. Pled guilty. Sentenced to 3 years probation with first 30 days in jail.

PEOPLE v LAKEBA BRASWELL, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$495 costs, \$730 fees, 5 years probation, and restitution of \$7,007.

PEOPLE v DEBRA DENISE BRAXTON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$18,470 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v GJERGJI BREGU, 3rd Circuit Court-Wayne County, charged with one count of felony gambling activities. Plea agreement. Sentenced to probation.

PEOPLE v TIMOTHY BRISTOL, 3rd Circuit Court-Wayne County, charged with one count of uttering and publishing at MGM Grand Casino. Pled to attempted uttering and publishing. Sentenced to 3months jail with credit for 1 day and fine/costs \$900.

PEOPLE v JAMES ROBERT BRODY, 10th Circuit Court-Saginaw County, 6 counts using computer/internet communication with another to commit crime. Pled Guilty. Sentenced to 3 years probation with the first 10 months in the county jail, register as a sex offender, costs and fees.

PEOPLE v DANIELLE BROOKS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 3 years probation, 150 hours community

service, cost/fees and full restitution of \$5,285, Crime Victim's Rights fee \$60, state assessment \$60, attorney fees \$250 and supervision fees \$360.

PEOPLE v RONELL ANTONIO BROOKS, 3rd Circuit Court-Wayne County, charged with 1 count of uttering and publishing and habitual offender 3rd offense notice at the Motor City Casino. Pled guilty to uttering and publishing. Sentenced to 18 months probation, \$600 fines, \$710 costs and no casino.

PEOPLE v ANDRION BROWN, 3rd Circuit Court-Wayne County, charged with 2 counts of felony uttering and publishing of a state warrant. Plea agreement. Sentenced to 2 years probation under PA 511, restitution \$640, plus fines/costs.

PEOPLE v ANGENETTA RENEE BROWN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$25,182.60 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v ELLIOT JAMES BROWN, 36th District Court-Wayne County, charged with felony claiming a prize without having placed a bet and misdemeanor false pretenses. Dismissed by Court/Tribunal. Defendant deceased.

PEOPLE v EUGENE BROWN, JR., 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and restitution of \$40,810.

PEOPLE v LASTAR TENEE BROWN, 36th District Court-Wayne County, charged with misdemeanor gambling by a minor and misdemeanor possession of marijuana at the MGM Grand Casino. Pled guilty to possession of marijuana. Sentenced to probation for 1 year, defendant is to attend the Marijuana Insight Program, be subject to random urinalysis, undergo substance abuse evaluation and follow whatever outpatient treatment is recommended (if necessary), obtain her GED, maintain legitimate, verifiable employment and show proof of that employment, pay \$100 fine, \$100 costs, \$100 attorney fees and probation oversight fees.

PEOPLE v PAMELA DELOVE BROWN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$87,886.30 restitution, \$970 costs, \$825 fees and 5 years probation.

PEOPLE v ROSALIND LAURICE BROWN, 7th Circuit Court-Genesee County, charged with first degree - premeditated murder. Verdict - Jury – Convicted. Sentenced to life with no possibility of parole.

PEOPLE v RUTH LOUISE BROWN, 3rd Circuit Court-Wayne County, charged with 2 counts of felony larceny \$1,000-\$20,000, 2 counts of larceny \$200-\$1,000, 1 count conspiracy, 1 count of using a computer to commit a crime, and 1 count of possession of a false transaction device at the MGM Grand Casino. Pled to larceny \$1,000-\$20,000, conspiracy, larceny \$200-\$1,000, and larceny \$200-\$1,000. Sentenced to 2 years probation, no contact with MGM casino, no contact with co-defendant, \$60 state costs, \$60 Crime Victim's Rights fee, \$240 supervision fee, \$600 court costs and restitution of \$3,375.

PEOPLE v TIMOTHY RONALD BROWN, 6th Circuit Court-Oakland County, 1 count child sexually abusive activity, 3 counts using computer/internet to commit

with another to commit crime. Pled guilty. Sentenced to 30-240 months prison (credit for 18 days), \$60 Crime Victim's Rights fee and \$120 state costs. Must comply with sex offender registration requirements and comply with DNA testing.

PEOPLE v JAMES BENJAMIN BRUNK, 17th Circuit Court-Kent County, charged with computers fraudulent access \$1,000 or more but less than \$20,000 and unauthorized use of radios being programmed onto the Michigan Public Safety Communication System. Verdict - Jury – Convicted. Acquitted on Count 1 - computers fraudulent access \$1,000 or more but less than \$20,000 and found guilty on Count 2 - computers - unauthorized access).

PEOPLE v CHRISTOPHER DONALD BRYANS, 3rd Circuit Court-Wayne County, charged with assault to do great bodily harm felonious assault, felony firearm and carrying concealed weapon. Verdict - Court – Convicted. Found guilty of aggravated assault. Sentenced to 6 months probation and anger management.

PEOPLE v FRANCES ELIZABETH BUCKNER, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Plea agreement. Sentenced to no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by Michigan Department of Community Health and follow whatever treatment program recommended, and pay \$200 in fines/costs.

PEOPLE v KIEN VAN BUI, 62-A District Court-Kent County, charged with 1 count of violation of tobacco products tax act. Pled guilty. Sentenced to \$350 fines/costs and 100% assessment (approx \$380).

PEOPLE v DELINA BULLEY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, cost/fees and full restitution of \$10,662, Crime Victim's Rights fees \$60, state assessment \$60, attorney fees \$250 and supervision fees \$360.

PEOPLE v ALAN PAUL BURK, 22nd Circuit Court-Washtenaw County, charged with computers/Internet communicating with another to commit a crime computers/Internet communicating with another to disseminate sexually explicit matter to minor, 2 counts possession-Child sexually abusive material, 2 counts computers - Using to commit Child sexually abusive material – possession. Plea agreement. Sentenced to 60 months probation, complete sex offender treatment, no computer access, no contact with minors, \$60 Crime Victim's Rights fees, \$360 state costs, \$1,280 court costs, \$500 attorney fees and \$2,400 supervision fee.

PEOPLE v MARGARIT BURKS-DUMAS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$7,574 restitution, \$730 costs, \$495 fees and 3 years probation.

PEOPLE v JESSICA VASHTI BURG, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and restitution of \$21,810.

PEOPLE v BONNIE LOUISE BUTLER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and restitution of \$63,594.

PEOPLE v LEVAUNDR A GABRIELE BUTLER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and restitution of \$22,494.

PEOPLE v MARGARET BIANCA BUTLER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$16,522 in restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v LAVERIA BYNUM, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing of a state warrant. Plea agreement. Pled to false pretenses \$200-\$1,000. Sentenced to 1 year probation, \$450 restitution, \$200 court cost and \$130 supervision fee.

PEOPLE v SHARON DENISE CALDWELL, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Motor City Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health, follow whatever treatment program is indicated, and pay \$200 costs and \$100 attorney fees.

PEOPLE v YOLANDA SHERRE CALHOUN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$8,592 in restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v THOMAS JAMES CALLAWAY, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentenced to 1 year delayed, \$200 costs, \$200 fines, no contact with Detroit Casinos and gambling addiction screening by probation.

PEOPLE v MICHELLE CHARLENE CALLOW, 3rd Circuit Court-Wayne County, charged with gambling activities - felony violations at the Greektown Casino. Pled guilty to disorderly person. Sentenced to \$100 fines and costs.

PEOPLE v KEITH DARNELL CAMPBELL, 36th District Court-Wayne County, charged with felony uttering and publishing at the Motor City Casino. Dismissed by Court/Tribunal.

PEOPLE v SADE CAMPBELL, 3rd Circuit Court-Wayne County, charged with one count of uttering and publishing. Pled. Sentenced to 3 years probation, last year in the Wayne County Jail if defendant violates any term or condition. Defendant must submit to random alcohol and drug testing, must maintain legit employment a minimum of 30 hours/week or as much as her schooling will allow and pay \$60 state fee, \$60 Crime Victim's Rights fee, \$125/year supervision fee and \$200/year court costs. Defendant can do 125 hours of community service in lieu of fines and costs.

PEOPLE v RYAN PATRICK CAMPO, 3rd Circuit Court-Wayne County, charged with 1 count of uttering and publishing at the MGM Grand Casino. Pled guilty to attempted uttering and publishing. Sentenced to 2 years probation, plus fines and costs.

PEOPLE v DONALD CANFIELD, 36th District Court-Wayne County, charged with

carry dangerous weapon with unlawful intent, felony/firearm, possession by felon, habitual 2nd. Dismissed by Court/Tribunal.

PEOPLE v VALETA CANTY, 6th Circuit Court-Oakland County, charged with obtaining money by false pretenses, illegal access to a computer program with intent to defraud and forgery. Pled guilty to computer fraud. Sentenced to 1 year probation and \$958 in restitution

PEOPLE v SHARON PATRICIA CARMICHAEL, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing and identity theft at the Motor City Casino. Pled guilty to identity theft. Plea agreement. Sentenced to 3 years probation - 2 years under PA 511 1st year jail - Phase 3 program, with 180-280 days Scotts program, no early release - no tether, must complete aftercare or be sent to prison, must participate in alcohol and drug testing, no alcohol or drugs or paraphernalia, after release must attend 90 AA meetings in 90 days, must serve 20 days on the alternative work force, pay or perform 150 hours community service, \$60 Crime Victim's Rights fees, \$60 state costs, \$120/year supervision fees, \$150/year court fees and \$400 attorney fees.

PEOPLE v ALLEN BERT CARROLL, 3rd Circuit Court-Wayne County, 5 counts of Communicating with another through the Internet to commit crime. Pled guilty to 2 counts using a computer to communicate with another to commit accosting and soliciting a minor for immoral purposes, and 1 count using a computer to communicate with another to commit dissemination of sexually explicit matter to a minor. Sentenced to probation plus 7 months in county jail with work release.

PEOPLE v SHIRLEY CARTER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, restitution of \$82,020, \$825 costs, \$60 Crime Victim's Rights fee, \$60 state, \$250 attorney fees, and \$600 supervision fee.

PEOPLE v ANTHONY CASTILLO, 3rd Circuit Court-Wayne County, charged with robbery armed, firearms possession/felon, felony firearm and habitual 2nd. Verdict - Jury - Acquittal Defendant found not guilty.

PEOPLE v JAMAL CHAMI, 3rd Circuit Court-Wayne County, charged criminal enterprise – conducting, food stamp fraud over \$1,000, money laundering - 2nd degree, financial transaction device, 3 counts conspiracy. Pled guilty to attempted financial transaction device. Sentenced to 1 year, 6 months probation and \$15,000 forfeiture.

PEOPLE v CHRISTINA MARIA CHANCEY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$495 costs, \$730 fees, 3 years probation, and \$5,623 restitution.

PEOPLE v ZAREKH SETRAK CHANELIAN, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Motor City Casino. Pled guilty. Sentence delayed for one year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment is indicated after the screening and

pay \$250 in court costs, as well as \$280 turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v BRENDA JOYCE CHAPMAN, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the Motor City Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction and treatment as indicated after the screening, \$200 attorney fees and \$200 costs.

PEOPLE v MICHAEL DEJON CHAPMAN, 3rd Circuit Court-Wayne County, charged with assault with intent to murder and felony firearm. Pled guilty to felonious assault and felony firearm. Sentenced to 2 years incarceration, 3 years probation, \$60 Crime Victim's Rights fee, \$120 supervision fee, \$600 costs and \$60 state costs.

PEOPLE v ALI MOHAMAD CHARARA, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Motor City Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment for gambling addiction as indicated after screening and \$300 fines to be paid within 60 days.

PEOPLE v DARNELL LYNN CHILDERS, 3rd Circuit Court-Wayne County, charged with felony gambling activities violation (pinching a bet) and larceny \$200 or more, but less than \$1,000 at Greektown Casino. Plea agreement. Pled no contest to misdemeanor larceny. Sentenced to 1 year probation, no contact with the casino, 60 hours community service, plus \$50 Crime Victim's Rights fee.

PEOPLE v LARRY DARNELL CHILDRESS, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing, attempted uttering and publishing, and conspiracy to utter and publish at the MGM Grand Casino. Pled guilty to uttering and publishing. Sentenced to 1 year probation (non-reporting as long as defendant maintains a minimum of 40 hours employment), alcohol and drug testing, no contact with casinos, \$60 Crime Victim's Rights fee, \$60 state fee, \$120 supervision fee, \$600 court costs and \$400 attorney fees.

PEOPLE v NAYEEM LEON CHOUDHURY, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the Greektown Casino. Plea agreement. Sentence was delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program is indicated, and pay \$100 fine, \$100 costs, \$200 attorney fees as well as \$295 be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v JOE THURMAN CHRISTY, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence was delayed for 1 year. During that year, defendant is to have no contact with casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program is indicated and pay \$200 fines and \$200 costs.

PEOPLE v CITGO GAS STATION, 3rd Circuit Court-Wayne County, charged with criminal enterprise – conducting food stamp fraud over \$1,000, money laundering - 2nd degree, financial transaction device, 3 counts conspiracy. Pled guilty to count one; criminal enterprise. Sentenced to \$160,000 forfeiture, 3 years probation and loss of EBT machine.

PEOPLE v BRIDGETTE ANN CIUPKA, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence was delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment as indicated after the screening, \$200 fines, \$200 costs and \$4,915 shall be forfeited to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v CHRISTOPHER CLARK, 36th District Court-Wayne County, charged with 1 count identity theft, 1 count involving credit card fraud, and 4 counts of forgery. Bond will be set at the arraignment. Dismissed by Court/Tribunal.

PEOPLE v CLEARTRY CLARK, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing of a state warrant. Pled to attempted uttering and publishing. Sentenced to 2 years probation, drug and alcohol testing, must maintain legitimate, verifiable employment a minimum of 30 hours/week, pay \$480 restitution, \$60 Crime Victim's Rights fee, \$60 state fee, \$300 court costs, \$120 supervision fee and \$400 attorney fee.

PEOPLE v FANNIE MAE CLARK, 36th District Court-Wayne County, charged with malicious destruction of personal property. Dismissed by Court/Tribunal.

PEOPLE v DARREN DALE CLAY, 3rd Circuit Court-Wayne County, charged with felony conspiracy to uttering and publishing, receiving and concealing less than \$200, and identity theft at the MGM Grand Casino. Pled to ID Theft and receiving and concealing less than \$200 as a habitual 4th. Sentenced to 6 months - 7 1/2 years. No fees or costs were assessed.

PEOPLE v RICKY CLAYTON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 2 years probation, 150 hours community service, costs, fees and restitution of \$11,176.

PEOPLE v GENE NICOLE CLEVELAND, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$495 costs, \$730 fees, 5 years probation, and restitution of \$8,996.

PEOPLE v MICHAEL ANTHONY COFFER, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year, during that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health, follow whatever treatment program is indicated, and pay \$200 costs and \$100 attorney fees.

PEOPLE v ERIC EARL COLE, 16th Circuit Court-Macomb County, charged with 2

counts using a computer to communicate with another to accost and solicit a minor for immoral purposes and 3 counts using a computer to communicate with another to disseminate sexually explicit matter to minors. Pled guilty to counts 1 and 2. Sentenced to 3 years probation with first year in the Macomb County Jail.

PEOPLE v TENECIA LASHAWN COLE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation, and restitution of \$40,411.82.

PEOPLE v ARVA COLLINS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years, \$970 costs, \$825 fees, and restitution of \$17,946.

PEOPLE v HEATHER ROSHELLE COLLINS, 3rd Circuit Court-Wayne County, charged with 2 counts of false pretenses-\$1,000 or more but less than \$20,000. Pled guilty. Sentenced to 16 months in prison.

PEOPLE v REGINALD LEE COLLINS, 3rd Circuit Court-Wayne County, charged with 1 count of uttering and publishing at the MotorCity Casino. Pled to false pretenses less than \$1,000. Sentenced to 6 months probation, \$45 state costs, \$160 court cost, \$400 attorney fees and screening for gambling addiction.

PEOPLE v SHERMAN MAURICE COLLINS, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction with the Michigan Department of Community Health, treatment for gambling addiction as indicated after screening, \$100 fines and \$200 costs. Defendant has 2 months to pay.

PEOPLE v ALFRED ANDREW COMPTON, 48th Circuit Court-Allegan County, charged with insurance fraud - Conspiracies, false pretenses \$20,000 or more, and insurance - fraudulent acts. Pled guilty to insurance fraud - conspiracies, and insurance - fraudulent acts. Sentenced to restitution of \$24,876, 60 months probation with \$2,400 for probation supervision fee, jail of 120 days.

PEOPLE v KINTE ANTWAN CONAWAY, 3rd Circuit Court-Wayne County, charged with 1 count of uttering and publishing at the Greektown Casino. Plea agreement, pled to attempt uttering and publishing. Sentenced to 2 years probation, drug testing, minimum 30 hour work week, no financial transaction devices, forfeit bond, \$60 state costs, \$60 Crime Victim's Rights fee, \$240 supervision fee and \$600 court costs.

PEOPLE v GLENDAN BEATRICE COOK, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that time, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health, follow whatever treatment program is indicated, and pay \$200 costs and \$100 attorney fees.

PEOPLE v JOHN HENRY COOK, 36th District Court-Wayne County, charged with

misdeemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentenced 1 year probation, no contact with the casinos, no contact with the criminal justice system, \$100 costs, \$100 attorney fees, screening for gambling addiction and treatment as recommended after the screening and \$1,116 to be turned over to the State of Michigan Compulsive Gambling Prevention Fund

PEOPLE v JOHN HENRY COOK, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, \$100 costs, \$100 attorney fees, screening for gambling addiction and treatment as recommended after the screening and \$125 to be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v CRYSTAL COOPER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, \$29,000 in costs, fees and restitution.

PEOPLE v TORY COOPER, 3rd Circuit Court-Wayne County, charged with child sexually abusive activity and using a computer to communicate with another to commit crime. Pled guilty to child sexually abusive activity. Sentenced to 1 to 20 years.

PEOPLE v RAYMOND CORNELIUS, 49th Circuit Court-Mecosta County, 6 counts child sexually abusive commercial activity, 15 counts computers/Internet - communicating with another to commit a crime. Pled guilty to counts 1-3, and 7-13. Sentenced to 36-60 months.

PEOPLE v LILLIAN MAE COSTAGE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and \$12,707 restitution.

PEOPLE v CHARLES CRAIG, 3rd Circuit Court-Wayne County, charged with 1 count of casino cheating at the MotorCity Casino. Pled guilty to attempted cheating. Sentenced to 1 year probation, \$50 state fee, \$60 Crime Victim's Rights fee, \$10/month supervision fee and \$250 court cost.

PEOPLE v AKILAH CRAWFORD, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation for Medicaid fraud, restitution \$18,400, \$855 costs and \$370 in fees.

PEOPLE v ALLEN CRAWFORD, 3rd Circuit Court-Wayne County, charged with assault with intent murder; robbery armed, felony/firearm. Pled guilty. Sentenced to 27 months to 15 years.

PEOPLE v AMETHYST CRAWFORD, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$68,633 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v CRAWFORD, JOANN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, \$8,104 in costs, fees and restitution.

PEOPLE v MARLAN WAYNE CRAWFORD, 3rd Circuit Court-Wayne County,

charged with firearm possession/felon, 2 counts felonious assault, felony firearm and habitual 2nd. Verdict - Court – Convicted. Sentenced to 2 to 20 years.

PEOPLE v ROBERT CRISP, 3rd Circuit Court-Wayne County, charged with 2 counts of felony uttering and publishing at the MGM Grand Casino. Pled no contest to 1 count of uttering and publishing. Sentenced to 2 years probation, \$600 attorney fees, \$600 court costs, mental health treatment, \$1,400 restitution only if Defendant's mental health assessment indicates he's employable.

PEOPLE v TINA MARIE CROCE, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence was delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment as indicated after screening, \$200 attorney fees and \$200 costs.

PEOPLE v SHAWN DAVID CROCKETT, 38th Circuit Court-Monroe County, 4 counts internet - communicating with another to commit accosting of child for immoral purposes , 4 counts internet - communicating with another to disseminate sexually explicit matter to minor, 5 counts possession - child sexually abusive material habitual 3rd. Pled guilty to all counts. Sentenced to 36-120 months prison, credit for 218 days time served; \$60 Crime Victim's Rights fee, \$700 state costs, register as sex offender and attend psychiatric counseling.

PEOPLE v ARQUEEN CROMER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, \$14,146 restitution, \$825 costs, Crime Victim's Rights fee \$ 60, state \$60, attorney fees \$250 and supervision fee \$600.

PEOPLE v HYEDRA CROSBY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, \$6,169 in costs, fees and restitution.

PEOPLE v ELIAS ANTONIO CRUZ, 36th District Court-Wayne County, charged with 1 count of felony gambling, 1 count of conspiracy to gambling activities and 1 count of false pretenses. Plea agreement. Sentenced to 2 years probation, \$500 restitution, \$60 state fee, \$60 Crime Victim's Rights fee, \$240 Supervision fee and \$600 court cost.

PEOPLE v ELIAS ANTONIO MEZON CRUZ, 3rd Circuit Court-Wayne County, charged with 1 count of felony gambling, 1 count of conspiracy to gambling and 1 count of false pretenses. Dismissed by Court/Tribunal.

PEOPLE v AMELIA CUMMINGS, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing and the MotorCity Casino. Plea of guilty to attempted uttering and publishing. Sentenced to 2 years probation, \$400 attorney fees and \$400 costs.

PEOPLE v BILLY RAY CUNNINGHAM, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentenced to 6 months probation, gamblers anonymous, \$200 attorney fees, \$200 costs and \$200 fines.

PEOPLE v BILLY RAY CUNNINGHAM, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Dismissed per plea agreement.

PEOPLE v CAROLYN ELIZABETH CUNNINGHAM, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty to one count of trespass by a disassociated person. Sentence was delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program, and pay \$200 costs and \$200 attorney fees.

PEOPLE v GEORGE CUSHINGBERRY, 30th Circuit Court-Ingham County, charged with 2 counts election law perjury and 1 count misdemeanor failure to file 2 or more campaign statements. Verdict - Court - Acquittal

PEOPLE v MICHAEL BOHDAN DACKIW, 6th Circuit Court-Oakland County, 7 counts of computer/internet communicating with another to commit crime. Plea agreement. Defendant pled no contest to all charges. Sentenced to 305 days in jail with 1 day credit, 3 years probation, \$900 costs, \$1,440 supervisory fee, \$60 Crime Victim's Rights fee, \$420 state costs, sex offender registration and treatment and no home computer

PEOPLE v FRED SHANNON DAMRON, 3rd Circuit Court-Wayne County, Complaint #1- 4 counts computer/internet communicating with another to commit crime and 1 count using internet for purposes of doing sexual activity; Complaint #2 – criminal sexual conduct 1st Degree, child sexually abusive commercial activity, 2 counts - computers/internet communicating with another to commit crime and witness - bribing/intimidating. Pled guilty to Complaint #1, using a computer to accost and solicit a minor for immoral purposes; Complaint #2 Criminal Sexual Conduct - 1st degree and using a computer to commit child sexually abusive activity. Sentenced to Complaint #1, Count 1 - time served; Complaint # 2, Count 1 - 10-15 years prison; Complaint #2, Count 2 -time served.

PEOPLE v SHAWNA JEAN DANIELS, 3rd Circuit Court-Wayne County, charged with felony aiding and abetting in uttering and publishing, conspiracy to utter and publish, and identity theft at the MGM Grand Casino. Verdict - Court – Convicted. Sentenced to 2 years probation, must submit to urinalysis on demand, inpatient/out-patient drug treatment at the discretion of probation, \$60 state fee, \$60 Crime Victim's Rights fee, \$240 supervision fees, \$600 court costs and attorney fees to be determined. Defendant may do 100 community service hours in lieu of costs/fees.

PEOPLE v NAKIA DARROUGH, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Plea agreement. Sentenced to 3 years probation, \$500 fine, \$450 Crime Victim's Rights fee, \$250 court cost and alcohol/drug/gambling screening.

PEOPLE v DATA STREAM GROUP, 52-2nd District Court-Oakland County, charged with computers – children's protection registry act – violations. Pled guilty. Sentenced to \$5,000 fine.

PEOPLE v ANDRES DAVID, 3rd Circuit Court-Wayne County, charged with assault

with intent to rob while armed, firearm possession by felon and felony firearm. Dismissed by Court.

PEOPLE v GUNAR Y. DAVIDOV, 36th District Court-Wayne County, charged with 1 count of trespass by a disassociated person at the Greektown Casino. Pled guilty to underage gambling. Sentence was delayed for 9 months, defendant is to have no contact with any casinos, no contact with the criminal justice system, perform 40 hours of community service and pay \$250 costs.

PEOPLE v ADRIAN RENEE DAVIS, 3rd Circuit Court-Wayne County, charged with felony larceny in a building and misdemeanor false pretenses at the MotorCity Casino. Pled to false pretenses under \$200. Sentenced to 6 months probation, \$100 restitution, fines and costs.

PEOPLE v FELICA DAVIS, 3rd Circuit Court-Wayne County, charged with welfare fraud in the amount of \$15,000.40. Pled guilty. Sentenced to \$15,000.40 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v KENYATTA DAVIS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$29,529.30 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v KENYETTA DAVIS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$16,972.76 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v MICHAEL JEROME DAVIS, 3rd Circuit Court-Wayne County, charged with felony cheating at a gambling game and misdemeanor false pretenses less than \$200 at the Greektown Casino. Pled to false pretense less than \$200. Sentenced to 6 months probation, \$500 fine, \$60 Crime Victim's Rights fees, \$45 state fee and \$400 attorney fees.

PEOPLE v PORCHE DAVIS, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing of a state warrant. Pled guilty to false pretenses \$200 or more but less than \$1,000. Sentenced to probation.

PEOPLE v TANYA DAVIS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 2 years probation, 150 hours community service, costs, fees and restitution of \$1,147.

PEOPLE v VERONICA DAVISON, 3rd Circuit Court-Wayne County, charged with Welfare fraud. Pled guilty. Sentenced to 3 years, \$825 costs, \$495 fees and \$9,023 restitution.

PEOPLE v STEPHAN MAHLON DAY, 16th Circuit Court-Macomb County, charged with hazardous substances – knowing release of hazardous substance/false statements, hazardous waste – transporter registration/permit violations and two counts of liquid industrial waste – general violations. Pled guilty to hazardous substances – knowing release of hazardous substance/false statements, hazardous waste – transporter registration/permit violations. Sentenced to 6 months jail with 8 days credit, restitution of \$1,139, \$60 Crime Victim's Rights fee, \$775 attorney fees, \$100 state mandatory costs; Count 2 - 93 days Monroe County Jail and \$500 fine.

PEOPLE v TROY Y. DEAL, 37th Circuit Court-Calhoun County, charged with 4 counts computers-internet-communicating with another to solicit child sexually abusive activity, 1 count computers-internet-communicating with another to solicit child sexually abusive material-distribution, and 6 counts computers-internet-communicating with another to commit children-accosting for immoral purposes. Verdict - Jury – Convicted. Sentenced to 18 months - 20 years in prison, register as sex offender.

PEOPLE v PAMALA DEANS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Dismissed by Court.

PEOPLE v DANIEL ADRIAN DECAPUA, 36th District Court-Wayne County, charged with 1 count of trespass by disassociated person at the MGM Grand Casino Detroit. Pled as charged. Sentenced to 1 year delayed sentence. No contact with casinos. Screening for gambling addiction and \$285 fines and costs.

PEOPLE v TAMMY JO DECKER, 3rd Circuit Court-Wayne County, charged with one count of uttering and publishing at Motor City Casino. Plea agreement. Sentenced to 1 year probation, \$1,000 fines/costs/restitution.

PEOPLE v GJERGJ DEDVUKAJ, 36th District Court-Wayne County, charged with one count of Trespass at MGM Grand Casino. Pled guilty. Sentenced was delayed for 1 year, is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment as indicated after the screening, \$200 fines, \$200 costs and \$700 should be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v RICHARD MICHAEL DEHAAN, 9th Circuit Court-Kalamazoo County, charged with 7 counts computers-internet-communicating with another to commit crime and 7 counts computers-internet-communicating with another to commit crime. Pled guilty. Sentenced to 3 years probation with 30 days in county jail.

PEOPLE v PETER DELAGARZA, 36th District Court-Wayne County, charged with one count of felony gambling activities and one count of larceny-less than \$200 at Greektown Casino. Pled to larceny less than \$200. Sentenced to 6 months probation, \$50 Crime Victim's Rights fee, \$125 attorney fee and \$200 fine.

PEOPLE v CALVIN RAMON DENNIS, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled as charged. Sentenced to 1 year delayed sentence. No contact with casinos. No contact with the criminal justice system. Gambling screening and treatment as indicated, \$100 fine and \$100 costs.

PEOPLE v TROY WILLIAM DEXTER, 21st Circuit Court-Isabella County, charged with 1 count child sexually abusive activity and 1 count using the internet to commit a crime. Pled as charged. Sentenced to 8-30 years prison (101 days credit), \$60 Crime Victim's Rights fee, \$120 state costs, \$350 attorney fees and must register as a sex offender.

PEOPLE v TOMIKA DIALS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community serv-

ice, \$16,138 restitution, \$60 Crime Victim's Rights fees, \$60 state, \$250 attorney fee and \$600 supervisory fee.

PEOPLE v DENICE DIAMOND, 3rd Circuit Court-Wayne County, charged with welfare fraud in the amount of \$39,378. Pled guilty. Sentenced to \$39,378 restitution, \$970 costs, \$825 fees and 5 years probation.

PEOPLE v ERASMO DIAZ JR, 3rd Circuit Court-Wayne County, charged with felonious assault, weapons-discharge at building, felony firearm and habitual 2nd. Verdict - Jury – Acquittal.

PEOPLE v KIMBERLY DICKERSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$13,858 restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v MELVIN WILLIAM DIECKMANN, 7th Circuit Court-Genesee County, charged with child sexually abusive commercial activity and computers/internet – communicating with another to commit crime. Plea agreement. Sentenced to 50-240 months prison (228 days credit), \$60 Crime Victim's Rights fee, \$120 state costs, \$750 attorney fees and \$55 jail fee. Defendant must undergo sex offender treatment in prison.

PEOPLE v LORRAINE DIGGINS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Dismissed by Court.

PEOPLE v TAHA AHMAD DIKA, 3rd Circuit Court-Wayne County, charged with criminal enterprise – conducting, 2 counts conspiracy, food stamp fraud over \$1,000 and financial transaction device. Pled to misdemeanor charge of food stamp fraud. Ordered to pay forfeiture in amount of \$178,531 for both himself and store (Van Dyke Petro). Defendant deported from U.S. to Canada because U.S. had denied him asylum.

PEOPLE v KRISHAWN DILLARD, 36th District Court-Wayne County, charged with 1 count of uttering and publishing at MGM Grand Casino. Pled guilty to a misdemeanor false pretense \$200 - \$1000. Sentenced to 1 year probation with approximately \$300 fines and costs and banned from any casino during term of probation.

PEOPLE v YVONNE DILLARD, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence was delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment as indicated after screening and \$200 costs and \$200 attorney fees.

PEOPLE v COREY PATRICK DINGMAN, 3rd Circuit Court-Wayne County, charged with 1 count using a computer to communicate with another to accost and solicit a minor for immoral purposes and 3 counts using a computer to communicate with another to disseminate sexually explicit matter to minors. Pled guilty to using a computer to communicate with another to accost and solicit a minor for immoral purposes. Sentenced to 5 years probation with first 6 months in Wayne County Jail, register as a sex offender and attend sex offender treatment.

PEOPLE v WILSON DIPRE, 3rd Circuit Court-Wayne County, charged with felony gambling, conspiracy to gamble and false pretenses. Plea agreement. Sentenced to 24 months probation, restitution of \$500, \$60 state cost, \$60 Crime Victim's Rights fee, \$240 supervision fee and \$600 court cost.

PEOPLE v PAULA MARIE DIXON, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence was delayed for one year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment for the addiction as indicated after the screening and \$200 costs.

PEOPLE v PREVIN LAMAR DIXON, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the Greektown Casino. Pled to disassociated person. Sentenced to gambling screening and treatment, no contact with casinos, no contact with the criminal justice system, \$200 fine, \$200 court costs and \$100 attorney fee and all monies confiscated to be forfeited to the Michigan Compulsive Gambler's Fund.

PEOPLE v THEODORE DIXON, JR., 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Plea agreement. Sentenced to 1 year non-reporting probation and no contact with the casinos. All fines and costs were waived.

PEOPLE v MARIE DOBRICK, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentenced to 1 year delayed sentence, no contact with casinos, no contact with criminal justice system, probation with screening and treatment for gambling addiction, if necessary, and \$150 fines/costs.

PEOPLE v VICTOR LOUISE DOCTOR, 3rd Circuit Court-Wayne County, charged with one count of aiding and abetting uttering and publishing and two counts of possession of identifying information with intent at the MGM Grand Casino. Pled guilty to count 1. Sentenced to probation and community service.

PEOPLE v TAMMY IRENE DODSON, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence was delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health, follow whatever treatment program is indicated, and pay \$200 costs and \$100 attorney fees.

PEOPLE v JONATHAN DAVIN DOEBLER, 3rd Circuit Court-Wayne County, charged with child sexually abusive activity and using a computer to communicate with another to commit crime. Pled guilty to using a computer to communicate with another to commit crime. Sentenced to 12-240 months in prison and must register as a sex offender.

PEOPLE v RUSSELL LEE DONAHUE, SR., 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Plea agreement. Sentenced to 18 months probation.

PEOPLE v ANTHONY GERALD DONAJKOWSKI, 3rd Circuit Court-Wayne County, charged with child sexually abusive activity and using a computer to communicate with another to commit crime. Pled guilty to Count 2. Sentenced to 13-240 months prison (credit 4 days), must register as a sex offender.

PEOPLE v LAKEISHA M. DORR, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$6,223.47 restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v BECKY LYNN DOTSON, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Pled to attempt uttering and publishing. Sentenced to 6 months probation, \$60 state fee, \$60 Crime Victim's Rights fee, \$100 supervision fee, \$125 court costs and \$500 fine.

PEOPLE v JANISSIE DRAIN, 3rd Circuit Court-Wayne County, charged with felony of uttering and publishing at the MotorCity Casino. Pled guilty to a reduced charge of attempted uttering and publishing. Sentenced to 1 year probation, \$500 attorney fees and \$600 costs.

PEOPLE v MICHELLE R. DRANE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$46,231 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v PAUL ALAN DREIER JR, 3rd Circuit Court-Wayne County, charged with child sexually abusive commercial activity and computers/internet – communicating with another to commit crime. Plea agreement. Sentenced to 24-240 months/prison (5 days credit); \$60 Crime Victim's Rights fees, \$60 state fees, \$400 state costs and \$300 attorney fees.

PEOPLE v ALISHA MARCHE DRUMMOND, 36th District Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Dismissed.

PEOPLE v ANDRE DWAYNE DURHAM, 3rd Circuit Court-Wayne County, charged with one count of felony gambling activities. Pled to attempt cheating. Sentenced to one year probation, drug and gambling screening.

PEOPLE v NORMAN PAUL DWAIHY, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence was delayed for one year. During that year, Defendant is to have no contact with the criminal justice system, no contact with the casinos, continue treatment for gambling addiction with a certified addiction counselor until discharged in writing. In addition, Defendant is to pay \$175 within 90 days.

PEOPLE v PAMELA LYNN DWYER, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence was delayed for one year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, continue her treatment/counseling for gambling addiction until discharged by her therapist in writing, pay \$50 Crime Victim's Rights fee, \$100 court costs and \$1,254 seized from Defendant be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v KIMBERLY EALY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea. Sentenced to five years probation, 150 hours community service, \$81,899 restitution, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fee, \$600 supervision fee.

PEOPLE v THELMA ANN ECHOLS, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence was delayed for one year, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by Michigan Department of Community Health and treatment as indicated after the screening, \$200 costs and \$200 attorney fees.

PEOPLE v KIRK GLENN EDDY, 7th Circuit Court-Genesee County, charged 5 counts false pretenses - \$20,000 or more; 2 counts false pretenses - \$1,000 or more but less than \$20,000. Pled guilty to 3 counts of false pretenses (1 count \$20,000 or more & 2 counts of \$1,000 - \$20,000). Sentenced to 365 days in jail, \$500 court costs, \$60 Crime Victim's Rights fee, \$180 state cost, \$706,256 restitution.

PEOPLE v FELICIA A. EDISON AKA FELICIA A. JACKSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$31,359 restitution, \$825 costs, \$970 fees, 5 years probation.

PEOPLE v LAWRENCE EDWIN-PURNELL EDMONSON, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence was taken under advisement one year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, continue mental health treatment and gambling addiction counseling until discharged in writing, pay \$100 attorney fees and \$200 costs.

PEOPLE v SAMANTHA LOUISE EDWARDS, 36th District Court-Wayne County, charged with larceny of a bill breaker at the MotorCity Casino. Pled to one count of larceny greater than \$200, but less than \$1,000. Sentenced to \$1,100 restitution.

PEOPLE v NABIL MUSTAPHA EL MOUKADDEM, 3rd Circuit Court-Wayne County, charged with tobacco products tax act violations. Verdict - Court - Convicted, convicted of the lesser included offense of misdemeanor tobacco products tax act violations. Sentenced to pay \$200 restitution, \$50 Crime Victim's Rights fee, \$50 state fee and \$300 court costs.

PEOPLE v MARIO ELEZAJ, 36th District Court-Wayne County, charged with malicious destruction of personal property at the MGM Grand Casino. Dismissed by Court.

PEOPLE v ELAINE FRANCES ELLIS, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for one year. During that year, Defendant is to have no contact with MGM, no contact with the criminal justice system, \$1200 restitution to MGM, \$200 attorney fees and \$200 costs.

PEOPLE v LENORA ELLIS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$35,395.10 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v ANTONIO LAMAR ELLISON, 3rd Circuit Court-Wayne County, charged with carjacking, robbery armed and felony firearm. Pled *nolo contendere* to carjacking and robbery armed. Sentenced to 5 years probation.

PEOPLE v WILLIAM R. ELMORE, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence delayed for one year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health, and treatment as indicated after the screening, and pay \$200 fines and \$200 costs.

PEOPLE v MOHAMAD KAMEL ELZEIN, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence was sentenced to 18 months probation, no contact with the casinos, no contact with the criminal justice system, treatment with a certified gambling addiction counselor until medically discharged in writing, \$200 costs/fines and \$35/month supervision fee.

PEOPLE v MOHAMMAD ESSA (195-06), 3rd Circuit Court-Wayne County, charged with felony violation of the tobacco products tax act. Plea agreement. Sentenced to 2 years probation concurrent with his current probation.

PEOPLE v MOHAMMAD ESSA (194-06), 3rd Circuit Court-Wayne County, charged with felony violation of the tobacco products tax act. Pursuant to plea in another matter, case dismissed.

PEOPLE v MARIO ALEXANDER ESTES, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Pled to attempt uttering and publishing. Sentenced to probation and \$950 fines and costs.

PEOPLE v DANIELLE MARIAM-KENYATTA EVANS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$22,500 restitution, \$970 costs, \$825 fees and 5 years probation.

PEOPLE v LAFRAN EVANS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years, \$970 costs, \$825 fees, and \$21,362 restitution.

PEOPLE v DANIEL ALLEN EVERETT, 6th Circuit Court-Oakland County, charged with child sexually abusive activity and computer/internet using to commit crime. Plea agreement. Sentenced to 36-240 months prison with 37 days credit, \$10,000 fine, \$60 Crime Victim's Rights fee, \$120 state costs and register as a sex offender.

PEOPLE v RICHARD EVARTS, 30th Circuit Court-Ingham County, charged with 2 counts uttering and publishing and conspiracy to uttering and publishing. Pled guilty to one count uttering and publishing. Sentenced to 30 days in jail, 24 months probation, \$60 state costs, \$4,000 restitution, \$60 Crime Victim's Rights fee and attorney fees.

PEOPLE v CASSANDRA RENA EXUM, 3rd Circuit Court-Wayne County, charged with 2 counts of felony larceny in a building and 2 counts of embezzlement under \$200 at the MotorCity Casino. Pled to larceny in a building and embezzlement under

\$200. Sentenced to 6 months probation, \$50/month supervision fee and \$100 restitution.

PEOPLE v TAREK ZIAD FAKHOURI, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health, follow whatever treatment program is indicated and pay \$200 fines/costs and \$50 Crime Victim's Rights fee.

PEOPLE v ALEX MUSA FARHAT, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening and treatment for gambling addiction with the Michigan Department of Community Health, follow whatever treatment program is indicated and follow that recommendation until discharged in writing, pay \$200 fines and \$60 costs.

PEOPLE v SANDRA FAYE FAST, 3rd Circuit Court-Wayne County, charged with carjacking and robbery armed. Pled. Sentenced to 3 years 6 months to 15 years.

PEOPLE v MOHAMAD HASSAN FAWAZ, 55th District Court-Ingham County, charged with possession of a stun gun. Pled no contest to possession of a dangerous weapon. Sentenced to 3 months probation, \$300 fines/costs and Defendant is not to use/possession any weapons.

PEOPLE v WAAD FAWAZI, 36th District Court-Wayne County, charged with criminal enterprise – conducting food stamp fraud over \$1,000, money laundering - 2nd degree, financial transaction device, and 3 counts conspiracy. Plea agreement. Pled to financial transaction device. Sentenced to \$15,681 forfeiture.

PEOPLE v RYAN THOMAS FAWKES, 3rd Circuit Court-Wayne County, charged with 3 counts computers/internet communicating with another to commit crime. Plea agreement. Sentenced to 3 years probation, to enter the Alpha residential program in Minnesota for sex offenders and stay until discharged (minimum of 3 months), register as a sex offender, no contact with persons under 18 (but may have supervised contact with fiance's minor children), no computers or internet and last 6 months Wayne County Jail.

PEOPLE v KEALANA FELDER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, costs, fees and \$33,741 restitution.

PEOPLE v JEFFREY CORNELL FELTON, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence was delayed for 1 year. During that year, defendant is to have no contact with the criminal justice system, no contact with the casinos, undergo screening for gambling addiction by the Michigan Department of Community Health, follow whatever treatment program is indicated after the screening, and pay \$200 fines, \$200 costs and \$200 attorney fees.

PEOPLE v JUDY LYNN FERGUSON, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence was taken under advisement for 1 year. During that year, Defendant is to have no contact with casinos, not to violate any law, undergo screening for gambling addiction by the Michigan Department of Community Health, and follow whatever treatment is indicated after the screening, \$200 fines and \$200 costs.

PEOPLE v LYDIA FERGUSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$10,116.62 restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v BELINDA SUE FIELDS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$30,931 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v EZEKIEL FINCH, 17th Circuit Court-Kent County, charged with 2 counts computer/internet communicating with another to commit crime. Pled guilty. Sentenced to 3 years probation, sex offender counseling, no computer/internet access and fines and costs.

PEOPLE v MONICA FITZPATRICK, 3rd Circuit Court-Wayne County, charged with welfare fraud. Dismissed.

PEOPLE v JACQUELINE FLINT, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence delayed for 1 year. During that time, Defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health and treatment, if necessary, \$200 costs, \$200 attorney fees and \$100 fines.

PEOPLE v ISRAEL FLORES, 3rd Circuit Court-Wayne County, charged with assault with intent to murder, assault with intent to do great bodily harm and felony firearm. Verdict - Court – convicted of assault with intent to do great bodily harm and felony firearm. Sentenced to 3 to 10 years.

PEOPLE v BRIAN KEITH FORD, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence delayed for 1 year. During that year, Defendant is to have no contact with casinos, no contact with the criminal justice system, undergo screening for gambling addiction with the Michigan Department of Community Health and follow whatever treatment, if any, is recommended after the screening, \$200 costs and \$200 attorney fees.

PEOPLE v DANYALL FORTS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, costs, fees and \$5,035 restitution.

PEOPLE v FORTUNE CORDELL, 3rd Circuit Court-Wayne County, charged with assault with intent murder; robbery armed, felony firearm. Pled guilty as charged. Sentenced to 9 to 20 years.

PEOPLE v CORDELL FORTUNE, 3rd Circuit Court-Wayne County, charged with robbery armed and felony firearm. Pled as charged. Sentenced to 9 to 20 years.

PEOPLE v JOHNATHON FOSTER, 3rd Circuit Court-Wayne County, charged with child sexually abusive activity and using a computer to communicate with another to commit crime. Pled guilty to using a computer to communicate with another to commit crime with sentence agreement of 13 months-20 years prison. Sentenced to 13 months-20 years in prison.

PEOPLE v SCOTT ROBERT FOUCH, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentenced to one year probation, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment, if indicated, after the screening, \$200 fines, \$200 costs and \$800 seized shall be turned over to the Michigan Compulsive Gambling Prevention Fund.

PEOPLE v NAKIETA FOWLER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, \$20,731 restitution, \$825 costs, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fee and \$600 supervision fee.

PEOPLE v CHRISTOPHER FOX, 3rd Circuit Court-Wayne County, charged with one count gambling activities - misdemeanor/one count obtaining personal identity information without authorization at Greektown Casino. Pled to underage gambling. Sentenced to \$500 fine and \$600 court costs.

PEOPLE v KYLE LEWIS FRANKHOUSE, 3rd Circuit Court-Wayne County, charged with child sexually abusive activity and using a computer to communicate with another to commit crime. Pled as charged. Sentenced to 3 years probation under Holmes Youthful Training Act with first year in Wayne County Jail.

PEOPLE v SONYIA JEAN FRANKLIN, 36th District Court-Wayne County, charged with felony embezzlement of \$200-\$1,000 and misdemeanor embezzlement less than \$200 at the Greektown Casino. Verdict - Jury – Acquittal.

PEOPLE v CARMELITA RENEE FRYE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$6,232 restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v JOSHUA TODD FUHR, 17th Circuit Court-Kent County, charged with 1 count using a computer to communicate with another to disseminate sexually explicit matter to a minor and 2 counts using a computer to communicate with another to accost and solicit a minor for immoral purposes. Verdict - Court – Convicted. Sentenced to 90 days in jail, 3 years probation, \$1,000 fine, \$350 court costs, \$60 Crime Victim's Rights fee, \$60 state costs, \$40 supervision fee and register as a sex offender.

PEOPLE v JAMES LESLIE FULLER, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Plea agreement. Sentenced to 2 years probation with fines/costs of \$500.

PEOPLE v DENISE FURMAN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and \$13,560 restitution.

PEOPLE v DEXTER GADDIS, 3rd Circuit Court-Wayne County, charged with carjacking and habitual 2nd. Pled guilty as charged. Sentenced to 41 months to 10 years, \$810 fees and \$600 costs.

PEOPLE v TAMMY GAFFNEY, 3rd Circuit Court-Wayne County, charged with 1 count of a counterfeit check at the MGM Grand Casino. Pled to one count of uttering and publishing. Sentenced to Genesis House drug treatment program until discharged. Aftercare at Detroit Rescue Project. Failure to complete the sentence will result in prison time.

PEOPLE v JUAN GALLEGOS-MARTINEZ, 3rd Circuit Court-Wayne County, charged with robbery - armed and felony firearm. Dismissed by Court.

PEOPLE v ZUHIR SALEM GAMMO, 6th Circuit Court-Oakland County, charged with felony violation of the tobacco products tax act (cigarettes) and possession of other tobacco products. Plea agreement. Sentenced to one year probation, \$50 Crime Victim's Rights fee, \$300 court cost, \$60 state cost, \$1,200 attorney fees and supervision fee.

PEOPLE v ADIL HABIB GAPPY, 3rd Circuit Court-Wayne County, charged with 1 count of tobacco products tax act violations. Plea agreement, pled to tobacco products tax act misdemeanor, \$750 costs, \$60 state, \$60 Crime Victim's Rights fee and \$3,145 restitution.

PEOPLE v JACK RICHARD GARVOOSHIAN, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence was delayed for 6 months, and during 6 months, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program is indicated, and pay \$200 costs.

PEOPLE v VALERIE GARNER, 36th District Court-Wayne County, charged with felony uttering and publishing and false pretenses in an amount greater than \$200, but less than \$1,000 at the MotorCity Casino. Pled to false pretenses greater than \$200. Sentenced to 1 year probation and assessed a \$600 attorney fee, \$250 costs, \$300 supervision fee, \$50 Crime Victim's Rights fee and \$40 state fee.

PEOPLE v JARREL JAY GASTON, 3rd Circuit Court-Wayne County, charged with carjacking, robbery armed and felony firearm. Pled to 1 count of carjacking and 1 count felony firearm. Plea agreement. Sentenced to 21 months, plus a 2 year consecutive sentence with credit for 137 days served. Defendant was given Boot Camp and ordered to pay \$60 state costs, \$60 Crime Victim's Rights fee, \$600 court costs and \$400 attorney fees.

PEOPLE v RICHARD CALVIN GAUT, 3rd Circuit Court-Wayne County, charged with 2 counts of felony gambling violation at the MGM Grand Casino. Plea agreement. Sentenced to 1 year probation, gambling addiction assessment and treatment

as indicated, no contact with MGM, no contact with casinos or other gambling establishments, must maintain employment a minimum of 30 hours/week, pay \$50 Crime Victim's Rights fee, \$480 supervision fees, \$600 court costs and attorney fees to be determined.

PEOPLE v MOHAMED ABDULLA GAZZALI, 36th District Court-Wayne County, charged with criminal enterprise – conducting food stamp fraud over \$1,000, money laundering - 2nd degree, financial transaction device and 3 counts conspiracy. Dismissed by Court.

PEOPLE v GEORGE ALAN TWIGG, 3rd Circuit Court-Wayne County, charged with 5 counts computers/internet – communicating with another to commit crime. Pled no contest as charged. Sentenced to 60 months probation (no minor contact; no computer or internet), \$60 Crime Victim's Rights fee, \$300 state costs, \$600 court costs and \$600 supervision fees. Defendant must register as sex offender and undergo sex offender treatment.

PEOPLE v JACK FRED GHANNAM, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Plea agreement. Sentenced to 1 year delayed sentence, gambling screening, \$100 fine, \$200 costs and \$200 attorney fee.

PEOPLE v DANIEL GHIONOIU, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment is indicated after the screening. In addition, Defendant must pay \$100 fines, \$200 costs and \$200 attorney fees.

PEOPLE v KIMBERLY M. GILBERT, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and \$19,619.15 restitution.

PEOPLE v TERRY SCOTT GILLIAM, 6th Circuit Court-Oakland County, charged with child sexually abusive commercial activity and computers/internet – using to commit a crime. Plea agreement. Sentenced to 24-240 months, costs and fees and register as sex offender.

PEOPLE v WILLIAM EARL GLENN, 3rd Circuit Court-Wayne County, charged with assault with intent to do great bodily harm, felonious assault and felony firearm. Verdict - Court – Acquittal.

PEOPLE v GINO VINCENT GOJCAJ, 3rd Circuit Court-Wayne County, charged with felony gambling violation and false pretenses under \$200 at the Greektown Casino. Pled to false pretences under \$200. Sentenced to pay \$545 fines/costs. No probation.

PEOPLE v MARJANA GOLLOSHI, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for one year. During that year, have no contact with

the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment for gambling addiction as indicated after screening, and \$300 fines to be paid within 60 days.

PEOPLE v ALDOPHO GONZALEZ, 3rd Circuit Court-Wayne County, charged with possession by felon, felony firearm, habitual 2nd. Pled guilty. Sentenced to 2 years.

PEOPLE v RYON GONZALEZ, 36th District Court-Wayne County, charged with 2 counts of robbery armed and assault with intent to do great bodily harm. Dismissed by Court.

PEOPLE v MARCIE LILLIAN GOODEN, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing and aiding and abetting at the MotorCity Casino. Dismissed.

PEOPLE v MARCIE LILLIAN GOODEN, 3rd Circuit Court-Wayne County, charged with 3 counts of felony uttering and publishing at the MGM Grand Casino. Pled guilty to 2 counts of uttering and publishing. Sentenced to 2 years probation first 30 days in Wayne County Jail. Outpatient for NA/AA, no casino, fines and costs of \$900.

PEOPLE v MICHELLE LYNN GOODEN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and \$11,457 restitution.

PEOPLE v TRACY MARQUINN GORDON, 4th Circuit Court-Jackson County, charged with sex-offender, failure to register. Pled guilty as charged. Sentenced to 12-60 months with the Department of Corrections.

PEOPLE v MUSOOD GORGES, 38th Circuit Court-Monroe County, charged with 1 count of felony tobacco products tax act violations. Pled guilty as charged. Sentenced to 180 days in jail to run concurrent with the other cases. Given credit for 23 days already served. Pay \$60 Crime Victim's Rights fee and \$60 state fee.

PEOPLE v MUSOOD GORGES, 6th Circuit Court-Oakland County, charged with 1 count of felony tobacco products tax act violations and 1 count of felony tobacco products tax act - unauthorized tax stamps. Pled guilty to count 2 - counterfeit stamps. Sentenced to 1 year in the Oakland County Jail, credit for 2 days - to run concurrent with his federal sentence (18 months), work release if eligible and pay \$60 Crime Victim's Rights fee, \$300 court costs, \$60 state fee and DNA testing.

PEOPLE v SHIRLEY DENISE GRAVES, 3rd Circuit Court-Wayne County, charged with felony larceny in a building, misdemeanor larceny and misdemeanor embezzlement at the MotorCity Casino. Pled to misdemeanor larceny. Sentenced to 1 year probation, no contact with Motor City Casino, \$540 restitution, \$45 Crime Victim's Rights fee, \$60 state costs, \$300 court costs and \$400 attorney fees.

PEOPLE v NORMA GRAY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and restitution of \$55,075

PEOPLE v ROBERT DEWAYNE GRAYER II, 3rd Circuit Court-Wayne County,

charged with felony malicious destruction of personal property \$1,000 or more, but less than \$20,000 and disorderly person at the MotorCity Casino. Plea to malicious destruction of personal property \$200-\$1,000. Sentenced to 3 years probation and restitution set at \$8,100.

PEOPLE v ANGELINA GREEN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, costs, fees and restitution of \$23,194.

PEOPLE v KATRINA GREEN-COLE, 3rd Circuit Court-Wayne County, charged with one count of uttering and publishing at Motor City Casino. Plea agreement. Sentenced to 2 years probation, drug and alcohol testing, no contact with the casinos, \$60 state costs, \$60 Crime Victim's Rights fee, \$120/year supervision fee, \$600 court costs and \$400 attorney fees.

PEOPLE v MARK STEVEN GREENE, 36th District Court-Wayne County, charged with misdemeanor attempted larceny in a building and attempted larceny under \$200 at the Greektown Casino. Pled to attempted misdemeanor larceny less than \$200. Sentenced to 46 days to run concurrent with the sentence currently serving with Michigan Department of Corrections on a probation violation (2 years).

PEOPLE v ANDREA APRIL GRIER, 3rd Circuit Court-Wayne County, charged with one count of cheating, one count of misdemeanor false pretenses, and one count of possession of marijuana at the Greektown Casino. Pled guilty to attempt cheating. Sentenced to 18 months probation, \$600 costs and \$50/year supervision fee and no contact with casinos.

PEOPLE v DELVIN GRIFFIN, 3rd Circuit Court-Wayne County, charged with carjacking, robbery armed, felony assault, possession by felon and felony firearm. Pled as charged. Sentenced to 12-25 years prison plus 2 additional years, \$600 attorney fee and \$600 court cost.

PEOPLE v TANESHA GRIFFIN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Dismissed by Court.

PEOPLE v DAVID ANDREW GRIFFITH, 6th Circuit Court-Oakland County, charged with 1 count child sexually abusive activity, computers-internet-communicating with another to commit child sexually abusive activity, 6 counts computers-internet-communicating with another to commit disseminating sexually explicit matter to minors. Pled as charged. Sentenced to 30-240 months prison, \$60 Crime Victim's Rights fee, \$240 state costs and must register as sex offender.

PEOPLE v YOLANDA GRIGSBY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 2 years probation, 150 hours community service, restitution totaling \$8,026, \$330 costs, \$60 Crime Victim's Rights fees, \$60 state, \$250 attorney and \$240 supervision.

PEOPLE v TWYMENIA GUNN, AKA TWYMENIA STEEN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and \$53,307 restitution.

PEOPLE v TYRONE EDWARD GUNN, 3rd Circuit Court-Wayne County, charged

with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation, and \$53,307 restitution.

PEOPLE v REGINALD GUYNES, 3rd Circuit Court-Wayne County, charged with cheating at a gambling game and misdemeanor false pretenses more than \$200 less than \$1,000 at the MGM Grand Casino. Pled to misdemeanor false pretenses. Sentenced to 1 year probation, no contact with the casinos, \$600 costs and \$20/month supervision fees.

PEOPLE v BINH NAM HA, 3rd Circuit Court-Wayne County, charged with one count of felony gambling at the MGM Grand Casino. Pled guilty to attempt cheating. Sentenced to 1 year probation, no contact with casinos during probation, random drug testing, \$400 court costs and \$45/month supervision.

PEOPLE v BASSEL HACHEM, 3rd Circuit Court-Wayne County, charged with criminal enterprise – conducting food stamp fraud over \$1,000, money laundering - 2nd degree, financial transaction device and 3 counts conspiracy. Pled to misdemeanor financial transaction device. Sentenced to 2 years probation and \$10,000 fine.

PEOPLE v DONALD WALTER HAHN, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Plea agreement. Sentenced to have no contact with casinos, no contact with the criminal justice system, screening for gambling addiction and follow whatever treatment is indicated after screening, and pay \$200 costs and \$200 attorney fees.

PEOPLE v HAKEM MIKHAIL HAKIM, 36th District Court-Wayne County, charged with violation of tobacco products tax act. Dismissed by Court.

PEOPLE v SABAH HERMIZ HAKIM, 51st District Court-Oakland County, charged with tobacco products tax act violations. Pled to misdemeanor other than tobacco. Sentenced to 6 months probation, \$475 fines/costs and \$75 probation oversite fee.

PEOPLE v DANIEL HALL, 3rd Circuit Court-Wayne County, charged with robbery armed and felony firearm. Dismissed by Court.

PEOPLE v MARY ELLEN HALL, 36th District Court-Wayne County, charged with one count of misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction with the Michigan Department of Community Health, treatment as indicated after the screening, \$50 fines/costs, \$50 attorney fee and \$200 supervision fee.

PEOPLE v SCHARNTAIL HALL, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$17,217.41 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v JIMMY HAMOOD, 36th District Court-Wayne County, charged with malicious destruction of person property \$1,000 or more but less than \$20,000. Pled to malicious destruction of personal property \$200-\$1000. Sentenced to 1 year probation, \$350 fines and costs, restitution to be determined.

PEOPLE v ROCKS HANA, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentenced to 1 year probation. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment is indicated after the screening, \$100 attorney fees and \$200 costs.

PEOPLE v ALAN AHMAD HARAJLI, 3rd Circuit Court-Wayne County, charged with felony tobacco products tax act violations. Plea agreement. Sentenced to one year probation and \$1,000 fines/costs.

PEOPLE v ALAN AHMAD HARAJLI, 3rd Circuit Court-Wayne County, charged with 1 count of felony tobacco products tax act violations. Plea agreement. Sentenced to 1 year probation, \$1,000 fines and costs.

PEOPLE v STARVOS HARALAMBIS, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program is indicated after the screening, \$200 fines, \$200 costs and \$2,400 be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v AHMED MOHAMMED HARB, 36th District Court-Wayne County, charged with felony gambling and false pretenses. Pled to false pretences. Sentenced to 6 months probation.

PEOPLE v ALI ADIB HARB, 36th District Court-Wayne County, charged with violation of tobacco products tax act. Pled to attempt violation of tobacco products tax act other than tobacco less than \$250. Sentenced to \$320 fine and \$300 costs.

PEOPLE v KEVIN MICHAEL HARDOIN, 16th Circuit Court-Macomb County, charged with 12 counts computers/internet – communicating with another to commit crime. Verdict - Jury – Acquittal.

PEOPLE v TOLAYDA DESIREE HARDWICK, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$7,864 restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v MONIA ALICIA HARDY, 3rd Circuit Court-Wayne County, charged with 2 counts of uttering and publishing at the MotorCity Casino. Pled to attempted uttering and publishing. Sentenced to 1 year probation, no contact with the casinos, legitimate employment a minimum of 30 hours/week, \$60 state fee, \$60 Crime Victim's Rights fee, \$120 supervision fee and \$600 court costs.

PEOPLE v TAMMY LYNN HARMON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and \$63,484 restitution.

PEOPLE v LASHAUN HARRIS, 3rd Circuit Court-Wayne County, insurance – fraudulent acts and attempted false pretenses \$1,000 or more but less than \$20,000.

Pled guilty to insurance fraud. Sentenced to 18 months probation, \$300 costs and 30 days work release.

PEOPLE v MICHAEL HARRIS, 36th District Court-Wayne County, charged with felony past posting and misdemeanor larceny at the MGM Grand Casino. Pled to larceny less than \$200. Sentenced to \$210 fine and 6 months probation.

PEOPLE v PATRICIA ANN HARRIS, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at MotorCity Casino. Pled guilty. Sentence delayed for 1 year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health and treatment as indicated after the screening, \$200 costs, \$200 attorney fees and \$800 in winnings to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v TORZENA HARRIS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$70,442 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v EDWARD ARTHUR HART, 3rd Circuit Court-Wayne County, charged with 2 counts child sexually abusive activity, 1 count computers-internet-communicating with another to commit crime, 1 count computers-internet-using to commit crime and habitual offender-Second Offense Notice. Verdict - Jury – Convicted. Sentenced to 3-20 years for counts 1 & 2 to run concurrently and 3 years probation on Count 4.

PEOPLE v MICHAEL HOWARD HART, 18th Circuit Court-Bay County, charged with child sexually abusive activity and using the computer to commit a crime. Pled guilty. Sentenced to 60-240 months in prison, \$120 Crime Victim's Rights fee and \$120 state fee.

PEOPLE v THOMAS DAVID HARTMAN, 6th Circuit Court-Oakland County, charged with 8 counts internet – communicating with another to commit crime and computers/internet communicating to commit crime. Sentenced to 5 years probation with the first 5 months in the Oakland County Jail; and must register as sex offender.

PEOPLE v LAVERT HARVEY, 3rd Circuit Court-Wayne County, charged with assault with intent to rob while armed; carjacking and habitual offender 4th. Verdict - Jury – Convicted. Sentenced to 11 years, 4 months to 25 years.

PEOPLE v NORITA HASSAN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, \$44,064 restitution, \$825 costs, \$60 Crime Victim's Rights fees, \$60 state fee, \$250 attorney fee and \$600 supervision fee.

PEOPLE v PATRICK JAMES HAULER, 16th Circuit Court-Macomb County, charged with 2 counts using a computer to communicate with another to accost and solicit a minor for immoral purposes and 1 count using a computer to communicate with another to disseminate sexually explicit matter to minors. Plea agreement. Sentenced to 3 years probation with first 6 months in county jail.

PEOPLE v DEBORAH HAWKINS, 3rd Circuit Court-Wayne County, charged with

welfare fraud. Pled guilty. Sentenced to 5 years, \$970 costs, \$825 fees and restitution of \$40,865.

PEOPLE v MICHAEL WELLS HAWKINS, 36th District Court-Wayne County, charged with one count of non-sufficient funds check greater than \$500 and a habitual 4th offense notice at the MGM Grand Casino. Dismissed by Court.

PEOPLE v MICHAEL WELLS HAWKINS, 3rd Circuit Court-Wayne County, charged with check - non-sufficient funds \$500 or more and habitual offender - fourth offense notice at the MGM Grand Casino. Plea agreement. Sentenced to 1 year probation, \$400 attorney fees, \$165 court costs, \$60 Crime Victim's Rights fee and \$120 supervision fee.

PEOPLE v FADI HAYDOUS, 3rd Circuit Court-Wayne County, charged with one count of felony violation of tobacco products tax act. Dismissed by Court.

PEOPLE v ROBYN HAYES, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees, and \$36,332 restitution.

PEOPLE v DOUGLAS WILLIAM HEARD, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled as charged. Sentence was delayed 1 year. No contact with casinos. No contact with the criminal justice system. Gambling screening and treatment as indicated, \$100 fine and \$200 costs.

PEOPLE v YULUNDA F. HENDERSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$51,102.57 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v DANIEL MICHAEL HENNING, 39th Circuit Court-Lenawee County, charged with 10 counts computers-using to commit a crime, and 2 counts computers-using to commit a crime. Plea to counts 1-6. Sentenced to counts 1 and 2 - 23 months - 7 years Michigan Department of Corrections, counts 3 and 4 - 23 months - 10 years Michigan Department of Corrections, and Count 5: 23 months - 4 years Michigan Department of Corrections.

PEOPLE v KEVIN LAMAR HENRY, 3rd Circuit Court-Wayne County, charged with 2 counts of felony uttering and publishing at the MGM Grand Casino. Plea to 1 count felony uttering and publishing. Sentenced to 1 year probation, must maintain employment minimum 30 hour/week, undergo alcohol and drug testing, pay \$60 Crime Victim's Rights fee, \$60 state fee, \$120 supervision fees, \$300 court costs, \$400 attorney fees and \$900 restitution.

PEOPLE v LATOSHA HENRY, 3rd Circuit Court-Wayne County, charged with welfare fraud in the amount of \$6,136.32. Plea agreement. Sentenced to \$6,136.32 restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v RAMONA LIAS HENRY, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Pled guilty to attempted uttering and publishing. Sentenced to 2 years probation, \$400 restitution, \$600 attorney fees, \$60 Crime Victim's Rights fees and \$30/month supervision fee.

PEOPLE v AYAD YACOUB HERMIZ, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentenced to one year probation, screening for gambling addiction by the Michigan Department of Community Health, treatment as indicated after the screening, no contact with the casinos, no contact with the criminal justice system, \$100 fines, \$200 attorney fees and \$200 costs.

PEOPLE v KONJA MAZIN HERMIZ, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty to trespass by a disassociated person. Sentence delayed for one year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program is indicated after the screening. In addition, defendant is to pay \$200 costs and \$200 attorney fees.

PEOPLE v RAFAEL HERNANDEZ, 3rd Circuit Court-Wayne County, charged with 1 count of felony gambling, 1 count of conspiracy to Gambling and 1 count of false pretenses. Plea agreement. Sentenced to 18 months probation - \$500 restitution, \$1000 fine, \$60 state cost, \$60 Crime Victim's Rights fee, \$240 supervision fee and \$600 court cost.

PEOPLE v RAFAEL ANIBAL HERNANDEZ, 36th District Court-Wayne County, charged with a count of felony gambling activities, 1 count of conspiracy and 1 count of false pretenses. Dismissed by Court.

PEOPLE v SCOTT ALLEN HERNDEN, 3rd Circuit Court-Wayne County, charged with 2 counts internet-communicating with another to solicit child sexually abusive material-production, 1 count internet-communicating with another to solicit child sexually abusive material-distribution, 3 counts internet-communicating with another to commit children-accosting for immoral purposes and 3 counts internet-communicating with another to commit disseminating sexually explicit matter to minors. Pled guilty to counts 1-3 and 5-9. Sentence to Count 1- 1-20 years, Count 3-6 - 1-10 years, Count 7-9 - 1-4 years, credit for 6 days, \$60 Crime Victim's Rights fee, \$480 state costs and register as sex offender.

PEOPLE v BRUCE CALVIN HESLET, 45th Circuit Court-St. Joseph County, charged with 8 counts computers-internet-communicating with another to commit-children Accosting for immoral purposes and 2 counts computers-internet-communicating with another to commit-disseminating sexually explicit matter to minors. Pled guilty to counts 1-3, 9 and 10. Sentenced to 10 months jail, 60 months probation, register as a sex offender, 60 months probation, sex offender treatment, no minor contact, no computer/internet access, \$300 state costs, \$60 Crime Victim's Rights fee, \$2,400 supervision fees and \$457 court costs.

PEOPLE v CHAUNDA J. HILL, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$6,731 restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v TYRONE HITCHCOCK, 3rd Circuit Court-Wayne County, charged with 2 counts of felony gambling at MGM Grand Casino. Plea agreement. Sentenced to 2 years probation, Alcohol, drug, and gambling screening, \$115 restitution, no contact

with casinos, \$175 court costs, \$400 attorney fees, \$50 state costs and \$60 Crime Victim's Rights fees.

PEOPLE v ATEF HJAIGE, 3rd Circuit Court-Wayne County, charged with one count of violation of tobacco products tax act. Plea agreement. Sentenced to \$1,000 tax assessment.

PEOPLE v PHUONG THI HOANG, 36th District Court-Wayne County, charged with felony casino cheating, conspiracy to cheat at a gambling game, larceny in a building, and conspiracy at the MotorCity Casino. Dismissed by Court.

PEOPLE v RENEE HOGAN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, costs, fees, and \$28,406 restitution.

PEOPLE v BENJAMIN STANLEY HOKE, JR., 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentenced was delayed for one year. During that year, Defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment as indicated after the screening, \$200 fines and \$200 costs.

PEOPLE v THERESA HOLIDAY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$36,848 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v CRYSTAL HOLLOWAY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, \$20,994 restitution, \$60 Crime Victim's Rights fee, \$60 state, \$250 attorney fee, and \$700 supervision fee.

PEOPLE v DONALD ANTONIO HOLLOWAY, 36th District Court-Wayne County, charged with misdemeanor retail fraud in the third degree at the MotorCity Casino. Plea agreement. Sentenced to time served.

PEOPLE v NEIL ALAN HOLTON, 34th Circuit Court-Roscommon County, charged with false pretenses \$1,000 or more less than \$20,000 and false report of a felony. Pled guilty to false pretenses less than \$200. Sentenced to \$500 court costs, \$50 Crime Victim's Rights fee, \$45 state minimum costs and \$250 fines.

PEOPLE v MICHELLE LEE HOWARD, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$11,522.35 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v TERRELL ANTOINE HOWARD, 6th Circuit Court-Oakland County, charged with stealing checks of 33 individuals receiving child support. Verdict - Court - Acquittal.

PEOPLE v TIFFIANE HOWARD, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 3 years probation, \$730 costs, \$492 fees, and \$9,504 restitution.

PEOPLE v KWEI JENG-JULIE HUANG, 36th District Court-Wayne County, charged with misdemeanor retail fraud - 2nd degree at the MotorCity Casino. Pled as charged. Sentenced to one year probation, \$100 fine, \$200 court costs and attend retail fraud class.

PEOPLE v BRANDON HUDSON, 3rd Circuit Court-Wayne County, charged with uttering and publishing. Plead to false pretences \$200 - \$1000. Sentenced to 1 year probation.

PEOPLE v VENDETTA HUDSON, 3rd Circuit Court-Wayne County, charged welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, \$9,209 in costs, fees, and restitution.

PEOPLE v LUIS HUERTAS, 3rd Circuit Court-Wayne County, charged with 1 count child sexually abusive activity and 2 counts using a computer to communicate with another to commit crime. Pled guilty to Count 2. Sentenced to 1 year in the Wayne County Jail.

PEOPLE v KYLE HUGHES, 3rd Circuit Court-Wayne County, charged with uttering and publishing. Plead guilty to false pretense under \$200. Sentenced to 1 year probation with \$500 in fines and costs.

PEOPLE v DANIEL DEWITT HULL, 30th Circuit Court-Ingham County, charged with sex offender – failure to register. Plea agreement. Sentenced him to 180 days (credit for 108) and agreed to waive the remainder if he paid his fines and costs in full before then.

PEOPLE v JAMEL HUNTER, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Pled to attempted uttering and publishing. Sentenced to 1 year probation, \$60 fine, \$100 court costs and \$200 attorney fee.

PEOPLE v SALIMAH RAUSHANAH HUTCHERSON, 36th District Court-Wayne County, charged with uttering and publishing at the MotorCity Casino. Pled to attempted uttering and publishing. Sentenced to 1 year probation, minimum 30 hour work week, \$60 court cost, \$600 restitution and \$400 attorney fees.

PEOPLE v EBONY L. IRBY, 3rd Circuit Court-Wayne County, charged with welfare fraud in the amount of \$23,842.56. Pled guilty. Sentenced to pay \$23,842.56 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v ANGELA ISBY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and \$51,645 in restitution.

PEOPLE v WILLIAM TOMA ISHO, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction with the Michigan Department of Community Health, treatment as indicated after screening, \$100 attorney fees, \$200 costs, \$100 seized

from defendant at time of arrest is to be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v RAMZI ISKHARIA, 3rd Circuit Court-Wayne County, charged with 4 counts of felony gambling activities at MGM Grand Casino. Plea agreement. Sentenced to 1 year probation and \$730 restitution.

PEOPLE v AKILAH JACKSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Dismissed by Court.

PEOPLE v AREDIOUS JACKSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years, \$970 costs, \$825 fees, and \$27,165.60 restitution.

PEOPLE v DALE ANTHONY JACKSON, 3rd Circuit Court-Wayne County, charged with felony uttering of counterfeit bills and uttering and publishing at the MGM Grand Casino. Pled guilty to uttering and publishing counterfeit notes. Sentenced to 2 years probation, no contact with MGM properties anywhere, no gambling or casino contact, \$60 state fee, \$60 Crime Victim's Rights fee, \$240 supervision fee, \$600 court costs and \$400 attorney fees.

PEOPLE v DWIGHT JACKSON, 36th District Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Sentenced to 1 year probation, fines and costs, no contact with any Detroit casino, and Gamblers Anonymous meetings.

PEOPLE v TANISHA JACKSON, 36th District Court-Wayne County, charged with misdemeanor underage gambling at the Greektown Casino. Plea agreement. Sentence delayed for 1 year. During that year, she is to have no contact with the casinos, do 40 hours of community service, \$200 costs and \$200 attorney fees.

PEOPLE v TERESA JACKSON, 36th District Court-Wayne County, charged with misdemeanor permitting underage gambling at the Greektown Casino. Pled as charged. Sentenced to 6 months delayed sentence, \$100 fine, \$100 court cost and \$100 attorney fees.

PEOPLE v TREMAYNE JACKSON, 36th District Court-Wayne County, charged with assault with intent to murder and felony firearm. Dismissed by Court.

PEOPLE v EDWARD JAMES, 3rd Circuit Court-Wayne County, charged with assault with intent to murder and felony firearm. Verdict - Jury – Convicted. Sentenced on the conviction for assault and battery. Sentence was 1 year probation.

PEOPLE v LUTITISA TACQUILLO JAMES, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$13,329.60 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v ARKAN FRANK JAMIL, 3rd Circuit Court-Wayne County, charged with one count of gambling activities - felony violations at the Greektown Casino. Plea agreement. Sentenced to 1 year probation, \$60 state costs, \$60 Crime Victim's Rights fees, \$80 Supervision fee, \$600 court costs, \$300 fine and \$2,000 restitution.

PEOPLE v MAYSAR SLIWA JARJES, 36th District Court-Wayne County, charged with felony violation of the tobacco products tax act and misdemeanor violation of the tobacco products tax act. Pled to count 2 - misdemeanor violation of the tobacco products tax act. Sentenced to \$600 fines, \$100 costs, \$50 Crime Victim's Rights fee and \$45 state fee.

PEOPLE v MILES KEITH JARRETT, 3rd Circuit Court-Wayne County, charged with assault with intent to do great bodily harm and felony firearm. Verdict - Jury – Acquittal.

PEOPLE v JOA JEFFERSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea. Sentenced to 5 years probation, 150 hours community service, \$82,020 in fines/court costs/restitution, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fee, and \$600 supervision fee.

PEOPLE v MOUYAYAD D. JENDO, 52-4th District Court-Oakland County, charged with felony violation of the tobacco products tax act. Plea agreement. Dismissed upon plea in another case.

PEOPLE v MOUYAYAD D. JENDO, 6th Circuit Court-Oakland County, charged with felony violation of the tobacco products tax act. Pled to violation of the tobacco products tax act. Sentenced to 18 months probation, \$2,500 fines, \$9,341 in restitution, \$450 court costs, \$60 Crime Victim's Rights fee, \$450 supervision fee, \$60 state fee, 60 hours of community service in lieu of 60 days in jail.

PEOPLE v LATOYA JENKINS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Dismissed by Court/Tribunal.

PEOPLE v BRIAN DAVID JESPERSEN, 22nd Circuit Court-Washtenaw County, charged with 10 counts computers/internet – communicating with another to commit crime. Plea agreement. After one year supervision on delayed sentence the court, pursuant to Plea agreement, sentenced the defendant on the two 93-day misdemeanor counts and dismissed the felony counts. Sentenced on the misdemeanors of 1 year probation with standard conditions, plus no contact with minors, and no computer usage except for work/education and his computers are subject to search and seizure at any time. In addition he must pay \$90 state costs, \$45 Crime Victim's Rights fee, \$360 court costs and \$600 supervision fees.

PEOPLE v RICHARD JIMENEZ, 3rd Circuit Court-Wayne County, charged with 2 counts robbery armed and assault with intent to do great bodily harm. Verdict - Court – Acquittal.

PEOPLE v AMELIA ANN JOHNSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$32,195 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v ANGELA E. JOHNSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$6,439 restitution, \$495 costs, \$720 fees and 3 years probation.

PEOPLE v ANTHONY AUGUST JOHNSON, 36th District Court-Wayne County, charged with 1 count of felony malicious destruction of personal property at the

MGM Grand Casino. Pled to attempted malicious destruction of personal property. Sentenced to probation, anger management, restitution of approximately \$1,500.

PEOPLE v CHUN JOHNSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea. Sentenced to 3 years probation, 150 hours community service, \$10,985 in cost/fees and restitution, \$60 Crime Victim's Rights fees, \$60 state fee, \$250 attorney fees, and \$360 supervision fee.

PEOPLE v DARREN RODNEY JOHNSON, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentenced to 30 days in the Wayne County Jail, credit for time served.

PEOPLE v EDDIE JAMES JOHNSON, III, 3rd Circuit Court-Wayne County, charged with 10 counts of uttering and publishing and habitual offender third offense at the MGM Grand Casino. Pled to gambling activities. Sentenced to 2 years probation, \$60 Crime Victim's Rights fees, \$60 state fee, \$10/month supervision fee.

PEOPLE v ERVIN JOHNSON, 64-A District Court-Ionia County, charged with Sex Offender Failure to Register. Dismissed by Court.

PEOPLE v JESSE JAMES JOHNSON, 3rd Circuit Court-Wayne County, charged with one count of uttering and publishing. Plea agreement. Sentenced to 2 years probation, no drugs or alcohol, no contact with the casinos, must maintain employment a minimum of 30 hours/week, 100 hours of community service, \$500 restitution to MGM, \$1,000 restitution, \$60 state fee, \$60 Crime Victim's Rights fee, \$150/year supervision fee and \$200/year costs - 125 hours of community service in lieu of fines and costs.

PEOPLE v JESSIE JOHNSON, 3rd Circuit Court-Wayne County, charged with two counts of uttering and publishing at Motor City Casino. Plea agreement. Case dismissed.

PEOPLE v JONEA NICOLE JOHNSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$25,160 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v ROSLYN RENEE JOHNSON, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Pled guilty to attempted uttering and publishing. Sentenced to 3 years probation, barred from all casinos in Michigan, \$400 attorney fees, \$495 costs and 100 hours community service.

PEOPLE v TANISHA JOHNSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Dismissed by Court.

PEOPLE v VIVIAN M. JOHNSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$9,440 restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v KIM JOHNSON-PESTA, 3rd Circuit Court-Wayne County, charged with 2 counts of felony uttering and publishing at the MotorCity Casino. Pled to 1 count

uttering and publishing. Sentenced to 1 year non-reporting probation, no contact with the casinos, maintain legit employment minimum of 30 hours/week, pay \$600 costs, \$60 state costs, \$60 Crime Victim's Rights fee, \$400 attorney fees and \$60 supervision fee.

PEOPLE v AKEELA CAMILIAS JONES, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 3 years, \$825 costs, \$495 fees and \$8,116 restitution.

PEOPLE v JUMAANE A JONES, 3rd Circuit Court-Wayne County, charged with robbery armed, felony firearm, possession by felon, habitual offender 2nd Offense. Verdict - Jury – Acquittal.

PEOPLE v KEVIN ALLEN JONES, 3rd Circuit Court-Wayne County, charged with uttering and publishing at the MotorCity Casino. Pled guilty to uttering and publishing. Sentenced to 1 year probation, \$120 supervision fee and \$300 court costs.

PEOPLE v LAQUEISHA JONES, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea. Sentenced to 3 years probation, 150 hours community service, \$15,834 in costs and restitution, \$60 Crime Victim's Rights fees, \$60 state fee, \$250 attorney fees, and \$360 supervisory fee.

PEOPLE v LEROY JONES, 3rd Circuit Court-Wayne County, charged with 2 counts of felony larceny, 1 count of stealing/retaining without consent a financial transaction device, 1 count of identity theft and 1 count of conspiracy at the MotorCity Casino. Charges amended to 1 count of conducting criminal enterprises, 4 counts of felony larceny, 4 counts of identity theft, and 2 counts of stealing/retaining without consent a financial transaction device. Pled guilty to 1 count of larceny from a person and 1 count of ID theft. Sentenced to 2-10 years Michigan Department of Corrections on the larceny from a person count and 1-4 years Michigan Department of Corrections on the ID theft count. Defendant was given credit for 144 days, ordered to pay \$550 attorney fees, \$600 court costs, \$800 restitution, \$60 Crime Victim's Rights fee and \$120 state fee.

PEOPLE v LINDA L. JONES, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$46,017.62 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v MICHELLE ALLISON JONES, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and restitution.

PEOPLE v ROBERT EARL JONES, 36th District Court-Wayne County, charged with one count of uttering and publishing. Dismissed by Court.

PEOPLE v ROBERT EARL JONES, 36th District Court-Wayne County, charged with one count of uttering and publishing at MGM Grand Casino. Dismissed by Court.

PEOPLE v SAMARA JONES, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 2 years probation, 75 hours community service, \$11,796 in costs/fees and restitution.

PEOPLE v VANESSA JONES, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Pled guilty to attempted uttering and publishing. Sentenced to 1 year probation, \$300 costs and no contact with the casinos.

PEOPLE v R. FRANK JOSEPH, 30th Circuit Court-Ingham County, charges attempted to obtain a license to open a new disposal area. Case is dismissed.

PEOPLE v ABBAS ABDUL JOUNI, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Plea agreement. Sentenced to no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment is recommended after the screening, and pay \$150 fines and costs.

PEOPLE v IHAB JOUNI, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health, and follow whatever treatment program, pay \$200 fines and \$200 costs.

PEOPLE v LYNN JOY, 3rd Circuit Court-Wayne County, charged with 2 counts of felony uttering and publishing, conspiracy to utter and publish, and 2 counts of identity theft at the MGM Grand Casino. Pled to attempt uttering and publishing. Sentenced to 1 year probation, no gambling, no casino contact, must maintain employment a minimum of 30 hours/week, pay \$60 state fee, \$60 Crime Victim's Rights fee, \$120 supervision fee, \$300 court costs and \$400 attorney fees.

PEOPLE v SHONTUEL JOYCE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, \$10,001 in restitution, \$855 costs and \$370 fees.

PEOPLE v TONY ADIL KADO, 6th Circuit Court-Oakland County, charged with insurance fraud – conspiracies, false pretenses -\$1,000 or more but less than \$20,000, false pretenses - \$1,000 or more but less than \$20,000. Pled guilty to false pretenses - \$1,000 or more but less than \$20,000. Sentenced to \$104,149.12 in restitution, \$50 Crime Victim's Rights fund, \$250 fines, and \$60 state costs.

PEOPLE v ERIC ROBERT KAMINSKAS, 6th Circuit Court-Oakland County, charged with using a computer to attempt to disseminate sexually explicit matter to a minor and using a computer to accost & solicit a minor for immoral purposes. Pled as charged. Sentenced to 5 years probation, sex offender treatment/registration, costs and fees.

PEOPLE v JOSEPH KARCHO, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Plea agreement. Sentenced to 1 year probation, \$50 Crime Victim's Rights fees, \$150 costs, no contact with MotorCity Casino. Delayed sentence.

PEOPLE v RANDA KARKABA, 3rd Circuit Court-Wayne County, charged with

welfare fraud. Pled guilty. Sentenced to \$5,107 in restitution, \$495 costs, \$720 fees, and 3 years probation.

PEOPLE v SAMER MANSOOR KASHAT, 3rd Circuit Court-Wayne County, charged with two counts of the tobacco products tax act violation and one count of selling products without a tax stamp. Plea to tobacco products tax act violation. Sentenced to 6 months probation, \$60 Crime Victim's Rights fee, \$60 fine, \$200 court cost, and \$1,655 restitution.

PEOPLE v HELENE DAVID KASSA, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty to trespass by disassociated person. Sentenced to have no contact with the casino, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment is recommended after screening and pay \$250 in fines/costs.

PEOPLE v THOMAS KATONA, 23rd Circuit Court-Arenac County, forgery, 8 counts of embezzlement public official over \$50 and attempted embezzlement public officials over \$50. Verdict - Jury – Convicted. Sentenced to counts 1-8, jail minimum 80 months to maximum 10 years with credit of 149 days for each count; Count 9, jail minimum 40 months to maximum 5 years with credit of 149 days; Count 10-11, jail minimum 112 months to maximum 14 years with credit of 149 days for each count. Restitution in the amount of \$1,236,700, \$60 state costs, \$60 Crime Victim's Rights fee, and \$300 court costs.

PEOPLE v EUGENE DUANE KEGLEY, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment for gambling addiction as indicated after the screening, pay \$250 fine, \$100 costs, \$50 Crime Victim's Rights fee and \$300 supervision fee.

PEOPLE v EUGENE DUANE KEGLEY, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentenced delayed for 1 year, no contact with the casinos, no contact with the criminal justice system, continue treatment for gambling addiction until discharged in writing, \$200 costs and \$200 fines.

PEOPLE v JERMAINE KEITH, 3rd Circuit Court-Wayne County, charged with 7 counts of assault with intent to murder, 1 count of felony firearm. Verdict - Court – Convicted, found guilty of 1 count assault with intent to murder, 4 counts felonious assault and felony firearm. Sentenced to 16 to 25 years.

PEOPLE v LISA RENEE KEITH, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$10,496 in restitution, \$495 costs, \$720 fees and 3 years probation.

PEOPLE v ADNAN JERGES KEJBOU, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no con-

tact with casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment as indicated after the screening, \$200 fines/costs and \$40 state cost.

PEOPLE v ORIN ANDREW KENNEDY, 14-B District Court-Washtenaw County, charged with 2 counts computers/internet communicating with another to commit crime. Plea agreement. Sentenced to 5 years probation with sex offender treatment.

PEOPLE v MUFEED KESTO, 3rd Circuit Court-Wayne County, charged with one count of violation of tobacco products tax act violation. Plea agreement. Sentenced to \$5,000 restitution.

PEOPLE v WILLIAM COOPER KETCHEM, 3rd Circuit Court-Wayne County, charged with 10 counts using a computer to communicate with another to commit crime. Pled guilty. Sentenced to 3 years probation with first 60 days in jail, sex offender counseling and sex offender registration, costs and fees.

PEOPLE v KAILA TAMEKA KEYS, 3rd Circuit Court-Wayne County, charged with welfare fraud in the amount of \$24,000. Pled guilty. Sentenced to \$24,000 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v MAJD KHADRA, 36th District Court-Wayne County, charged with one count of alcohol use by a minor and one count of misdemeanor gambling at Greektown Casino. Plea agreement. Sentenced to \$50 fines and \$200 in costs.

PEOPLE v ATHEER YOUNAN KHOSHABA, 36th District Court-Wayne County, charged with misdemeanor malicious destruction of property \$200-\$1,000 at the Greektown Casino. Pled as charged. Sentenced to restitution \$250, 1 year probation with \$100 fines, \$200 costs and \$200 fees. No contact with Greektown.

PEOPLE v ABDUL KADIR KHUKAN-MSP-CASTILLO-GTC, 3rd Circuit Court-Wayne County, charged with capping a bet at the Greektown Casino. Pled guilty to misdemeanor false pretenses. Sentenced to 1 year probation, no contact with casino or any casino during probation, gamblers anonymous meetings as indicated by the probation department, no contact with the criminal justice system, maintain minimum 30 hours legitimate and employment, pay \$200 costs, \$50 Crime Victim's Rights fee, \$45 state fee - or do 40 hours community service in lieu of fines and costs.

PEOPLE v ROBERT MICHAEL KIEFFER, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence was delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment as indicated after the screening, \$200 costs and \$200 attorney fees.

PEOPLE v CARRIE ANN KIEKENS, 3rd Circuit Court-Wayne County, charged with welfare fraud in the amount of \$12,072. Pled guilty. Sentenced to \$12,072 in restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v KWAME KILPATRICK, 3rd Circuit Court-Wayne County, charged with 2 counts of public officer - assaulting or obstructing. Plea agreement. Sentenced to 120 days in jail and 18 months probation.

PEOPLE v SHALETTA KIMBER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$14,444 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v SYNORVIA LYNN KING, 36th District Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Pled guilty to false pretense \$200 - \$1000. Sentenced to 1 year probation, a \$50 fine and drug screening.

PEOPLE v JEFFREY MATTHEW KIRBY, 65-B District Court-Gratiot County, charged with felony violation of the tobacco products tax act. Plea to an added count miscellaneous misdemeanor tobacco products tax violation. Sentenced to \$700 fines/costs and 10 days suspended jail upon payment of fines/costs. No probation.

PEOPLE v NADIA SADIK KIRMA, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence was delayed for one year. During that year, no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program is indicated, and to pay \$200 fines, \$200 costs and \$100 attorney fees.

PEOPLE v KARL HEINZ KITTSTEINER, 4th Circuit Court-Jackson County, charged with sex offender – failure to register. Pled as charged. Sentenced to \$920 fine or 90 days in jail.

PEOPLE v STEVEN J. KLANKE, 3rd Circuit Court-Wayne County, charged with 1 count child sexually abusive activity and 2 counts using a computer to communicate with another to commit crime. Pled guilty to using a computer to communicate with another to commit crime. Sentenced to 18 months - 20 years in prison.

PEOPLE v MICHAEL WAYNE KNIGHT, 3rd Circuit Court-Wayne County, charged with 1 count child sexually abusive activity and 1 count using a computer to communicate with another to commit crime. Pled guilty. Sentenced to 1 - 20 years Michigan Department of Corrections with credit for 20 days.

PEOPLE v JOSEPH KRYGOSKI/KRYGOSKI CONSTRUCTION, 95-A District Court-Menominee County, charged with wetlands protection part – unauthorized filling in a wetland. Pled no contest to filling in a regulated wetland. Sentenced to pay \$2,500 in fines and ordered to restore the property.

PEOPLE v MARK ALAN KUMMER, 6th Circuit Court-Oakland County, charged one count of child sexually abusive activity and one count of using a computer to commit child sexually abusive activity. Pled guilty. Sentenced to 2-20 years in prison, \$60 Crime Victim's Rights fee and \$120 court costs.

PEOPLE v JEFFREY LEMAR LAMPKIN, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Plea agreement. Sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, screening and treatment for gambling addiction by Michigan Department of Community Health and follow whatever treatment is recommended; pay \$200 fines, \$30 costs, \$17.50/month supervision fees, and

the \$1,925 seized from defendant to be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v JEFFREY LEMAR LAMPKIN, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Plea agreement. Sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, screening and treatment for gambling addiction by Michigan Department of Community Health and follow whatever treatment is recommended; pay \$200 fines, \$30 costs, \$17.50/month supervision fees, and the \$1,925 seized from defendant to be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v JEANNA LANE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service; \$10,442 in costs, fees, and restitution.

PEOPLE v YOLANDA LATHON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and restitution.

PEOPLE v RICHARD C. LAWRENCE, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentenced to 1 year delayed sentence, probation, gambling treatment, no contact with casinos and \$200 fines and \$200 costs.

PEOPLE v DOROTHY LYNETT LAWSON, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Pled to attempted uttering and publishing. Sentenced to 1 year probation, \$300 court cost, \$600 attorney fee, \$60 Crime Victim's Rights fees and \$60 state cost.

PEOPLE v TRUNG CONG LE, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled to disassociated person. Sentenced to gambling addiction screening and treatment as indicated, no contact with casinos, no contact with criminal justice system, \$200 fine, \$200 court costs, \$100 attorney fee, and \$3,000 to be forfeited to Michigan Compulsive Gambler's Fund.

PEOPLE v CHARLENE LEE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$42,202 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v PATRICIA A. LEMONS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and \$21,732 in restitution.

PEOPLE v TAWANA LENOIR, 3rd Circuit Court-Wayne County, charged with welfare fraud. Dismissed by Court.

PEOPLE v DEBORAH LYNN LEWINSKI, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the Greektown Casino. Plea agreement. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice

system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program is indicated, also, must pay \$100 fine, \$200 costs and \$200 attorney fees.

PEOPLE v JARRENCE LEWIS, 36th District Court-Wayne County, charged with assault with intent to murder and felony firearm. Dismissed by Court.

PEOPLE v MARGARET LITTLES, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$53,984 in restitution, \$970 costs, \$825 fees and 5 years probation.

PEOPLE v TERELL LITTLES, 3rd Circuit Court-Wayne County, charged with 1 count of felony larceny in a building and 1 count of misdemeanor larceny at the MotorCity Casino. Plea agreement to 1 count of larceny in a building. Sentenced to 2 years probation, \$900 fines/costs and no contact with any casino.

PEOPLE v JESSE GLENN-WRIGHT LIVINGSTON, 21st Circuit Court-Isabella County, charged with 1 count of child sexually abusive material – production, 1 count of computers - using to commit child sexually abusive material – production, 1 counts of computers - internet - communicating with another to solicit child sexually abusive material – production, 1 count of child sexually abusive activity- distributing, 1 count of computers - internet - communicating with another to commit child sexually abusive activity – distributing, 2 counts of computers - internet - communicating with another to commit children - accosting for immoral purposes, 3 counts of computers - internet - communicating with another to commit disseminating sexually explicit matter to minors. Pled guilty as charged. Sentenced to 3-20 years in prison.

PEOPLE v JOSEPH ALLEN LOCH, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence delayed for one year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction and treatment as indicated after the screening, \$200 attorney fees and \$200 costs.

PEOPLE v KARL ALPHONSO LOCKRIDGE, 3rd Circuit Court-Wayne County, charged with assault with intent to murder, felony firearm and felonious assault. Verdict - Jury – Acquittal.

PEOPLE v DENISE LONDON, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Pled guilty. Sentenced to 3 years probation, \$600 attorney fees, and \$600 costs. Credit for one day served.

PEOPLE v DEANNA LONG, 3rd Circuit Court-Wayne County, charged with welfare fraud. Dismissed as restitution made.

PEOPLE v WADE LORANG, 36th District Court-Wayne County, charged with one count of malicious destruction of property between \$200-\$1,000 and one count of disorderly conduct. Pled to malicious destruction of property less than \$200. Sentenced to 6 months probation on delayed sentence, and \$300 costs.

PEOPLE v ANGELLETT DORINE LOVE, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity

Casino. Pled guilty. Sentence delayed for one year. During that year, defendant is to have no contact with casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and is to follow whatever treatment program is indicated after the screening and pay \$200 fines/costs.

PEOPLE v TRACIE LOVE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 2 years probation, 75 hours community service, \$7,562 in cost/fees and restitution.

PEOPLE v KENYA LUNSFORD, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years, \$970 costs, \$825 fees and \$32,918 in restitution.

PEOPLE v ROBERT MICHAEL LYNCH, 20th Circuit Court-Ottawa County, homicide – felony murder (CSC) and homicide – felony murder (kidnapping). Pled to 2nd degree murder. Sentenced to 25-40 years prison.

PEOPLE v LONIE MARIE LYSON, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health, follow whatever treatment program is indicated, pay \$200 costs and \$100 attorney fees.

PEOPLE v LEON LEDELL MACK, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the Greektown Casino. Plea agreement. Sentence was delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program is indicated and pay \$100 fine, \$200 costs and \$200 attorney fees.

PEOPLE v QIANA T. MACK, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation, and \$28,321 in restitution.

PEOPLE v SEAN VINCENT MACLEAN, 16th Circuit Court-Macomb County, hazardous substances – knowing release of hazardous substance/false statements, hazardous waste – transporter registration/permit violations and two counts liquid industrial waste – general violations. Plea agreement. Sentenced to 1-1/2 years probation, credit for one day served, \$180 court costs, \$60 Crime Victim's Rights fee, \$60 state costs, 50 hours community service, and \$10,345 in restitution.

PEOPLE v MACO CONCRETE INC., 6th Circuit Court-Oakland County, Michigan Occupational Safety and Health Act – violation causing employee death. Pled as charged. Sentenced to \$10,000 fine.

PEOPLE v MICHAEL MAHER, 3rd Circuit Court-Wayne County, charged with criminal enterprise – conducting food stamp fraud over \$1,000, money laundering - 2nd degree, financial transaction device, 3 counts conspiracy. Pled to added count

misdeemeanor financial transaction device. Sentenced to 2 years probation and \$10,000 fine.

PEOPLE v HASSAN MAHMOUD, 3rd Circuit Court-Wayne County, charged with 3 counts of violation of tobacco products tax act. Pled to violation of tobacco products tax act felony. Sentenced to 2 years probation and \$14,819 restitution.

PEOPLE v TINA LENETTE MAHOLMES, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$17,794 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v ESHAAN MANGAL, 3rd Circuit Court-Wayne County, charged with 1 count child sexually abusive activity and 1 count computers-internet-communicating with another to commit crime. Pled guilty. Sentenced to 30 months-20 years prison.

PEOPLE v ANTHONY DAVIN MANGIAPANE, 16th Circuit Court-Macomb County, charged with 33 counts of attempted false pretenses - \$1,000 or more but less than \$20,000. Pled to 5 counts of attempted false pretenses over \$1,000 but less than \$20,000. Sentenced to 2 years probation, court costs of \$20 per month for supervision fees, \$60 Crime Victim's Rights fee, 100 hours community service, \$80 state mandatory costs, and repay attorney fees.

PEOPLE v HADI MANSOUR, 3rd Circuit Court-Wayne County, charged with 2 counts of charged with criminal enterprise – Conducting food stamp fraud over \$1,000, money laundering - 2nd degree, financial transaction device, 3 counts conspiracy. Plea agreement. Sentenced to 1 year probation, \$600 fine, \$400 attorney fees, and \$60 Crime Victim's Rights fee. Tobacco Tax Assessment issued as follows: tax \$1,160, penalty \$1,160, interest \$79 for a total of \$2,399.

PEOPLE v AVERY J. MAPP, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees, and \$16,868 restitution.

PEOPLE v JEREMY WILLIAM MAREK, 3rd Circuit Court-Wayne County, charged with 1 count carjacking, 1 count robbery armed and 1 count felony firearm. Pled guilty. Sentenced to 2 years (felony firearm) plus 27 to 60 months (carjacking unarmed robbery).

PEOPLE v CHAREEA OR CHARESEA MARSHALL, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$9,501 restitution, \$495 costs, \$730 fees, and 3 years probation.

PEOPLE v KIJANA MARIE MARSHALL, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees, and \$20,112 in restitution.

PEOPLE v DAVID HUBERT MARTIN, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM-84-07. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow what-

ever treatment program, is indicated after the screening, and pay \$50 Crime Victim's Rights fee, \$100 costs, \$500 fine, and \$300 supervision fee. The \$5,477 winnings seized shall be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v ELIZABETH MARTIN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$21,486.48 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v KIM MARTIN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees, and \$32,347.65 in restitution.

PEOPLE v ROBERT HAROLD MARTIN, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled as charged. Sentenced delayed for one year, no contact with casinos, no contact with criminal justice system, gambling screening, \$200 court costs and \$100 fine.

PEOPLE v SANYA ANN MARTIN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$25,820.50 restitution, \$970 costs, \$85 fees, and 5 years probation.

PEOPLE v MARYROSE MASTROMATTEO, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence delayed for one year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health and treatment, after screening and ordered to pay \$200 fine and \$100 costs.

PEOPLE v CURTIS MATHES, 3rd Circuit Court-Wayne County, charged with sex offender – failure to register. Pled guilty. Sentenced to \$250 fine.

PEOPLE v DARWIN MATHIS, 3rd Circuit Court-Wayne County, charged with felony attempted uttering and publishing at the MGM Grand Casino. Pled guilty to the added count 2 of attempted larceny in a building. Defendant, currently doing 4-15 years on a probation violation was immediately sentenced to 1 year in jail to run concurrent with his Michigan Department of Corrections' time.

PEOPLE v SHARNITA MATTHEWS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation, and \$44,440 in restitution.

PEOPLE v CHINITA T. MAY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$41,526 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v TATUM IRENE MAY, 6th Circuit Court-Oakland County, charged with uttering and publishing and conspiracy to commit uttering and publishing. Pled guilty to amended information of attempt to commit uttering and publishing. Sentenced to 1 year probation.

PEOPLE v DAVINA MAYBERRY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$10,916 restitution, \$495 costs, \$730 fees, and 3 years probation.

PEOPLE v TAMMY LASCHERRIEL MAYS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and \$69,760 in restitution.

PEOPLE v ELAINE MCCAFFREY, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentenced to \$450 fines and costs.

PEOPLE v CORDELL LOPASKER MCCARROLL, 36th District Court-Wayne County, charged with 1 count of felony gambling activities and 1 count of misdemeanor false pretenses less than \$200 at the MGM Grand Casino. Pled guilty to count 2. Sentenced to 1 year probation, \$300 fines, no contact with casino.

PEOPLE v RANDELL MCDANIEL, 38th Circuit Court-Monroe County, charged with 1 count criminal enterprise – conducting, 1 count operating chop shop; 6 counts stolen property receiving and concealing motor vehicle, 17 counts motor vehicle buying/receiving vehicle/parts - knowing id number was recorded or altered, 8 counts stolen property receiving and concealing \$1,000 or more but less than \$20,000, 1 count controlled substances - possession schedule 3, 1 count controlled substances - possession schedule 4, habitual offender 2nd. Verdict - Court – Convicted. Sentenced to 51 months to 30 years.

PEOPLE v JOHN MCDONALD, 3rd Circuit Court-Wayne County, charged with one count of felony gambling and one count of larceny. Pled to attempted cheating. Sentenced to 1-5 years to run concurrent with his current 2-15 out of Oakland County.

PEOPLE v LATRECE MCGEE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$495 costs, \$730 fees, 3 years probation, and \$7,506 in restitution.

PEOPLE v MARGARET DEANN MCGINNIS, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Plea agreement. Sentenced to 1 year probation, drug screening, no contact with casinos, obtain GED, maintain 30 hours employment, and \$1,040 fees and costs.

PEOPLE v ARBERDELLA LASHEA MCINTOSH, 3rd Circuit Court-Wayne County, File Facts: Charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and \$61,704 in restitution.

PEOPLE v DENISE LYNN MCKINLEY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$495 costs, \$730 fees, 3 years probation, and \$4,121 in restitution.

PEOPLE v FREDERICK EARL MCKINNEY, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Plea agreement. Sentenced to 3 years probation with 2 years under PA 5111 and the 1st year in the Wayne County Jail program; 90-120 days after care at the Detroit Rescue Project

(if defendant leaves early, he goes to prison), he must undergo alcohol and drug testing, cannot possess drugs or drug paraphernalia, must complete outpatient drug treatment, maintain legitimate employment a minimum of 30 hours/week, possess a valid drivers license or state ID, do 10 days on the alternate work force, take care of any and all outstanding warrants (of which there are 4), pay \$179 in restitution, \$60 Crime Victim's Rights fee, \$60 state fee, \$150/year supervision fee, \$200/year court costs, \$400 attorney fees. Defendant may perform 135 hours of community service in lieu of fines and costs.

PEOPLE v INECIA MACKINNEY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 2 years probation; 75 hours community service; \$8,913 in cost/fees and restitution.

PEOPLE v EMMA JEAN MCNEAL, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Pled guilty to attempted uttering and publishing. Sentenced to 8 months probation, \$600 attorney fees and \$200 costs.

PEOPLE v ANNIE MEEKS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, \$14,146 in restitution, \$825 costs, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fee, \$600 supervision fee.

PEOPLE v EDWARD MESIK, 41st Circuit Court-Iron County, charged with felony murder and armed robbery of victim. Verdict - Court – Convicted. Sentenced to natural life for 1st degree murder.

PEOPLE v DERECK ELLIS MEYERS, 3rd Circuit Court-Wayne County, charged with felonious assault, felony firearm and carrying concealed weapon. Verdict - Court – Convicted. Sentenced to 5 months Wayne County Jail, \$620 attorney fees, and \$600 costs.

PEOPLE v PATRICIA MICHNO, 6th Circuit Court-Oakland County, charged with 2 counts uttering and publishing. Pled guilty to count 1: uttering and publishing. Sentenced to pay \$10,913.54 in restitution, \$2,430 supervision fee, \$60 Crime Victim's Rights fee, \$60 state costs and \$300 court costs.

PEOPLE v MIDWEST WASTE SERVICES-AARDEMA-WARNER, 3rd Circuit Court-Wayne County, forgery, uttering and publishing and conspiracy. Sentenced to 1 year probation and a suspended couple of months in jail should he fail to cooperate as per the plea agreement.

PEOPLE v NOHA MIKHAIL, 46th District Court-Oakland County, charged with 2 counts insurance fraudulent acts, 1 count false pretenses \$1,000 or more but less than \$20,000, and 1 count insurance fraud conspiracies. Dismissed by Court.

PEOPLE v ERIC MILLER, 3rd Circuit Court-Wayne County, charged with carjacking, robbery armed and felony firearm. Dismissed by Court.

PEOPLE v MELISSA MILLER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 2 years probation, 150 hours community

service, \$2,997 in restitution, \$330 costs, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fees, and \$240 supervision fee.

PEOPLE v MICHELE MARIE MILLER, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Pled guilty to attempt aiding and abetting uttering and publishing. Sentenced to 18 months probation, \$60 Crime Victim's Rights fee, \$60 state fee, court cost of \$250/year, \$360 supervision fees, 30 days community service and no contact with MGM.

PEOPLE v TERRELL NAPOLEAN MILLER, 3rd Circuit Court-Wayne County, charged with assault with intent to murder, assault with intent to rob while armed and felony firearm. Plea agreement to assault with intent to murder and felony firearm. Sentenced to 5 to 20 years, \$600 costs, and \$120 fees.

PEOPLE v LATONYA MILLS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, \$13,657 in cost/fees and restitution, \$825 costs, \$60 Crime Victim's Rights fees, \$60 state fee, \$250 attorney fees and \$600 supervision fee.

PEOPLE v RENA PATRICE MILLS, 3rd Circuit Court-Wayne County, charged with 6 counts of felony larceny by conversion and 6 counts of identity theft at the MotorCity Casino. Pled guilty to 2 counts of larceny by conversion over \$1,000, and 1 count of identity theft. Sentenced to 30 days jail, 3 years probation, \$6,165 restitution, \$60 Crime Victim's Rights fee and \$360 supervision fee.

PEOPLE v DELIA MILTON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees, and \$14,561 in restitution.

PEOPLE v NAMIR YOUSIF MIO, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled as charged. Sentenced Defendant currently on probation and the court chose not to place defendant on probation and instead, simply imposed \$200 costs, \$100 attorney fees and \$100 fine.

PEOPLE v WANDA ANN MITCHELL, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and \$73,264 in restitution.

PEOPLE v SONYA MOORE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, \$30,747 in costs/fees and restitution.

PEOPLE v DARREN MOORE, 3rd Circuit Court-Wayne County, charged with assault with intent to rob while armed. Pled guilty. Sentenced to 51 months to 15 years.

PEOPLE v DIMITRIOUS KAMAL MOORE, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, under-

go screening for gambling addiction by the Michigan Department of Community Health, follow whatever treatment is indicated after screening, pay \$100 attorney fees and \$200 court costs.

PEOPLE v JUQUATTA MARIE MOORE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$15,115 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v TOMMY EARL MOORE, 3rd Circuit Court-Wayne County, charged with assault with intent to rob armed. Verdict - Jury – Convicted. Sentenced to 3-1/2 to 10 years.

PEOPLE v CECILIA MARIE MORGAN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$7,153 restitution, \$495 costs, \$730 fees, and 3 years probation.

PEOPLE v DELANNA MORROW, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$7,389 restitution, \$730 costs, \$495 fees, and 3 years probation.

PEOPLE v MARCUS DEXTER MORTON, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence was delayed for 1 year, have no contact with casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health and must undergo treatment after the screening and pay \$200 fines and \$200 costs.

PEOPLE v PATRICE MOSLEY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and \$15,612 in restitution.

PEOPLE v NAJI MRUGI, 3rd Circuit Court-Wayne County, charged with violation of the tobacco products tax act. Plea agreement. Sentenced pursuant to the plea agreement to 6 months non-reporting probation, \$60 state costs, \$60 Crime Victim's Rights fee and \$600 court costs.

PEOPLE v RENEH LAURA MSHAHWAR, 3rd Circuit Court-Wayne County, charged with felony cheating at a gambling game and in the alternative misdemeanor false pretenses less than \$200 at the Greektown Casino. Pled to misdemeanor false pretenses less than \$200. Sentenced to 6 months probation, no contact with the casinos, \$50 restitution, must maintain full-time verifiable employment, pay costs and fees to be determined, \$50 Crime Victim's Rights fee, \$60 state fee, and perform 10 days community service.

PEOPLE v SAAD MURAD, 16th Circuit Court-Macomb County, charged with three counts of the 5 year felony other tobacco products act violations. Pled to tobacco products act violation. Sentenced to 1 year probation, maintain employment minimum 30 hours/week, no weapons, no contact with felons, \$60 Crime Victim's Rights fee, \$60 state costs, \$35/month supervision fees and \$35/month court costs.

PEOPLE v MARQUES EDWARD MURRAY, 3rd Circuit Court-Wayne County,

charged with felony uttering and publishing at the MGM Grand Casino. Plea agreement. Sentenced to 2 years probation.

PEOPLE v MANQUAVIS KING MURRELL, 3rd Circuit Court-Wayne County, charged with robbery – armed and carjacking. Verdict - Court – Acquittal.

PEOPLE v WILLIAM MYERS, 3rd Circuit Court-Wayne County, charged with 2 counts of assault with intent to murder, firearm possession/felon and felony firearm 2nd. Verdict - Jury – Convicted. Sentenced to 14 to 20 years.

PEOPLE v PIERRE NAJJAR, 68th District Court-Genesee County, charged with 1 count of violation of tobacco products tax act. Pled to tax products tax act misdemeanor. Sentenced to \$2,000 to the Michigan State Police and \$1,000 to the court.

PEOPLE v IBRAHIM NASSEREDDINE, 3rd Circuit Court-Wayne County, charged with 2 counts violation of tobacco products tax act and conspiracy. Sentenced to 2 years probation, 30 hour work week, \$60 state costs, \$60 Crime Victim's Rights fee, \$240 supervision fee, \$600 court costs and \$1,000 fine.

PEOPLE v RICHARD CHARLES NAVE, 6th Circuit Court-Oakland County, charged with 6 counts computers/internet – communicating with another to commit a crime. Plea agreement. Sentenced to 5 years probation with the first year Oakland County Jail/credit 1 day. Sentence to run concurrent with the Wayne County case.

PEOPLE v NIZAR ALI NAZHA, 3rd Circuit Court-Wayne County, charged with criminal enterprise – conducting, 2 counts conspiracy and 2 counts financial transaction device and food stamp fraud over \$1,000. Pled to misdemeanor financial transaction device. Sentenced to 2 years probation and \$10,000 fine.

PEOPLE v CLAUDE LEDESMOND NELSON, 36th District Court-Wayne County, charged with 2 counts of assault with intent to murder, firearm possession/felon, felony firearm and habitual 3rd. Dismissed by Court.

PEOPLE v GALA R. NELSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$12,529.88 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v JAMES CLEOPHAS NELSON, 20th Circuit Court-Ottawa County, charged with one count homicide-murder second degree, one count homicide-felony murder-CSC, one count homicide-felony murder-kidnapping. Verdict - Jury – Convicted of homicide-felony murder-CSC and homicide-felony murder-kidnapping. Sentenced to life in prison.

PEOPLE v JASON NEU, 3rd Circuit Court-Wayne County, charged with computers/internet – communicating with another to commit a crime and child sexually abusive commercial activity. Pled guilty. Sentenced to 30 months to 20 years in the Michigan Department of Corrections.

PEOPLE v CHRISTOPHER NEWMAN, 36th District Court-Wayne County, charged with home invasion 1st, felony assault, felony firearm, firearms possession/felony and habitual 4th. Dismissed by Court.

PEOPLE v LYNA NGUYEN NGO, 36th District Court-Wayne County, charged with felony casino cheating, conspiracy to cheat at a gambling game, larceny in a building and conspiracy at the MotorCity Casino. Dismissed by Court.

PEOPLE v XICH VAN NGO, 36th District Court-Wayne County, charged with felony casino cheating, conspiracy to cheat at a gambling game, larceny in a building and conspiracy at the MotorCity Casino. Dismissed by Court.

PEOPLE v ANH THAI NGUYEN, 3rd Circuit Court-Wayne County, charged with two counts of felony cheating and one count of false pretenses \$200 - \$1,000 at Greektown casino. Case dismissed.

PEOPLE v TAI THI NGUYEN, 36th District Court-Wayne County, charged with felony casino cheating, conspiracy to cheat at a gambling game, larceny in a building, and conspiracy at the MotorCity Casino. Dismissed by Court.

PEOPLE v THU-THAO NGUYEN, 54-A District Court-Ingham County, charged with felony tobacco products tax act violation. Pled to tobacco products tax act violation misdemeanor. Sentenced to 6 months probation, \$500 tax assessment, \$300 costs and \$50 fine.

PEOPLE v KIM NICKERSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$18,151 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v BASSAM BASHIR NOH, 3rd Circuit Court-Wayne County, charged with felony violation of the tobacco products tax act and possession of counterfeit tax stamps. Plea agreement. Sentenced to 1 year probation, \$6,770 restitution, \$60 Crime Victim's Rights fee, \$60 state fee, \$120 supervision fee and \$600 court costs.

PEOPLE v LACEY NOLAN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, \$10,155 in restitution, \$495 costs, \$60 Crime Victim's Rights fee, \$60 state, attorney fees \$250 and supervision \$360.

PEOPLE v LESA GENEVA NORWOOD, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and restitution \$41,463.

PEOPLE v JOSEPH MBADIWE OGUNDU, 3rd Circuit Court-Wayne County, charged with felony cheating at a gambling game and in the alternative misdemeanor obtaining money under false pretenses less than \$200 at the Greektown Casino. Verdict - Jury – Acquittal.

PEOPLE v WAYNE OLAIRA, 3rd Circuit Court-Wayne County, charged with robbery armed, assault with intent to rob armed and felony firearm. Verdict - Court – Convicted. Sentenced to 5 months in jail with credit of 218 days.

PEOPLE v MIGUEL ANGEL OQUENDO, 3rd Circuit Court-Wayne County, charged with carjacking and robbery armed. Pled as charged. Sentenced to 42 months to 15 years.

PEOPLE v JACOB DYLAN ORTIZ, 3rd Circuit Court-Wayne County, charged with assault with intent to murder, felony firearm, firearm possession by felony and habitual 2nd. Pled as charged. Sentenced to 12 to 25 years.

PEOPLE v MOHAMAD OSSEILI, 36th District Court-Wayne County, charged with criminal enterprise – conducting, 2 counts conspiracy, 2 counts financial transaction device and food stamp fraud over \$1,000. Dismissed by Court.

PEOPLE v KATHRYN OVERSTREET, 36th District Court-Wayne County, charged with misdemeanor larceny \$200 or more, but less than \$1,000 at the Greektown Casino. Plea agreement. Sentence delayed for 1 year. During that year, pay \$300 to Mandy Young, no contact with Mandy Young, \$200 costs, \$200 attorney fees, when fees paid probation will become non-reporting.

PEOPLE v BRYAN PETE OWENS, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence delayed for 1 year, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction with the Michigan Department of Community Health, treatment for that addiction as indicated after the screening, \$200 attorney fees and \$100 costs.

PEOPLE v INDIANA ROSIE OWENS, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence, plea was taken under advisement for 3 months. During that time, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health, follow whatever treatment program is indicated, and pay \$100 costs and \$100 attorney fees.

PEOPLE v BRIAN MICHAEL PACCIARELLI, 36th District Court-Wayne County, charged with felony larceny in a building, larceny less than \$200, and conspiracy at the Greektown Casino. Pled to larceny less than \$200. Sentenced to 6 months probation, \$75 fine and \$60 costs.

PEOPLE v LEE HANS PACELY, 3rd Circuit Court-Wayne County, charged with assault with intent to do great bodily harm, firearm possession/felon, felony firearm and habitual 2nd. Verdict - Jury – Convicted, found guilty of felonious assault and felony firearm. Sentenced to 2 years incarceration, and 2 years probation.

PEOPLE v ARTHUR CARLTON PAIVA, 20th Circuit Court-Ottawa County, charged with one count homicide-murder first degree-premeditated, one count homicide-felony murder- csc, one count homicide-felony murder-kidnapping. Verdict - Jury – Convicted. Sentenced to life in prison.

PEOPLE v MALISSIA LASHAWN PALMER, 36th District Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Plea agreement. Sentenced to 1 year probation, \$50 fine, \$310 costs and attend vocational training. Seek and maintain employment.

PEOPLE v PETRINA PANNELL, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours commu-

nity service, \$60,357 in restitution, \$825 costs, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fees and \$600 supervision fee.

PEOPLE v CHRISTOPHER PAQUETTE, 33rd District Court-Wayne County, charged with one count of uttering and publishing. Plea agreement. Sentenced to misdemeanor false statement in notice of report. Sentenced to 2 years probation, \$5,000 fine and 10 days community service.

PEOPLE v FREDDIE BASS PARKER, 20th Circuit Court-Ottawa County, charged with one count homicide-murder second degree, one count homicide-felony murder-CSC, 1 count homicide-felony murder-kidnapping. Verdict - Jury - Convicted, homicide-felony murder-CSC and homicide-felony murder-kidnapping. Sentenced to life in prison.

PEOPLE v MICHELLE PATRICK, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and \$24,180 in restitution.

PEOPLE v TERRY THOMAS PATTON, JR., 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence delayed for 1 year. During that year, no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health, and follow whatever treatment is indicated after the screening and pay \$250 fines/costs.

PEOPLE v DEJUAN MARKISE PAYNE, 3rd Circuit Court-Wayne County, charged with felon in possession, felonious assault, felony firearm, attempted disarming police officer and assaulting/resisting police officer. Verdict - Court – Convicted.

PEOPLE v ROBIN DARLENE PAYNE, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence delayed for 1 year. During that year, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction and treatment as indicated after the screening, \$200 attorney fees and \$200 costs.

PEOPLE v RHYNA MOLINA PELAYO, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, no contact with Michigan casinos, no contact with the criminal justice system, undergo screening for gambling addiction and treatment as indicated after screening and pay \$200 costs and \$200 attorney fees.

PEOPLE v ABDHAKIM SULAIMAAN PERKINS, 36th District Court-Wayne County, charged with two counts of no account checks at the MGM Grand Casino. Pled to false pretense. Sentenced to 1 year probation, \$1,500 fine and \$500 court cost.

PEOPLE v CASSANDRA PERKINS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$17,680.72 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v TIFFANY LOUISE PERKINS, 6th Circuit Court-Oakland County, charged with uttering and publishing and conspiracy to commit uttering and publish-

ing. Plea agreement to attempted uttering and publishing. Sentenced to 1 year probation and pay \$870.13 in restitution.

PEOPLE v SHANDORA PERRY, 3rd Circuit Court-Wayne County, charged with one count of uttering and publishing at MGM Grand Casino/habitual offender-third offense. Plea agreement. Sentenced to 2 years probation to run concurrent with another matter. Serve 180-210 days in Wayne County Jail with aftercare upon release.

PEOPLE v KENNETH PETE, 36th District Court-Wayne County, charged with one count of uttering and publishing at the MGM Grand Casino and habitual offender-third offense. Dismissed by Court.

PEOPLE v GEORGE WILLIAM PETERSON, 3rd Circuit Court-Wayne County, charged with felony gambling violations with a sentencing enhancement-2nd offense notice at the Greektown. Plea agreement. Sentenced to 1 year probation (non-reporting), no gambling at any casino, \$400 attorney fees, \$300 court costs, and he is not allowed to return to Michigan without the consent of his probation officer.

PEOPLE v MONTEL JOSEPH PETTIFORD, 7th Circuit Court-Genesee County, charged with first degree - premeditated murder. Verdict - Jury – Convicted. Sentenced to life with no possibility of parole.

PEOPLE v KELLEY WHITNEY PETTWAY, 3rd Circuit Court-Wayne County, charged with uttering and publishing at the MotorCity Casino. Plea agreement. Sentenced to 18 months probation and \$820 in fines and costs without noting a breakdown.

PEOPLE v SELICE PHILLIPS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years, \$970 costs, \$825 fees and \$39,246 in restitution.

PEOPLE v RYAN JEROME PICKARD, 30th Circuit Court-Ingham County, charged with 13 counts computers/internet – communicating with another to commit crime. Pled as charged. Sentenced to 5 years probation, 233 days in Ingham County Jail were credited as time served; sex offender therapy, register as sex offender, costs and attorney fees.

PEOPLE v ROBIN PICKETT, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$7,081 restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v SANDRA ANN PIERZCHALA, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, no contact with casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment is indicated after screening, pay \$200 fines and \$200 costs. The \$3,600 seized as winnings from defendant shall be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v CLARENCE PITTS, 3rd Circuit Court-Wayne County, charged with 3 counts of felony gambling activities at Greektown Casino. Plea agreement.

Sentenced to 2 years probation, no drugs/alcohol, substance abuse treatment if necessary, no contact with the casinos, \$60 Crime Victim's Rights fee, \$60 state fee and \$120 supervision fee.

PEOPLE v IRENE ANNETTE-SERAFIN PITUCH, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health, treatment as indicated after the screening, \$200 fines/costs and \$40 state cost.

PEOPLE v GJLOSH PJETRACAJ, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentenced to 1 year probation. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction and treatment as indicated after the screening, \$200 fines, \$200 costs and \$1,467 in winnings to be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v DAMON DWIGHT-ANTHONY PLATT, 36th District Court-Wayne County, charged with 3 counts of felony uttering and publishing and driver's license - forging with intent to commit crime at the MGM Grand Casino. Pled guilty to 3 counts of uttering and publishing. Dismissed by Court.

PEOPLE v JASON PLESKY, 3rd Circuit Court-Wayne County, charged with 2 counts of assault with intent to murder and felony firearm. Verdict - Jury - Convicted, found guilty of assault to do great bodily harm and felony firearm. Sentenced to 48 months to 10 years.

PEOPLE v TINA MARIE PORTER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees, and \$45,815 in restitution.

PEOPLE v THEODORE ANDREW POSTULA, 91st District Court-Chippewa County, charged Defendant charged with one count false pretenses \$200 or more but less than \$1,000 and 3 counts of false pretenses - less than \$200. Verdict - Jury - Acquittal.

PEOPLE v CURTIS POTTS, 3rd Circuit Court-Wayne County, charged with 1 count child sexually abusive activity and 2 counts using a computer to communicate with another to commit crime. Pled guilty to 1 count using a computer to communicate with another to commit crime. Sentenced to 18 months - 20 years in prison.

PEOPLE v TAMEKA ANN POTTS, 45-B District Court-Oakland County, charged with uttering and publishing and conspiracy to commit uttering and publishing. Pled guilty to check insufficient funds. Sentenced to 1 year probation, and \$129 in restitution and \$250 costs.

PEOPLE v NYESHA TEMICA POUNDS, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year and is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling

addiction by the Michigan Department of Community Health, follow whatever treatment program is indicated and pay \$200 costs and \$100 attorney fees.

PEOPLE v SUSIE JANE POWELL, 36th District Court-Wayne County, charged with felony gambling violation and misdemeanor false pretenses less than \$200 at the Greektown Casino. Pled to false pretenses less than 200. Sentenced to 1 year probation, no contact with the casinos, unknown supervision fees, and to enroll in a local community college for the fall term.

PEOPLE v AMARESH PRAKASHEY, 6th Circuit Court-Oakland County, charged with child sexually abusive activity and internet-communicating with another to commit child sexually abuse activity. Pled guilty. Sentenced to 5 years probation with first year in jail with work release and/or educational release to complete school.

PEOPLE v CURTIS ALAN PRATER, 36th District Court-Wayne County, charged with misdemeanor larceny at the Greektown Casino. Pled guilty. Sentenced to 93 days Wayne County Jail, credit for 93 days served.

PEOPLE v NADA PRATT, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentenced to 1 year delayed sentence, \$100 attorney fee, \$200 court costs, no contact with casinos, no contact with the criminal justice system, gambling screening and treatment as indicated.

PEOPLE v SHERI ANN PRITCHETT, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and \$18,558.96 in restitution.

PEOPLE v TRACY PRUITT, 3rd Circuit Court-Wayne County, charged with welfare fraud. Dismissed by Court.

PEOPLE v DOMONICK PRYOR, 3rd Circuit Court-Wayne County, charged with robbery armed, carjacking, felonious assault and felony firearm. Pled as charged. Sentenced to 42 months to 10 years.

PEOPLE v JACQUELINE PULLEN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, costs, fees and full restitution of \$4,147.

PEOPLE v LACHANTE DANNIELLE PURIFOY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$17,305 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v CHEN JIN QING, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Plea agreement. Sentenced to 1 year probation, no contact with casinos, no contact with criminal justice system, screening for gambling addiction and forfeited \$13,606.

PEOPLE v EDWARD JAMES QUINN, 6th Circuit Court-Oakland County charged with 10 counts computers/internet – communicating with another to commit a crime. Pled guilty to 5 counts of using computer to accost and solicit a minor for immoral purposes. Sentenced to 5 years probation.

PEOPLE v BASSAM RADWAN, 3rd Circuit Court-Wayne County, charged with two counts of violation of the tobacco products tax act. Plea agreement. Sentenced to 1 year non-reporting probation, \$100 fines, \$600 costs and \$6,144 restitution paid in monthly payments.

PEOPLE v MUGILVANNAN RAJAGOPAL, 3rd Circuit Court-Wayne County, charged with child sexually abusive activity and using a computer to communicate with another to commit crime. Plea agreement guilty plea to using computer to commit child sexually abusive activity. Sentenced to one year Wayne County Jail, to be suspended when picked up by immigration and reimbursement of prosecution expenses for witness travel of \$675.70.

PEOPLE v MATTHEW TAYLOR RAMBO, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Plea agreement. Sentenced to 1 year probation, drug and alcohol testing, AA/NA/CA meetings, drug/alcohol treatment if necessary, must maintain legitimate employment a minimum of 30 hours/week, \$600 court costs, \$60 Crime Victim's Rights fee, \$60 state fee, and \$1,056.40 supervision fees.

PEOPLE v WILLIAM FRANCIS RAMSEY, JR, 6th Circuit Court-Oakland County, charged with 1 count child sexually abusive activity and 4 counts using a computer to commit a crime. Plea agreement of 2 counts of using a computer to commit a crime. Sentenced to 2 years probation, first 6 months in Oakland County Jail. Costs and fees to be determined by probation.

PEOPLE v GURVINDER SINGH RAYAT, 22nd Circuit Court-Washtenaw County, charged with child sexually abusive activity and computer/internet – communicating with another to commit crime. Pled guilty. Sentenced to 6 months in jail and deportation.

PEOPLE v SYBIL PENNY READUS, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Pled to attempted uttering and publishing. Sentenced to 3 months Wayne County Jail, release upon payment of \$800.

PEOPLE v DAPHNE DELORES REED, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentenced to 1 year probation - delayed sentence, \$200 court cost, \$200 attorney fees and gambling screening.

PEOPLE v DAVID ALLAN REED, 3rd Circuit Court-Wayne County, charged with kidnapping, robbery armed, assault with intent to do great bodily harm, firearms possession/felon, malicious destruction of personal property \$1M<\$20M, felony firearm and habitual 3rd. Pled guilty to assault with intent to do great bodily harm, felon in possession/firearm, felony firearm and habitual 3rd. Sentenced to 5-20 years for assault with intent to do great bodily harm and habitual 3rd, 2-10 years for firearm possession by felon and 2 years for felony firearm.

PEOPLE v LATEA N. REED, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$7,955.75 restitution, \$495 costs, \$730 fees, and 3 years probation.

PEOPLE v DEBORAH REED-BOONE, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty to 1 count of trespass by a disassociated person. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program, is indicated, and pay \$200 costs and \$200 attorney fees.

PEOPLE v BERNADETTE REESE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$60,452.62 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v ROBERT NATHANIEL-ROOSEVELT REEVES, II, 6th Circuit Court-Oakland County, charged with child sexually abusive activity, computers-internet-communicating with another to commit child sexually abusive activity and habitual offender-4th notice. Plea agreement. Sentenced to 78-240 months prison (credit for 44 days), \$60 Crime Victim's Rights fee, \$120 state costs, \$300 court costs and must register as a sex offender.

PEOPLE v ROY ERNAL RETAN, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at MGM Grand Casino. Plea agreement. Sentenced to 1 year delayed and \$350 fines and costs.

PEOPLE v CARMEN REYES, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, costs, fees and \$5,453 in restitution.

PEOPLE v GLORIA REYES, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, \$8,792 in cost/fees and restitution.

PEOPLE v SAINT JOHN REYES, 4th Circuit Court-Jackson County, sex offender registry – failure to register. Verdict - Jury – Convicted. Sentenced to 21-72 months in the Michigan Department of Corrections.

PEOPLE v LAWRENCE RHODES, 3rd Circuit Court-Wayne County, charged with felony cheating at a gambling game and misdemeanor larceny less than \$200 at the Greektown Casino. Pled guilty to larceny less than \$200. Sentenced to 1 year probation and pay a \$60 fine, \$45 Crime Victim's Rights fee, \$500 court costs, \$400 attorney's fees and \$500 restitution.

PEOPLE v MARGARET LAVERNE RILEY, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Pled guilty as charged. Sentenced to 6 months probation, \$60 Crime Victim's Rights fee, \$60 state fee, 25 hours community service in lieu of fines, court costs, supervision fees and attorney fees.

PEOPLE v TIFFANY ROBERSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Dismissed by Court.

PEOPLE v FATRINIA ROBERTSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours com-

munity service, cost/fees and \$17,253 in restitution. \$825 costs, \$60 Crime Victim's Rights fee, \$60 state, \$250 attorney fees, and \$600 supervision fee.

PEOPLE v RICHARD GREGORY ROBINSON, 3rd Circuit Court-Wayne County, charged with felony non-sufficient funds check \$500 or more at the MGM Grand Casino. Dismissed by Court.

PEOPLE v RICHARD GREGORY ROBINSON, 3rd Circuit Court-Wayne County, charged with felony non-sufficient funds check \$500 or more at the MotorCity Casino. Plea agreement. Sentenced to 1 year probation, \$1,500 restitution, \$600 attorney fees, \$250 costs and \$35/month supervision fee.

PEOPLE v SABRINA DENISE ROBINSON, 3rd Circuit Court-Wayne County, charged with welfare fraud in the amount of \$52,289.50. Pled guilty. Sentenced to \$52,289.50 restitution, \$970 costs, \$825 fees and 5 years probation.

PEOPLE v TONYA ROBINSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$18,060 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v LISA ROCKINGHAM, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, cost/fees and \$18,667 in restitution, \$825 costs, \$60 Crime Victim's Rights fees, \$60 state fee, \$250 attorney fee and \$600 supervision fee.

PEOPLE v OSHON M. RODNEY, 6th Circuit Court-Oakland County, charged with forgery, conspiracy to commit forgery, uttering and publishing, conspiracy to commit uttering and publishing. Pled guilty to conspiracy to commit uttering and publishing. Sentenced to 3 years probation and to pay \$11,325 in restitution.

PEOPLE v JAMES SCOTT ROGERS, 34th District Court-Wayne County, charged with count 1 child sexually abusive activity; count 2 computer - internet - communicate with another to commit crime; count 3 computer - internet - disseminating sexually explicit matter to minors and count 4 computer - internet - child sexually abusive material - distribution. Plea agreement. Sentenced to counts 1 and 2, 1 to 20 years; count 3, 1 to 4 years; count 4, 1 to 3 years; counts 5 and 7, 1 to 7 years; counts 8, 1 to 4 years and count 9, 1 to 7 years to run concurrent.

PEOPLE v LATONYA ROGERS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$20,000 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v ARTURO ROMERO, 36th District Court-Wayne County, charged with 2 counts robbery armed and assault with intent to do great bodily harm. Dismissed by Court.

PEOPLE v MARTIN ALAN ROOSE, 36th District Court-Wayne County, charged with misdemeanor trespass by disassociated person at Greektown casino. Pled as charged. Sentenced to a delayed sentence, gambling screening and treatment, no contact with casinos, no contact with law enforcement and a \$150 fine.

PEOPLE v ANTHONY ROSARIO, 3rd Circuit Court-Wayne County, charged with

2 counts robbery armed, assault with intent to do great bodily harm and habitual 3rd.
Verdict - Court – Acquittal.

PEOPLE v JESSIE ROSENICK, 36th District Court-Wayne County, charged with robbery armed. Dismissed by Court.

PEOPLE v MICHAEL DEWAYNE ROSS, JR., 36th District Court-Wayne County, charged with felony cheating at a gambling game, misdemeanor larceny less than \$200, and possession of marijuana at the MGM Grand Casino. Pled guilty to misdemeanor larceny less than \$200. Sentenced to 1 year probation, no contact with casino, \$300 fines, \$50 Crime Victim's Rights fee, \$30/month probation oversight fees. The \$15 in question in this case should be returned to the casino.

PEOPLE v LARRY ROTH, 38th Circuit Court-Monroe County, charged with possession of fireworks. Pled guilty. Sentenced to one year probation and \$900 costs.

PEOPLE v NATASHA ROUSE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$54,645 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v DIANNE ROWE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 2 years probation, 150 hours community service, cost/fees and \$4,947 in restitution, \$330 costs, \$60 Crime Victim's Rights fee, \$60 state fee, and \$250 attorney fees.

PEOPLE v AMANDA RUNGE, 36th District Court-Wayne County, charged with alcohol-purchase/consumption/possession by a minor. Plea agreement to alcohol possession by minor. Delayed sentence for 6 months.

PEOPLE v TIANA JAKITA RUSSAW-FORD, 3rd Circuit Court-Wayne County, charged with welfare fraud in the amount of \$11,552. Plea agreement. Sentenced to \$11,552 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v DERRICK RUSSELL, 3rd Circuit Court-Wayne County, charged with robbery armed and carjacking. Pled guilty as charged. Sentenced to 9 years to 20 years.

PEOPLE v DERRICK MONTRAIL RUSSELL, 3rd Circuit Court-Wayne County, charged with robbery armed and felony firearm. Pled guilty as charged. Sentenced to 9 to 20 years.

PEOPLE v DERRICK MONTRAIL RUSSELL, 3rd Circuit Court-Wayne County, charged with robbery armed and felony firearm. Pled guilty as charged. Sentenced to 9 to 20 years.

PEOPLE v ALI RUSTOM, 3rd Circuit Court-Wayne County, charged with 3 counts of tobacco products tax act. Plea agreement. Sentenced to 1 year probation, \$600 court costs, \$45 state fee, \$50 Crime Victim's Rights fee, \$240 supervision fee and \$2,476 assessment to be paid during probation.

PEOPLE v HENRIETTA SABREE, 3rd Circuit Court-Wayne County, charged with

uttering and publishing of a counterfeit check at the MotorCity Casino. Plea agreement. Sentenced to 2 years probation, \$1,150 restitution, \$300/year court costs and \$30/month supervision fees.

PEOPLE v HENRIETTA SABREE, 3rd Circuit Court-Wayne County, charged with uttering and publishing of a counterfeit check at the MGM Grand Casino. Case dismissed.

PEOPLE v HENRIETTA SABREE, 3rd Circuit Court-Wayne County, charged with uttering and publishing of a counterfeit check at the MotorCity Casino. Case dismissed.

PEOPLE v ALI ABDEL SALAMEH, 14-B District Court-Washtenaw County, charged with misdemeanor violation of the tobacco products tax. Pled to a misdemeanor tax violation. Sentenced to \$1,000 fine.

PEOPLE v JOSEPH SALAMEY, 31st Circuit Court-St. Clair County, charged with 2 counts of felony violation of the tobacco products tax act. Plea agreement. Sentenced to 90 days suspended upon payment of \$60 state cost, \$250 court cost and \$200 fine.

PEOPLE v DON FRANKLIN SALYERS, JR., 3rd Circuit Court-Wayne County, charged with child sexually abusive activity and using a computer to communicate with another to commit crime. Pled guilty to using a computer to communicate with another to commit crime. Sentenced to 12-240 months in prison, must register as a sex offender.

PEOPLE v REIMAN MARK SAMANO, 6th Circuit Court-Oakland County, charged with count 1 insurance fraud - conspiracies; count 2 false pretenses - \$1,000 or more but less than \$20,000; count 3 false pretenses - \$1,000 or more but less than \$20,000. Plea agreement. Sentenced to probation for 24 months, \$104,149.12 restitution, \$60 Crime Victim's Rights fee, \$480 supervision fee, \$600 for costs and \$60 for state costs.

PEOPLE v JAMES ARTHUR SAMEK, 6th Circuit Court-Oakland County, charged with child sexually abusive activity, using a computer to commit child sexually abusive activity and using a computer to disseminate sexually explicit matter to a minor. Pled guilty. Sentenced to 3-15 years on counts 1 and 2, 2 - 4 years on count 3.

PEOPLE v SAMI ISSA SANA, 3rd Circuit Court-Wayne County, charged with tobacco products tax act violations. Verdict - Court – Convicted. Sentenced to 3 months probation and \$1,000 fine.

PEOPLE v MARIA SANCHEZ, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea guilty. Sentenced to 3 years probation, 150 community service, \$795 costs, \$730 fees and \$8,080 restitution.

PEOPLE v ROBERT LEE SARTIN, 3rd Circuit Court-Wayne County, charged with home invasion 1st and felony firearm. Verdict - Jury – Acquittal.

PEOPLE v EDWARD DEVON SAVAGE, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity

Casino. Pled guilty. Sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction and treatment if indicated after the screening and pay \$200 attorney fees, \$100 seized from defendant at the time of his arrest shall be over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v MARTIN SAVAYA, 3rd Circuit Court-Wayne County, charged with 2 counts of violation of tobacco products tax act violations. Plea agreement. Sentenced to probation and \$9,520 in restitution.

PEOPLE v JAY EVRON-JON SCHAFFNER, 36th District Court-Wayne County, charged with uttering and publishing and possession of marijuana at the MotorCity Casino. Dismissed by Court.

PEOPLE v JAY EVRON-JON SCHAFFNER, 3rd Circuit Court-Wayne County, charged with uttering and publishing and possession of marijuana at the MotorCity Casino. Plead to attempt uttering and publishing. Sentenced to 2 years probation, no contact with the casinos, alcohol and drug testing, \$60 Crime Victim's Rights fee, \$60 state fee, \$400 attorney fees, \$600 court costs and \$120/year supervision fees.

PEOPLE v KENNETH ALAN SCHALK, 38th Circuit Court-Monroe County, charged with using a computer to disseminate sexually explicit matter to a minor and using a computer to commit accosting and soliciting a minor for immoral purposes. Plead guilty to using a computer to commit accosting and soliciting a minor for immoral purposes. Sentenced to 5 years probation, 240 days in county jail and \$60 Crime Victim's Rights fees.

PEOPLE v RUSSELL SCHNEIDER, JR., 3rd Circuit Court-Wayne County, charged with child sexually abusive activity and using a computer to communicate with another to commit crime. Pled guilty. Sentenced to 13 months-20 years in prison.

PEOPLE v JAMES WILLIMA SCHROEDER, 3rd Circuit Court-Wayne County, charged with child sexually abusive activity, internet-communicating with a minor to commit child sexually abusive activity, internet-communicating with a minor to commit disseminating sexually explicit matter to minors. Pled guilty. Sentenced to 24-40 months prison, must register as sex offender.

PEOPLE v CREA HAMEEN SCRUTCHIONS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$25,558 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v DEBORAH SEABRON, 3rd Circuit Court-Wayne County, charged with uttering and publishing at Motor City Casino. Plea agreement. Sentenced to 60 days Wayne County Jail, given credit for 53 days served.

PEOPLE v TAMIKA MARIE SEED, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentenced to 7 months in jail, credit for 7 months served.

PEOPLE v GABRIEL JOHN SEIBT, 3rd Circuit Court-Wayne County, was charged with common law - misconduct in office and felonious assault. Verdict - Jury - Acquittal.

PEOPLE v BRADLEY ALLEN SENTEK, 6th Circuit Court of Appeals, charged with child sexually abusive activity and computers – internet – communicating with another to commit crime. Pled guilty. Sentenced to 14 months-30 years in prison.

PEOPLE v BARRY SHAFFER, 6th Circuit Court-Oakland County, charged with child sexually abusive activity, 2 counts computers-internet-communicating with another to commit crime and 2 counts computers-internet-communicating with another to commit crime. Pled guilty to 1 count child sexually abusive activity and 1 count using a computer to communicate with another to commit dissemination of sexually explicit matter to a minor. Sentenced to 2-20 years Michigan Department of Corrections.

PEOPLE v URMILKUMAR SHAH, 3rd Circuit Court-Wayne County, charged with 1 count child sexually abusive activity and 2 counts using a computer to communicate with another to commit crime. Verdict - Jury – Convicted of 2 counts using a computer to communicate with another to commit crime. Sentenced to 18 months to 20 years and restitution of \$1,618.80 for litigation costs.

PEOPLE v LISA SHAHAN, 3rd Circuit Court-Wayne County, charge with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, cost/fees and restitution totaling \$39,657, costs \$825, Crime Victim's Rights fees \$60, state \$60, attorney fees \$250 and supervision fees \$600.

PEOPLE v MALISA SHAHAN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, cost/fees and restitution totaling \$39,657, cost \$825, Crime Victim's Rights fee \$60, state \$60, attorney fees \$250 and supervision fee \$600.

PEOPLE v NABIL SHAMEL, 3rd Circuit Court-Wayne County, charged with criminal enterprise, 2 counts conspiracy, 2 counts financial transaction device and food stamp fraud over \$1,000. Pled to attempt financial transaction device. Sentenced to 1 year, 6 months probation and \$15,000 forfeiture.

PEOPLE v JAMAL K. SHANAB, 36th District Court-Wayne County, charged with felony larceny in a building and in the alternative misdemeanor larceny less than \$200 at the Greektown Casino. Pled to larceny less than \$200. Sentenced to 6 months probation, \$260 in fines and costs.

PEOPLE v CHRIS SHANGO, 3rd Circuit Court-Wayne County, charged with felony tobacco products tax act violation and misdemeanor tobacco retail sale of individual cigarettes. Pled guilty to attempt tobacco products tax act. Sentenced to 3 months probation, pay \$3,829 restitution to Michigan Department of Treasury, \$60 Crime Victim's Rights fee, \$30 supervision fee and \$800 court costs.

PEOPLE v ANDRE QUINCY SHAW, 3rd Circuit Court-Wayne County, charged with 2 counts of felony uttering and publishing at the MotorCity Casino. Pled to attempt uttering and publishing. Sentenced to 2 years probation, no drugs/alcohol, random drug tests, no weapons, maintain legit employment, pay restitution \$800 (including \$300 seized at the time of arrest), \$240 supervision fees, \$60 state fee and \$60 Crime Victim's Rights fee.

PEOPLE v RICHARD WILLIAM SHAW, 3rd Circuit Court-Wayne County, charged

with child sexually abusive activity and using a computer to communicate with another to commit crime. Pled as charged. Sentenced to 18 months to 20 years.

PEOPLE v DANYELLE TRAVERA SHAZIER, 3rd Circuit Court-Wayne County, charged with 6 counts of felony uttering and publishing of counterfeit bills and possession of counterfeit bills with intent to publish. Plea agreement. Sentenced to 2 years probation, she must obtain her GED, maintain 30 hours legitimate employment, pay \$1,700 in restitution, \$240 supervision fee, \$60 Crime Victim's Rights fee, \$600 court costs and \$180 state fees.

PEOPLE v DJUAN MAURICE SHEPPARD, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled. Sentenced to 1 year delayed sentence, no contact with casinos, no contact with criminal justice system, \$200 fine and \$200 court costs, gambling screening and treatment as indicated.

PEOPLE v TINA MARIE SHOULDERS, 3rd Circuit Court-Wayne County, charged with insurance fraud conspiracies, false pretenses \$20,000 or more, insurance fraud conspiracies. Pled to insurance fraud conspiracies. Sentenced to \$60 Crime Victim's Rights fee, \$400 costs, \$60 state minimum costs, \$43,072.92 restitution and probation for 3 years.

PEOPLE v ALI RIAD SHOUMAN, 31st Circuit Court-St. Clair County, charged with 2 counts of felony violation of the tobacco products tax act and doing business without a sales tax license. Dismissed by Court.

PEOPLE v ALI RIAD SHOUMAN, 41B District Court-Macomb County, charged with 2 counts of violation of tobacco products tax act. Dismissed by Court.

PEOPLE v URSULA DESHAWNDA SILAS, 3rd Circuit Court-Wayne County, charged with welfare fraud in the amount of \$34,727. Pled guilty. Sentenced to 5 years probation, 150 hours community service, \$970 costs, \$825 fees and \$34,727 restitution.

PEOPLE v THOMAS LAWRENCE SIMMONS, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentenced to 1 year delayed, probation, gambling treatment, no contact with casino's and \$200 fines and \$200 costs.

PEOPLE v BRENDA LOUISE SIMPSON, 36th District Court-Wayne County, charged with retail fraud and assaulting or obstructing a public officer at MotorCity Casino. Dismissed by Court.

PEOPLE v BRENDA LOUISE SIMPSON, 3rd Circuit Court-Wayne County, charged with retail fraud and assaulting or obstructing a public officer at MotorCity Casino. Pled guilty to attempt resisting and obstructing - a misdemeanor. Sentenced to 18 months probation, \$45 state fee, \$50 Crime Victim's Rights fee and \$10/month supervision fee.

PEOPLE v DAWN CARLA SIMS, 3rd Circuit Court-Wayne County, charged with uttering and publishing at the MotorCity Casino. Pled to attempt uttering and pub-

lishing. Sentenced to 2 years probation, \$950 in fines and costs and no casino's for period of probation.

PEOPLE v BALKAR SINGH, 67-1st District Court-Genesee County, charged with felony violation of the tobacco products tax act. Pled to a reduced charge of 1 year misdemeanor violation of the tobacco products tax act. Sentenced to 1 year probation, 30 days jail to be served upon a second violation, assessed a \$100 fine, \$50 costs and a \$45 state fee.

PEOPLE v KARANVIR SINGH, 67-3rd District Court-Genesee County, charged with felony violation of the tobacco products tax act. Pled to misdemeanor tobacco products tax act. Delayed sentence. Nolle Prosequi.

PEOPLE v RAVINDER SINGH, 61st District Court-Kent County, charged with felony violation of the tobacco products tax act. Pled no contest to the misdemeanor violation of tobacco products tax act. Sentenced to pay \$256 for the tobacco taxes and \$100 court cost. Judge Servaas came to this amount by multiplying 32% by the amount (in value) of the tobacco seized which was approximately \$800.

PEOPLE v VALARIE SINGLETON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 3 years probation, \$730 costs, \$495 fees and restitution.

PEOPLE v SABRINA RENEE SISTRUNK, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$13,932 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v TRINITY T. SLEDGE, 3rd Circuit Court-Wayne County, charged with uttering and publishing at the MGM Grand Casino. Pled to attempt uttering and publishing. Sentenced to 1 year probation, \$200 fine, \$255 court costs and \$400 attorney fees.

PEOPLE v KEITH RAY SMALLMAN, 3rd Circuit Court-Wayne County, charged with 1 count child sexually abusive activity and 2 counts using a computer to communicate with another to commit crime and habitual offender 2nd notice. Pled guilty. Sentenced to 51 to 240 months for counts 1 and 2; and 24 to 48 months for count 3; \$60 Crime Victim's Rights fee; \$60 state costs and sex offender registration.

PEOPLE v NIKI SMILEY, 3rd Circuit Court-Wayne County, charged with uttering and publishing at MGM Grand. Plea agreement. Sentenced to 2 years probation (must maintain 30 hours employment), \$60 Crime Victim's Rights fee, \$120 state costs, \$300 court costs and \$400 attorney fees.

PEOPLE v ROSCOE SMILEY, 36th District Court-Wayne County, charged with misdemeanor embezzlement at the Greektown Casino. Pled guilty. Sentence delayed for 6 months. During the 6 months, no contact with casino, pay \$200 costs, \$200 fines and \$200 attorney fees.

PEOPLE v ANTOINETTE SMITH, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation for Medicaid fraud, \$21,341 restitution, \$855 costs and \$370 in fees.

PEOPLE v ARTAVIA LUCRIC SMITH, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 3 years probation, \$730 costs, \$495 fees and restitution of \$6,766.56.

PEOPLE v DAVID BENTON SMITH, 37th Circuit Court-Calhoun County, charged with 5 counts using a computer to communicate with another to accost and solicit a minor for immoral purposes and 1 count using a computer to communicate with another to disseminate sexually explicit matter to minors. Pled guilty to using a computer to accost and solicit a minor for immoral purposes, and using a computer to disseminate sexually explicit matter to a minor. Sentenced to 16 months to 10 years.

PEOPLE v JANNETTA SMITH, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$35,492 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v KEITH BERNARD SMITH, 3rd Circuit Court-Wayne County, charged with uttering and publishing and identity theft at MGM Grand Casino. Plea agreement. Sentenced to time served. Defendant serving natural life on a murder conviction.

PEOPLE v LASHAWNDA SMITH, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and \$9,215 in restitution.

PEOPLE v LASHAWNDA A. SMITH, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 3 years, \$825 costs, \$495 fees, and \$9,215 restitution.

PEOPLE v LEWIS WILSON SMITH, JR., 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled as charged. Sentenced to 1 year probation (delayed sentence). No casino visits, no criminal justice contacts, and gambling counseling if needed and pay \$250 fines and costs.

PEOPLE v MICHAEL RAY SMITH, 57th District Court-Allegan County, charged with malicious destruction of personal property -\$200 or more but less than \$1,000. Pled guilty. Sentenced to \$500 costs and fines.

PEOPLE v ROBIN SMITH JR, 3rd Circuit Court-Wayne County, charged with home invasion 1st, felony firearm, felon in possession/firearm and felonious assault. Dismissed by Court.

PEOPLE v RODERICK FITZGERALD SMITH, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentenced to 1 year probation, no contact with the casinos, no contact with the criminal justice system, treatment for gambling addiction with a certified gambling addiction counselor until discharged in writing by the therapist and pay \$200 fine and \$200 costs.

PEOPLE v SHANTAH LATRICE SMITH, 36th District Court-Wayne County, charged with misdemeanor disorderly conduct and setting off a false fire alarm at the

MotorCity Casino. Pled guilty to the false alarm. Sentenced to 1 year probation, no contact with MotorCity Casino, \$200 costs and \$200 attorney fees.

PEOPLE v STACEY SMITH, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$18,155 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v WILLIE ST. PATRICK SMITH, III, 3rd Circuit Court-Wayne County, charged with 6 counts of felony non-sufficient funds checks at the MotorCity Casino. Pled to 1 count felony non-sufficient funds checks. Sentenced to 2 years probation, with fines/costs \$800 and restitution \$500, alcohol, gambling and other mental health counseling are conditions of probation and barred from all Michigan casino's and gambling establishments for the period of his probation.

PEOPLE v JOANNE SMITH, 3rd Circuit Court-Wayne County, Charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, \$10,025 restitution, \$495 costs, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fees and \$600 supervision fee.

PEOPLE v MATTHEW RYAN SMOKER, 3rd Circuit Court-Wayne County, charged with 2 counts: computers - internet - communicating with another to commit crime, accosting and soliciting a minor for immoral purposes, 7 counts: computers - internet - communicating with another to commit crime, dissemination of sexually explicit matter to a minor. Pled guilty to 2 counts using a computer to communicate with another to accost and solicit a minor for immoral purposes and 2 counts using a computer to communicate with another to disseminate sexually explicit matter to a minor. Sentenced to 3 years probation with first 30 days in jail.

PEOPLE v RAAD H. SOKA, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed.

PEOPLE v PATRICK RAY SPEAR, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence to a 1 year delayed sentence. During that year, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction by the Michigan Department of Community Health and treatment, after the screening and pay \$100 fine and \$200 costs.

PEOPLE v CURTIS SCOTT SPULLER, 3rd Circuit Court-Wayne County, charged with computers-internet-communicating with another to commit crime and computers-internet-communicating with another to commit crime. Pled to computers-internet-communicating with another to commit crime. Sentenced to 3-36 months jail.

PEOPLE v KAREN STANFORD-BROWN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation for Medicaid fraud, \$5,101 restitution, \$855 in costs and \$370 in fees.

PEOPLE v JOHNNY RAY STANLEY, 16th Circuit Court-Macomb County, charged with 5 counts using a computer to communicate with another to commit crime. Pled guilty. Sentenced to probation with first 30 days in Macomb County Jail, register as sex offender and sex offender treatment.

PEOPLE v JACQUELINE STEPHEN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, costs, fees and restitution of \$19,145.

PEOPLE v LATANYA STEVENS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$19,212.60 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v NIKKITA MARIE STEVENSON, 36th District Court-Wayne County, charged with felony uttering and publish at the MotorCity Casino. Pled to false pretenses less than \$200. Sentenced to 9 months probation and \$500 fine.

PEOPLE v CATINA BLONDELL STEWART, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and \$49,985 restitution.

PEOPLE v MICHELLE NICOLE STEWART, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing, identity theft, and conspiracy to commit uttering and publishing. Pled to one court of non-sufficient funds less than \$1000. Sentenced to 1 year probation, \$600 court costs, \$400 attorney fees, 50 hours community service and must testify truthfully in any and all matters related to this case.

PEOPLE v SHERI RENA STEWART, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$10,716 restitution, \$970 costs, \$825 fees and 5 years probation.

PEOPLE v TONYA STEWART, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, \$9,504 restitution, \$330 costs, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fees, and \$360 supervisory fee.

PEOPLE v NILES RICHARD STILLMAN, 39th Circuit Court-Lenawee County, charged with 4 counts computers/internet – communicating with another to commit crime. Pled guilty. Sentenced to counts 1 and 3 - 23 months - 10 years Michigan Department of Corrections; on counts 2 and 4 - 17 months - 4 years Michigan Department of Correction, received credit 178 days served, register as sex offender, sex offender treatment, \$60 Crime Victim's Rights fee and \$240 court costs.

PEOPLE v BRADFORD PAUL STORTI, 25th Circuit Court-Marquette County, charged with 1 count using a computer to commit a crime, 5 counts child sexually abusive activity-distributing or promoting, 10 counts of possession of sexually abusive material and habitual third offense. Plead as charged. Sentenced to 3 years 2 months to 10 years, \$60 Crime Victim's Rights fee, \$1,550 attorney fees, \$150 court costs and \$960 state costs.

PEOPLE v JULIE ANNE STROH, 36th District Court-Wayne County, charged with alcohol - purchase/consumption/possession by a minor at the MGM Grand Casino. Pled guilty to disorderly person. Sentence plea was taken under advisement for 90 days, no contact with MGM and pay \$50 in court costs.

PEOPLE v ANDREA STUBBS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community

service, \$5,226 restitution, \$330 costs, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fee and \$360 supervisory fee.

PEOPLE v JAMES EUGENE SULLIVAN, 43rd District Court-Oakland County, charged with 1 count child sexually abusive activity, 1 count computers-internet-communicating with another to commit child sexually abusive activity, and 3 counts child sexually abusive activity. Pled guilty to count 1. Sentenced to 5 years probation, with first 12 months in county jail, \$1,500 court costs, \$60 Crime Victim's Rights fee, \$1,800 supervisory fee and \$60 state costs.

PEOPLE v SONYA NICOLE SULLIVAN, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and \$17,145 restitution.

PEOPLE v FRANK JOSEPH SUSKI, 3rd Circuit Court-Wayne County, charged with child sexually abusive activity and using a computer to communicate with another to commit crime. Pled to using a computer to communicate with another to commit crime. Sentenced to 12 months-20 years in prison.

PEOPLE v LAURIE ANN SWANK, 20th Circuit Court-Ottawa County, charged with homicide-murder second degree, homicide-felony murder-CSC, and homicide-felony murder kidnapping. Pled guilty to murder second degree with agreement to truthfully testify against 4 other co-defendants. Sentenced to 10 to 20 years in prison.

PEOPLE v LATAMARA SWANSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, cost/fees and restitution of \$64,570.

PEOPLE v PATRICK SZULBORSKI, 16th Circuit Court-Macomb County, charged with hazardous substances – knowing release of hazardous substance/false statements, hazardous waste – generator's duties and 2 counts liquid industrial waste – general violations. Verdict - Court – Convicted. Sentenced to credit for 1 day served, two years probation with 180 days jail suspended for one year upon payment of \$2,500 fine, \$40 court costs, \$40/month supervision fees, \$10,345.55 restitution (fine of \$2,500 to be paid within one year or serve the 180 days) \$60 Crime Victim's Rights fee, \$240 state mandatory costs, and no drugs/alcohol.

PEOPLE v LADION IGNATIUS TAIT, 36th District Court-Wayne County, charged with 2 counts of felony non-sufficient funds over \$100, but less than \$500 at the MGM Grand Casino. Pled guilty to misdemeanor non-sufficient funds. Sentenced to 1 year probation, no contact with the casinos, \$50 Crime Victim's Rights fee and \$150 fines/costs.

PEOPLE v ASKHIG TAKESSIAN, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Plea agreement. Sentence delayed for 1 year. During that year, no contact with the casinos, no contact with the criminal justice system, continue in the gambling addiction treatment program discharged in writing and pay \$200 fine and \$200 costs.

PEOPLE v DAVID WAYNE TALBOT, 3rd Circuit Court-Wayne County, charged with 1 count child sexually abusive activity and 2 counts using a computer to communicate with another to commit crime. Pled guilty to one count using a computer

to communicate with another to commit crime. Sentenced to 18 months - 20 years Michigan Department of Corrections.

PEOPLE v REZA CONWELL TATUM, 3rd Circuit Court-Wayne County, charged with assault with intent to murder, felon in possession/firearm, felonious assault and felony firearm. Verdict - Court - Convicted, found guilty of firearm possession/felon, felony firearm and assault with intent to do great bodily harm. Sentenced 7 ? to 15 years plus 2 years.

PEOPLE v YWATANNA SAMONE TAYLOR, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentenced to 9 months probation.

PEOPLE v SHELIA TEDFORD, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, cost/fees and \$28,260 restitution, \$825 costs, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fees, and \$600 supervisory fee.

PEOPLE v JONATHAN GEOVANNY POLANCO TEJADA, 36th District Court-Wayne County, charged with felony gambling, conspiracy to gambling and false pretenses. Dismissed by Court.

PEOPLE v JOSEPH RAPHAEL THIBODEAUX (MGM-121-07), 3rd Circuit Court-Wayne County, charged with financial transaction device - uttering and publishing, financial transaction device - possession and habitual offender second notice at the MGM Grand Casino. Pled to financial transaction device - uttering and publishing. Sentenced to probation, no contact with casino and restitution to be determined.

PEOPLE v JOSEPH RAPHAEL THIBODEAUX (MCC-243-06), 3rd Circuit Court-Wayne County, charged with financial transaction device - uttering and publishing and financial transaction device - possession. Pled to financial transaction device - uttering and publishing. Sentenced to probation and no contact with casino and restitution to be determined.

PEOPLE v ANGELENE THOMAS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation, and \$44,654.51 in restitution.

PEOPLE v BRANDON GERMAINE THOMAS, 3rd Circuit Court-Wayne County, charged with felony cheating at a gambling game, false pretenses less than \$200, underage gambling, and obstructing a police officer by disguise at the Greektown Casino. Pled guilty to felony gambling violation and obstructing by disguise. Sentenced to 1 year, no contact with the casinos, 25 hours of community service, \$60 Crime Victim's Rights fee, \$120 supervision fee, \$300 court costs and \$400 attorney fees.

PEOPLE v DAMON RENARD THOMAS, 3rd Circuit Court-Wayne County, charged with 1 count child sexually abusive activity and 2 counts using a computer to communicate with another to commit crime. Pled to 1 count of using a computer to communicate with another to commit crime. Sentenced to 18 months-20 years in prison.

PEOPLE v SHIANATA HOPE THOMAS, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Pled guilty as charged. Sentenced to 1 year probation, \$60 Crime Victim's Rights fee, \$165 costs, \$400 attorney fees, \$120 supervision fee, \$60 state fee. Defendant can perform 100 hours of community service in lieu of fines/costs, must seek and maintain legit employment a minimum of 30 hours/week, be assessed for substance and gambling abuse and undergo outpatient treatment as indicated after assessment until medically discharged, undergo random urinalysis, no drugs or association with anyone who uses illegal drugs, must possess a valid identification, no contact with casinos, and defendant must obtain GED.

PEOPLE v TONYA THOMAS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$66,969.30 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v ANTHONY TYRONE THOMPSON, 3rd Circuit Court-Wayne County, charged with assault with intent to murder, firearm possession by felony and felony firearm. Verdict - Jury – Convicted, found guilty of firearm possession by felon and felony firearm. Sentenced to 4 to 10 years, plus 2 years.

PEOPLE v FREDA LASHAE THOMPSON, 36th District Court-Wayne County, charged with 1 count of misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program is indicated and pay \$200 costs and \$200 attorney fees.

PEOPLE v ALEERA THOMPSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, cost/fees and \$14,563 in restitution, \$825 costs, \$60 Crime Victim's Rights fees, \$60 state fee, \$250 attorney fees, and \$600 supervisory fee.

PEOPLE v AUDRY THOMPSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 2 years probation, 75 hours community service, \$6,842 in restitution, \$330 costs, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fees and \$240 supervisory fee.

PEOPLE v MARGARETTA TISDALE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, \$17,004 in restitution \$825 costs, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fees, and \$600 supervisory fee.

PEOPLE v EVAN S. TOBYA, 52-4th District Court-Oakland County, charged with felony violation of the tobacco products tax act and counterfeit stamping of cigarettes. Pled guilty to 2 misdemeanor tobacco products tax act violations. Sentence was imposed by court without probation, fines and costs.

PEOPLE v ADMON YOUSIF TOMA, 3rd Circuit Court-Wayne County, charged with tobacco products tax act violations. Pled guilty to the misdemeanor tobacco products tax act violation. Sentenced to \$1,307 restitution, \$250 fines, \$50 Crime Victim's Rights fee and \$45 state fee.

PEOPLE v BASHAR TOMA, 16th Circuit Court-Macomb County, charged with 3 counts of violation of tobacco products tax act. Plea agreement. Sentenced to 18 months probation, \$2,800 assessment, \$1000 fine, \$60 state fee, \$60 Crime Victim's Rights fee and \$30 a month supervision fee.

PEOPLE v ALLISON TOMPKINS, 36th District Court-Wayne County, charged with one count of malicious destruction of personal property. Pled guilty. Sentenced to restitution of \$320, \$400 fines and costs, with one month term of probation.

PEOPLE v EDWIN LAWRENCE TOMPKINS, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence delayed for 1 year. During that year, no contact with the casinos, no contact with the criminal justice system, screening for gambling addiction and treatment as indicated after the screening, \$200 attorney fees and \$200 costs.

PEOPLE v DEBORAH TOMPKINS-JONES, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Plea attempted uttering and publishing. Sentenced to 1 year probation, screening and treatment for substance/gambling abuse/addiction, \$60 Crime Victim's Rights fee, \$60 state fee, \$180 costs and \$400 attorney fees. Defendant can perform 75 hours of community service in lieu of the fines/costs.

PEOPLE v GREYTHON TORRES, 3rd Circuit Court-Wayne County, charged with 2 counts robbery armed, assault with intent to do great bodily harm and felony firearm. Verdict - Court – Convicted, guilty of 2 counts of robbery armed, felony firearm. Sentenced to 5-15 years plus 2 years and \$600 costs.

PEOPLE v KELLY TRAVIS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, \$12,126 in restitution, \$1,425 in costs and \$370 in fees.

PEOPLE v CHRISTINA MARIE TURNER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and restitution.

PEOPLE v KRISTLE ALEXIS TUNER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$19,890 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v SHANA C. N. TYLER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and \$17,486 restitution.

PEOPLE v MARASH ZEF ULAJ, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentenced to 18 months probation, no contact with the casinos, no contact with the criminal justice system, treatment for gambling addiction with a certified gambling addiction counsel until medically discharged in writing, \$250 fines/costs, \$50 Crime Victim's Rights fee and \$35/month supervision fee.

PEOPLE v MARASH ZEF ULAJ, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pursuant to a plea agreement, case dismissed.

PEOPLE v JAKENA H. URQUHART, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and \$64,949 in restitution.

PEOPLE v MIGUEL SOLIS VALENCIA, 3rd Circuit Court-Wayne County, charged with robbery armed and felony firearm. Pled. Sentenced to 2 to 10 years.

PEOPLE v VAN DYKE PETRO INC., 3rd Circuit Court-Wayne County, charged with criminal enterprise - conducting, 2 counts conspiracy, food stamp fraud over \$1,000 and 2 counts financial transaction device. Pled to felony racketeering charge for the store. Sentenced to pay forfeiture in amount of \$178,531 for both defendant Dika and the store, at the time of sentencing defendant was deported from U.S. to Canada because U.S. had denied him asylum.

PEOPLE v LEE DERYCK VANBEEK, 30th Circuit Court-Ingham County, charged with 4 counts computer/internet – communicating with another to commit crime. Pled guilty. Sentenced to 6-60 months.

PEOPLE v GEORGE MARTIN VANDENBERG, 17th Circuit Court-Kent County, charged with child sexually abusive activity and computers/internet – communicating with another to commit crime. Pled guilty. Sentenced to 2-20 years Michigan Department of Corrections with 3 days credit, \$60 Crime Victim's Rights fee and \$360 state costs.

PEOPLE v ROBERT RICHARD VANDERWALL, 28th Circuit Court-Wexford County, charged with child sexually abusive activity and 3 counts computers/internet – communicating with another to commit crime. Pled guilty to counts 2, 3 and 4. Sentenced to 5-20 years with credit for 169 days time served, \$60 Crime Victim's Rights fee, \$120 state costs and register as sex offender.

PEOPLE v MARTIN VARGAS, JR, 3rd Circuit Court-Wayne County, charged with felonious assault, firearm possession/felon and felony firearm. Verdict - Jury – Convicted. Sentenced to 2 years incarceration and 5 years probation.

PEOPLE v RONALD ALFRED VERDOOT, JR., 36th District Court-Wayne County, charged with misdemeanor 2nd degree retail fraud \$200-\$1,000 at the MotorCity Casino. Pled guilty to retail fraud -2nd degree. Sentenced to 6 months probation, \$50 Crime Victim's Rights fee, 40 hours community service and no contact with casino.

PEOPLE v RICARDO VILLARREAL, 30th Ingham County Circuit Court, charged with sex offender - failure to register. Pled guilty to attempt sex offender - failure to register. Sentenced to 10 months in jail, credit for 218 days, pay fines/costs of \$60 state minimum costs, \$60 Crime Victim's Rights fee, and attorney fees.

PEOPLE v DANA VILLNEFF, 3rd Circuit Court-Wayne County, charged with welfare fraud in the amount of \$31,584. Pled. Sentenced to \$31,584 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v RODNEY VINSON, 3rd Circuit Court-Wayne County, charged with 2 counts felonious assault and felony firearm. Verdict - Jury – Acquittal.

PEOPLE v STEVEN WACLAWSKI, 16th Circuit Court-Macomb County, charged with 3 counts first degree criminal sexual conduct, 2 counts 2nd degree criminal sexual conduct, 5 counts using a computer to produce child sexually abusive material and 1 count of producing child sexually abusive material. Verdict - Jury - Convicted, of 3 counts first degree criminal sexual conduct, 2 counts 2nd degree criminal sexual conduct, 5 counts using a computer to produce child sexually abusive material and 1 count of producing child sexually abusive material. Sentenced to count 1 - 17.5 - 40 years, with credit for 645 days, counts 2-3 - 86 months to 15 years, counts 4/8 - 95 months to 20 years, and Count 9 - 95 months to 20 years. All sentenced are to run concurrently. Also assessed \$60 Crime Victim's Rights fee, \$540 court costs and attorney fees amount to be determined.

PEOPLE v TAMIKA WAGNER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$20,568 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v ELIZABETH ROSE WALKER, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, no contact with the criminal justice system, no contact with the casinos, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment is recommended, pay \$100 fines, \$100 costs and \$200 attorney fees. Also, \$1,500 winnings seized Defendant's arrest is to be turned over to the State of Michigan Compulsive Gambling Prevention. The \$16.05 should be returned to Defendant.

PEOPLE v MARTHA WALKER, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MGM Grand Casino. Pled to attempted uttering and publishing. Sentenced to 1 month in jail, release upon payment of \$800.

PEOPLE v RONETTA WALKER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, \$107,853 in restitution, \$825 costs, \$60 Crime Victim's Rights fees, \$60 state fee, \$250 attorney fees and \$600 supervision fee.

PEOPLE v TIFFANY TANIKA WALKER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and \$12,630 in restitution.

PEOPLE v DARRYL LEE WALLACE, 30th Circuit Court-Ingham County, charged with one count of false pretenses \$20,000 or more and habitual third. Pled as charged. Sentenced to 28 months to 15 years. Restitution to be determined.

PEOPLE v HAROLD WALTON, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Pled guilty to attempt uttering and publishing. Sentenced to probation.

PEOPLE v ROBERT WALTON JR., 3rd Circuit Court-Wayne County, charged with two counts of cheating at a gambling game and two counts of misdemeanor obtain-

ing money under false pretenses less than \$200 at the MotorCity Casino. Pled to 2 counts of misdemeanor false pretenses less than \$200. Sentenced to 1 year probation, \$400 costs, \$40/month supervision fee and \$155 restitution to MotorCity Casino.

PEOPLE v SHATISHA WALTON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees, and restitution of \$32,680.

PEOPLE v TAMMY WALTON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$20,799.37 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v CHARLOTTE WASHINGTON, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Plea agreement. Sentenced to 8 months probation, \$200 court costs and \$240 supervision fee.

PEOPLE v LAJOHN ESTEN WASHINGTON, 36th District Court-Wayne County, charged with illegal gambling and false pretenses less than \$200. Pled guilty to misdemeanor false pretenses. Sentenced to 15 months probation, no contact with casino, no weapons, must maintain employment and show proof, \$200 fines, \$60 costs and \$35/month supervision fees.

PEOPLE v TASHA M. WASHINGTON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$41,057 restitution, \$970 costs, \$825 fees and 5 years probation.

PEOPLE v YVONNE DELICIA WASHINGTON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$7,426.60 restitution, \$495 costs, \$730 fees and 3 years probation.

PEOPLE v VALERIE WATLINGTON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, \$8,376 in restitution, \$95 costs, \$60 Crime Victim's Rights fees, \$60 state fee, \$250 attorney fees and \$600 supervisory fee.

PEOPLE v MARY WATSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$7,440 restitution, \$495 costs, \$730 fees, and 3 years probation.

PEOPLE v ROSA SHARIE WATSON, 36th District Court-Wayne County, charged with 2 counts of uttering and publishing at Motor City Casino. Dismissed by Court.

PEOPLE v ROSA SHARIE WATSON, 36th District Court-Wayne County, charged with 2 counts of uttering and publishing at the Motor City Casino. Pled to False Pretenses \$200 - \$1,000. Sentenced to 1 year probation and restitution \$1,015.65.

PEOPLE v EBONY MONIQUE WEAVER-HOLT, 3rd Circuit Court-Wayne County, charged with insurance fraud conspiracies, false pretenses \$20,000 or more and insurance fraud conspiracies. Pled to insurance fraud. Sentenced to \$60 Crime Victim's Rights fee, \$400 costs, \$60 state minimum costs, \$857 restitution, and 2 years probation.

PEOPLE v ANITA ALICE WEBB, 36th District Court-Wayne County, charged with misdemeanor 2nd degree retail fraud at the MotorCity Casino. Pled guilty. Sentenced to 33 days in the Wayne County Jail and given credit for 33 days served. In addition, she was placed on probation for 1 year, and no contact with casino, undergo substance abuse screening and follow whatever treatment is recommended, pay \$100 fines and \$100 costs.

PEOPLE v ANITA ALICE WEBB, 3rd Circuit Court-Wayne County, charged with 1 count of uttering and publishing and habitual 2nd at the MotorCity Casino. Pled to uttering and publishing. Sentenced to 75 days Wayne County Jail.

PEOPLE v TAMARA WEBB, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 3 years probation, 150 hours community service, \$5,422 in restitution, \$95 costs, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fees, and \$600 supervisory.

PEOPLE v DEMEIKA DEDRA WEDDINGTON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees, and \$26,186 restitution.

PEOPLE v BRYANT C. WEEMS, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence was delayed for 1 year. During that year, defendant must undergo screening for gambling addiction with the Michigan Department of Community Health and follow whatever treatment is indicated after the screening. Also, Defendant must attend Gamblers Anonymous meetings and have no contact with the casinos and pay \$200 court costs, \$200 attorney fees and \$25 should be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v KIMBERLY WEEMS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours community service, \$49,005 in restitution, \$825 costs, \$60 Crime Victim's Rights fees, \$60 state fee, \$250 attorney fees, and \$600 supervisory fee.

PEOPLE v DWAYNE ANTHONY WESLEY, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing and conspiracy at the MotorCity Casino. Plea agreement. Sentenced to 2 year probation, substance abuse assessment, no aliases, no contact with Darrell Rowley, no contact with Detroit casinos, \$60 state costs, \$60 Crime Victim's Rights fees, \$240 supervision fee, \$600 court costs and \$400 attorney fees.

PEOPLE v WILLARD MARSHALL WHEELER, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentenced to probation for 1 year. During that time, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by Michigan Department of Community Health and follow whatever treatment program is indicated, pay \$200 fines/costs, the \$167 (GTC) and \$50 (MGM) should be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v SHARON WHEELER, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours commu-

nity service, \$13,803 in restitution, \$825 costs, \$60 Crime Victim's Rights fees, \$60 state fee, \$250 attorney fees, and \$600 supervisory fee.

PEOPLE v GLENETTE WHITE, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence was delayed for 1 year. During that time defendant is to have no contact with casinos, no contact with the criminal justice system, undergo screening for gambling addiction and follow whatever treatment, is recommended and pay \$200 attorney fees and \$200 costs. The \$20.80 seized from Defendant to be turned over to the State of Michigan Compulsive Gambling Prevention Fund.

PEOPLE v GREGORY JOSEPH WHITE, 3rd Circuit Court-Wayne County, charged with carjacking, robbery armed and felony firearm. Plead guilty. Sentenced to 2 years incarceration and 1 year probation.

PEOPLE v JOHN WHITE, 3rd Circuit Court-Wayne County, charged with sex offender – failure to register. Verdict - Court – Convicted. Sentenced to probation.

PEOPLE v RODNEY WHITE, 3rd Circuit Court-Wayne County, charged with uttering and publishing. Pled to attempt uttering and publishing. Sentenced to 1 year probation with the last 90 days in the Wayne County Jail, drug testing, \$60 state costs, \$60 Crime Victim's Rights fee, \$120 supervision fee, \$120 court costs, \$400 attorney fees. Defendant may do 150 hours of community service in lieu of fines/costs/fees.

PEOPLE v KENYA KATITA WHITE-DAVIS, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MotorCity Casino. Pled guilty. Sentence was delayed for 1 year. During that year, no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment is indicated after the screening, pay \$100 attorney fees and \$200 costs.

PEOPLE v RAESHAMEISE WHITLEY, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and \$59,546.74 restitution.

PEOPLE v STEVEN WHITNEY, 3rd Circuit Court-Wayne County, charged with assault with intent to rob while armed, felonious assault, firearm possession/felon, felony firearm and habitual 4th. Verdict - Jury – Convicted with assault with intent to do great bodily harm. Sentenced to 6 months jail and 3 years probation.

PEOPLE v VIRGINIA GAY WHITSON, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence was delayed for one year. During that year, no contact with the criminal justice system, no contact with the casinos, undergo screening for gambling addiction with the Michigan Department of Community Health, follow whatever treatment program, is indicated after the screening, continue with gamblers anonymous, pay \$200 fines, \$200 costs and \$200 attorney fees.

PEOPLE v REGINA DIANE WICKLIFFE, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$34,118 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v AMBER ANDREA WILLIAMS, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing at the MotorCity Casino. Plea agreement. Sentenced to 2 years probation, 30 days tether, \$450 restitution, \$120 state cost, \$60 Crime Victim's Rights fees and \$250 court cost.

PEOPLE v AMBER WILLIAMS, 3rd Circuit Court-Wayne County, charged with uttering and publishing at MGM Grand Casino. Dismissed in exchange for a plea in another case.

PEOPLE v ANGEL R. WILLIAMS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and restitution of \$17,148.

PEOPLE v ANTHONY ROBERT EUGENE WILLIAMS, 20th Circuit Court-Ottawa County, charged with homicide-murder second degree, homicide-felony murder-CSC and homicide-felony murder-kidnapping. Verdict - Jury - Convicted of homicide-felony-murder CSC and homicide-felony murder-kidnapping. Sentenced to life in prison.

PEOPLE v GENEVA SHARRELL WILLIAMS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation and \$15,927.20 restitution.

PEOPLE v LAKESHA WILLIAMS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$950 costs, \$825 fees and \$14,670.04 restitution.

PEOPLE v MARGARET WILLIAMS, 3rd Circuit Court-Wayne County, charges with welfare fraud. Plea agreement. Sentenced to 3 years probation for welfare fraud, restitution of \$3,220, \$855 in costs and \$370 in fees.

PEOPLE v MICHAEL KEITH WILLIAMS, 36th District Court-Wayne County, charged with felony larceny in a building and embezzlement less than \$200 at the Greektown Casino. Pled guilty to embezzlement less than \$200. Sentenced to restitution of \$652, \$350 costs, \$45 Crime Victim's Rights fee, an unknown supervision fee, and 1 year probation.

PEOPLE v NATIKA WILLIAMS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 2 years probation, 150 hours community services, cost, fees and \$1,252 restitution.

PEOPLE v SHNEAL RUTH WILLIAMS, 3rd Circuit Court-Wayne County, charged with felony larceny in a building and misdemeanor larceny in a building at the MotorCity Casino. Verdict - Court - Convicted of larceny of a building less than \$200. Sentenced to one year probation and no contact with casinos.

PEOPLE v TYRENE A. WILLIAMS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$825 costs, \$970 fees, 5 years probation, and \$61,924.68 restitution.

PEOPLE v CARLA WILLIAMS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 5 years probation, 150 hours commu-

nity service, \$15,581 restitution, \$825 costs, \$60 Crime Victim's Rights fee, \$60 state fee, \$250 attorney fees and \$600 supervision fee.

PEOPLE v LLLA JEAN WILLIAMSON, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentence delayed for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment program, as indicated, pay \$200 fines, \$200 costs and \$200 attorney fees. Defendant can perform 14 days of community service in lieu of the fines and costs.

PEOPLE v CARLOS WILSON, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the Greektown Casino. Pled guilty. Sentenced plea was taken under advisement for 1 year. During that year, defendant is to have no contact with the casinos, no contact with the criminal justice system, undergo screening for gambling addiction by the Michigan Department of Community Health and follow whatever treatment is recommended and pay \$100 fine and \$200 costs.

PEOPLE v EDWARD GEORGE WILSON, 3rd Circuit Court-Wayne County, charged with firearm possession by felon, felonious assault and felony firearm 2nd. Pled guilty to firearm possession by felon. Sentenced to 1 year probation and \$600 costs.

PEOPLE v MAURICE WILSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea agreement. Sentenced to 2 years probation, 150 hours community service, costs, fees and restitution of \$2,934.

PEOPLE v RONNICA WILSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Plea. Sentenced to 5 years probation, 150 hours community service, \$21,867 restitution, \$60 Crime Victim's Rights fees, \$60 state fee, \$250 attorney fees and \$600 supervisory fee.

PEOPLE v TORENDA WILSON, 3rd Circuit Court-Wayne County, charged with felonious assault and felony firearm. Dismissed by Court.

PEOPLE v KEVIN JOHN WOLTERS, 20th Circuit Court-Ottawa County, charged with 2 counts accosting and soliciting for immoral purposes and 2 counts disseminating sexually explicit matter to a minor. Plea agreement. Sentenced to 270 days jail - credit for 38 days, 60 months probation, must undergo sex offender treatment, no computer in residence, no unsupervised contact with minors, \$60 Crime Victim's Rights fee, \$240 state fees, \$2,089 attorneys fees and \$900 supervision fee (\$15/month).

PEOPLE v LAKISHA RENEE WOMACK, 3rd Circuit Court-Wayne County, charged with welfare fraud in the amount of \$53,736.05. Pled guilty. Sentenced to \$53,736.05 restitution, \$825 costs, \$970 fees and 5 years probation.

PEOPLE v HOWARD WOODARD, 3rd Circuit Court-Wayne County, charged with robbery armed. Pled as charged. Sentenced to 7 to 20 years, \$830 attorney fees and \$600 costs.

PEOPLE v HOWARD ALLEN WOODARD, 3rd Circuit Court-Wayne County, charged with robbery armed. Pled as charged. Sentenced to 7 to 20 years, \$830 attorney fees and \$720 costs.

PEOPLE v DARRYL FREDERICK WOODS, 3rd Circuit Court-Wayne County, charged with two counts of larceny. Pled to larceny less than \$200. Sentenced to 1 year probation, \$300 court costs, \$100 fine and \$100 restitution.

PEOPLE v MARILYN WOODS, 36th District Court-Wayne County, charged with felony larceny in a building and misdemeanor larceny less than \$200 at the MotorCity Casino. Pled to misdemeanor larceny. Sentenced to 6 months probation, no contact with casino, \$200 fines/costs, \$50 Crime Victim's Rights fee. The court waived any supervision fees and indicated that Defendant could perform 80 hours of community service in lieu of fines and costs.

PEOPLE v RASHONDA RENEE WOODS, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years probation, \$970 costs, \$825 fees and restitution.

PEOPLE v LAVORA D. WOODSON, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to 5 years, \$970 costs, \$825 fees and restitution of \$7,026.56.

PEOPLE v CYNTHIA LATRICE WRIGHT, 3rd Circuit Court-Wayne County, charged with 2 counts of felony larceny \$1,000-\$20,000, 2 counts of larceny \$200-\$1,000, 1 count conspiracy, 1 count of using a computer to commit a crime, and 1 count of possession of a false transaction device at the MGM Grand Casino. Plea agreement. Sentenced to 1 year probation, must maintain employment a minimum of 30 hours/week, no contact with any MGM properties, pay \$60 Crime Victim's Rights fee, \$60 state fees, \$120 supervision fees, \$300 court costs and \$3,375 restitution.

PEOPLE v THAMIR YALDO, 3rd Circuit Court-Wayne County, charged with 2 counts of felony violation of the tobacco products tax act and 1 count of attempted violation of the tobacco products tax act. Pled to attempted tobacco products tax act. Sentenced to 2 years probation, \$60 state costs, \$60 Crime Victim's Rights fees, \$300 a year supervision fee, \$30/month state costs and restitution as determined by treasury.

PEOPLE v DEVONTE YEARGIN, 3rd Circuit Court-Wayne County, charged with robbery armed. Dismissed by Court.

PEOPLE v DEVONTE YEARGIN, 3rd Circuit Court-Wayne County, charged with robbery armed and carjacking. Pled guilty as charged. Sentenced to 45 months to 15 years.

PEOPLE v DEVONTE MARCELL YEARGIN, 3rd Circuit Court-Wayne County, charged with robbery – armed. Pled guilty. Sentenced to 45 months to 15 years.

PEOPLE v GINA YHAMEL, 60th District Court-Muskegon County, charged with misdemeanor "miscellaneous" tobacco products tax act violation. Dismissed by Court.

PEOPLE v GARRY YOUNG, 3rd Circuit Court-Wayne County, charged with 3 counts of felony gambling with/habitual offender-third offense notice. Pled to count 1, cheating. Sentenced to 1-5 years Michigan Department of Corrections, to run concurrent to his 1-15 on another matter.

PEOPLE v JARRELL YOUNG, 3rd Circuit Court-Wayne County, charged with robbery armed, assault with intent to murder and felony firearm. Verdict - Jury – Convicted, found guilty of assault with intent to do great bodily harm. Sentenced to 6-10 years and \$600 costs.

PEOPLE v JEROME ANTHONY YOUNG, 3rd Circuit Court-Wayne County, charged with robbery armed and felony firearm. Verdict - Jury – Convicted. Sentenced to 70 months to 20 years.

PEOPLE v TIMEKO ARNEZ YOUNG, 3rd Circuit Court-Wayne County, charged with welfare fraud. Pled guilty. Sentenced to \$12,780 restitution, \$825 costs, \$970 fees, and 5 years probation.

PEOPLE v ALI WASSEF ZAHR, 36th District Court-Wayne County, charged with felony violation of the tobacco products tax act. Plead guilty to a misdemeanor tax violation. Sentenced to \$60 costs and \$1,000 fine.

PEOPLE v RASHAD RAFICK ZAMZAMI, 36th District Court-Wayne County, charged with tobacco products tax act violation-felony and tobacco products tax act violations - misdemeanor. Pled guilty to tobacco products tax act violations - misdemeanor. Sentenced to 6 months probation, and ordered to pay \$500 fines and \$125 costs.

PEOPLE v AMANDA ZAPINSKII, 3rd Circuit Court-Wayne County, charged with felony uttering and publishing, conspiracy to commit uttering and publishing, and identity theft at the MGM Grand Casino. Pled to false pretences \$200 - \$1000. Sentenced to 2 years probation, \$250 court costs, \$200 supervision fee, \$60 Crime Victim's Rights fee, \$45 fine and drug and gambling screening.

PEOPLE v LINDA ANN ZECCHIN, 36th District Court-Wayne County, charged with misdemeanor trespass by a disassociated person at the MGM Grand Casino. Pled guilty. Sentence delayed for 1 year. During that year, no contact with the criminal justice system, no contact with the casinos, undergo screening for gambling addiction with the Michigan Department of Community Health and follow whatever treatment program, is recommended and to pay \$200 attorney fees and \$200 costs.

PEOPLE v ELIAS ZEDAN, 36th District Court-Wayne County, charged with felony violation of the tobacco products tax act and 3 counts of filing fraudulent tobacco products tax act tax returns. Pled to tobacco violation. Sentenced to fines \$600 and assessed \$200 in costs. The tobacco license must be surrendered to the Treasury Department.

PEOPLE v JOHN L. ZORZA, 6th Circuit Court-Oakland County, charged with uttering and publishing. Plead to attempted uttering and publishing. Sentenced to 1 day jail (credit), 1 year probation, \$300 court costs, \$480 supervisory fee and \$60 state costs.

PEOPLE v JACQUELINE ZYNDORF, 36th District Court-Wayne County, charged with alcohol use/fraudulent identification by minor at Greektown Casino. Dismissed by Court. Paid \$50 fine and \$200 in costs.

Health Care Fraud – Prosecutions 2007 - 2008

PEOPLE v KATHERINE ADIBNEJAD, Pled Guilty, 12/12/2006, Ingham County, 30th Circuit Court, 31 Counts Medicaid Fraud. Plea - 1 Count False Claim for Benefits, 60 days jail, \$60 state minimum costs, \$60 Crime Victim's Rights fee, \$1,500 court costs.

PEOPLE v ESAU JAKE ALLEN, Pled Guilty, 12/20/2007, Monroe County, 38th Circuit Court, 1 Count Vulnerable Adult Abuse - 2nd Degree. Plea - 1 Count Abuse, Vulnerable Adult, 2nd Degree, Attempt. 5 years probation, \$100 fine, \$100 costs, restitution to be determined, \$60 Crime Victim's Rights fee, \$60 state costs, \$600 supervision fee to the Department of Corrections, 180 days jail.

PEOPLE v STANLEY WESTLEY ALLEN, Pled Guilty, 11/28/2007, Berrien County, 2nd Circuit Court, 1 Count - Embezzlement - Agent or Trustee \$1,000 or more, but less than \$20,000. Plea - 1 Count Embezzlement-Agent/Trust greater than \$1,000, but less than \$20,000. 3 years probation, \$3,900 in restitution to the facility, \$200 fine, \$500 costs, \$60 supervision fee.

PEOPLE v ALWAYS ANGELS NURSING SERVICE, INC., Pled Guilty, 12/12/2006, Ingham County, 30th Circuit Court, 31 Counts - Medicaid Fraud. Plea - 1 Count False Claim for Benefits. Sentence suspended.

PEOPLE v MAGGIE NICOLE ARMSTRONG, Pled Guilty, 10/25/2006, Wayne County, 3rd Circuit Court, 3 Counts - Controlled Substance-Obtaining by Fraud. Plea - 2 Counts Fraud. 2 years probation, 125 hours community service, \$60 Crime Victim's Rights fee, \$400 attorney fees, \$350 costs, \$240 supervision fee.

PEOPLE v STEFAN JOHN BACKLUND, Pled Guilty, 08/11/2008, Delta County, 47th Circuit Court, 1 Count - Embezzlement From Vulnerable Adult \$1,000 or more, but less than \$20,000, 1 Count Embezzlement From Vulnerable Adult \$200 or more but less than \$1,000. \$2,253.00 restitution, \$595.00 fine and costs.

PEOPLE v LATRICE DESHAWN BAKER, Dismissed, 1/29/2007, Wayne County, 36th District Court, 1 Count - False Statement to Obtain Employment.

PEOPLE v KEVIN PATRICK BALLARD, Pled Guilty, 01/13/2008, Branch County, 15th Circuit Court, 1 Count - Uttering and Publishing, 1 Count - Embezzlement from a Vulnerable Adult. Plea - 1 Count Embezzlement from Vulnerable Adult. 30 days jail, 24 months probation, \$45 state minimum, \$50 Crime Victim's Rights fee, \$3,025 restitution to victim, \$150 costs, \$200 fine, \$720 other.

PEOPLE v WENDOLYN JOY BARNUM, Pled Guilty, 01/19/2007, Allegan County, 57th District Court, 1 Count - False Statement to Obtain Employment. Plea - 1 Count False Statement to Obtain Employment. Costs and fees were waived.

PEOPLE v ROBERT CLAY BASSETT, Pled Guilty, 02/06/2008, Barry County, 5th Circuit Court, 1 Count - Embezzlement from a Vulnerable Adult - \$1,000 or more but less than \$20,000. Plea - 1 Count Embezzlement from a Vulnerable Adult. \$500 court costs, \$50 Crime Victim's Rights fee, \$45 state minimum costs, \$26,497.50 restitution.

PEOPLE v SHERYL ANN BAXTER, Pled Guilty, 09/13/2008, Cheboygan County, 53rd Circuit Court, 1 Count - Embezzlement From Vulnerable Adult \$1,000 or more but less than \$20,000, 1 Count - Vulnerable Adult - Caregiver Commingle Funds/Obstruction Investigation, 1 Count - Embezzlement from Vulnerable Adult \$1,000 or more but less than \$20,000. Plea - 1 Count Caregiver Commingling Funds of a Vulnerable Adult. 12 months probation, \$60 Crime Victim's Rights fee, \$300 supervision fee, \$60 state costs, \$360 court costs and \$1,084.50 restitution.

PEOPLE v ZETH RYAN BOWERMAN, Pled Guilty, 01/19/2007, Allegan County, 57th District Court, 1 Count - False Statement to Obtain Employment. Plea - 1 Count False Statement to Obtain Employment. \$40 fine, \$65 costs, \$200 attorney fees, \$50 Crime Victim's Rights fee, \$45 state costs.

PEOPLE v ROBERTA SUE CAURDY, Guilty, Bench Trial, 08/27/2007, Wayne County, 22nd District Court, 15 Counts - Failure to Report Abuse/Mistreatment of Patient, 1 Count - Failure to Report Abuse/Mistreatment of Patient, 14 Counts - Aiding and Abetting Patient Abuse. Guilty - 1 Count - Failure to Report Patient Abuse or Harmful Neglect. \$1,500 fine, \$50 Crime Victim's Rights fee, \$45 state costs, 12 months probation.

PEOPLE v PATRICK CHARLES, M.D., Acquittal, Jury Trial, 02/22/2007, Wayne County, 3rd Circuit Court, 1 Count - Involuntary Manslaughter, 4 Counts - Vulnerable Adult Abuse - 2nd Degree.

PEOPLE v KASHUNDA SANTRECE CLARK, Pled Guilty, 01/23/2007, Saginaw County, 70th District Court, 1 Count - False Statement to Obtain Employment. Plea - 1 Count Nurse Home - False Statement. 30 days jail, \$250 fines/costs, \$40 state minimum costs.

PEOPLE v LISA ANN CLARK, LPN, Pled Guilty, 05/08/2007, Wayne County, 3rd Circuit Court, 2 Counts - Controlled Substance Obtained by Fraud. Plea - 2 Counts Fraudulent Procurement. 18 months probation, \$60 Crime Victims Right Act, \$300 costs per year, \$600 state attorney fees and \$540 supervision fee.

PEOPLE v JAMEIKA MONAY CRAIN, Dismissed, 01/31/2008, Genesee County, 67-4A District Court, 1 Count - False Statement to Obtain Employment.

PEOPLE v SHAWN EVETTE DUNLAP, Pled Guilty, 11/05/2007, Wayne County, 35th District Court, 1 Count - Patient Abuse - Nursing Homes, 1 Count - Attempted Harmful Neglect of a Patient. Plea - 1 Count Patient Abuse. 6 months probation, \$150 fine, \$150 costs, \$150 supervision fee, \$40 state minimum costs, \$150 other, 5 days of community service.

PEOPLE v MARJORIE LOUISE FISHER, *Nolle* Other Charge, 12/29/2008, Missaukee County, 28th Circuit Court, 1 Count - Embezzlement from a Vulnerable Adult \$1,000 or more but less than \$20,000, 1 Count - Embezzlement from a Vulnerable Adult \$200 or more but less than \$1,000. Plea - Embezzlement - Vulnerable Adult \$200 or more but less than \$1,000. 3 months probation, \$100 fine, \$100 costs, \$100 attorney fees, \$50 Crime Victim's Rights fee, \$45 state minimum, and \$60 probation oversight (45 days jail if paid by March 1, 2009).

PEOPLE v HEIDI DENE FLEISHER, Pled Guilty, 07/17/2007, Montcalm County,

64-B District Court, 1 Count - Providing False Information for Employment. Plea - 1 Count Nursing Homes - Providing False Information. \$250 fine, \$50 Crime Victim's Rights fee, \$40 state cost, \$160 costs - to be paid by 9/28/07 or 1 day jail for each \$10 remaining due.

PEOPLE v VARESSE CHAKARA-UNIQUE FORD, Pled Guilty, 11/29/2006, Wayne County, 3rd Circuit Court, 2 Counts - Identity Theft, 1 Count - Conspiracy, 1 Count Telecommunications fraud added. Plea - 1 Count Telecommunication fraud. 2 years probation, \$1,699.95 restitution, \$60 Crime Victim's Rights fee, \$60 state minimum costs, 60 hours community service, \$240 supervision fee, maintain minimum 30 hours employment per week.

PEOPLE v KELLY DENISE FUGATE, Pled Guilty, 10/11/2006, Wayne County, 36th District Court, 1 Count - False Statement to Obtain Employment. Plea - 1 Count Nurse Home False Employment. 6 months probation, \$100 fine, \$200 costs, \$200 attorney fees.

PEOPLE v EUGENE PAUL FUSCO, Pled Guilty, 08/08/2008, Wayne County, 3rd Circuit Court, 6 Counts - Controlled Substance Obtained by Fraud. Plea - 1 Count Controlled Substance Obtaining by Fraud. 44 months probation, first 4 months jail, \$400 court costs, \$60 Crime Victim's Rights fee, \$480 supervision fee.

PEOPLE v LAURA ORNELAS GARZA, Pled Guilty, 08/13/2008, Ingham County, 30th Circuit Court, 2 Counts - Embezzlement from a Vulnerable Adult \$1,000 or more but less than \$20,000. Plea - 1 Count Attempt Embezzlement from a Vulnerable Adult. 60 months probation, \$60 Crime Victim's Rights fee, \$600 supervision fee, \$60 state costs, \$400 court costs, \$400 attorney fees, \$13,494.55 in restitution.

PEOPLE v CARRIE JO GILLET, Pled Guilty, 10/08/2008, Emmet County, 57th Circuit Court, 1 Count - Embezzlement form a Vulnerable Adult \$1,000 or more but less than \$20,000, 1 Count - Uttering and Publishing, 1 Count - Embezzlement from a Vulnerable Adult \$200 or more but less than \$1,000. Plea - 1 Count Embezzlement from a Vulnerable Adult -\$200 or more, but less than \$1,000. 7 days community service, \$700 fines and costs, restitution \$2,904.36.

PEOPLE v KATHRYN GILLIS, Pled Guilty, 2/16/2007, Wayne County, 3rd Circuit Court, 1 Count - Involuntary Manslaughter, 4 Counts - Vulnerable Adult Abuse - 2nd Degree. Plea - 1 Count Involuntary Manslaughter and 1 Count Vulnerable Abuse - 2nd. 167 hours community service per week, in lieu of costs and attorney fees, 5 years probation, maintain 30 hours per week of employment, \$60 Crime Victims Right Act, \$600 supervision fee, \$400 attorney fees and \$60 state minimum costs.

PEOPLE v ANGELINE MARIE GREEN, Pled Guilty, 04/17/2006, Wayne County, 36th District Court, 1 Count - False Statement to Obtain Employment. Plea - 1 Count Nurse Home False Statement. Probation.

PEOPLE v JEANETTE MARIE HANEY, Pled Guilty, 07/10/2007, Montcalm County, 64-B District Court, 1 Count - False Statement to Obtain Employment. Plea - 1 Count Public Health - Nursing Home - False Statement. \$200 fine, \$155 costs, \$50 Crime Victim's Rights fee, \$45 state costs.

PEOPLE v BARBRA KAY HILDEBRAND, Pled Guilty, 11/14/2007, Oakland

County, 6th Circuit Court, 1 Count - Embezzlement from a Vulnerable Adult - \$1,000 or more but less than \$20,000, 1 Count Identity Theft. Plea - 1 Count Embezzlement/Personal Trust Vulnerable Adult 1K-20. 18 months probation, \$2,145.30 restitution, \$60 Crime Victim's Rights fee, \$450 costs, \$60 state minimum costs and attorney fees.

PEOPLE v RITA RAPHAEL JABRO-MARROGHI, D.D.S., Dismissed, 09/04/2007, Ingham County, 30th Circuit Court, 10 Counts Medicaid False Claims.

PEOPLE v DARNICE JACKSON, Pled Guilty, 10/14/2008, Oakland County, 6th Circuit Court, 1 Count - Identity Theft, 1 Count - Telecommunications Use/Device ID Avoid Pay greater than \$1,000 but less than \$20,000. Plea. 2 years probation, 183 days jail, \$5,196 restitution, \$60 Crime Victim's Rights fee, \$600 supervision fees, \$600 costs, pay attorney fees, and \$60 for state minimum costs, maintain and/or seek employment, no contact with victims, restitution joint and several with co-defendant, restitution = \$2,151.00 to Cingular Wireless + \$2,690.00 to Comcast Cable + \$355.00 to AT&T.

PEOPLE v CONNIE MARIE JENNINGS, Acquittal, Jury Trial, 06/22/2007, Monroe County, 1st District Court, 1 Count of Failure to Report Abuse/Mistreatment of Patient.

PEOPLE v ALFRED LEON JOPLIN, Pled Guilty, 06/18/2007, Oakland County, 46th District Court, 1 Count - False Statement to Obtain Employment. Plea - 1 Count Public Health - Nursing Home - False Statement. \$50 fine, \$50 costs, \$100 attorney fees, \$50 Crime Victim's Rights fee, \$45 state costs.

PEOPLE v JENNIFER LOUISE KARPOICZ, Pled Guilty, 05/01/2008, Washtenaw County, 22nd Circuit Court, 1 Count - Embezzlement from a Vulnerable Adult, \$1,000 or more, but less than \$20,000, 1 Count - Larceny in a Building, 1 Count - Financial Transaction Device - stealing/retaining without consent. Plea - 1 Count Vulnerable Adult - Use of Money of Property and 1 Count Financial Transaction Device - Steal/Retain without Consent. 24 months probation, \$120 state minimum fine, \$60 Crime Victim's Rights fee, \$2,713.36 restitution, \$560 court costs, \$960 in other costs, and may perform community service in lieu of costs and attorney fees.

PEOPLE v DANA MICHELLE KELLER, Pled Guilty, 09/20/2007, Wayne County, 3rd Circuit Court, 1 Count - Unauthorized Practice Health Profession. Plea - 1 Count Attempt Unauthorized Practice - Health Profession. 6 months probation, \$60 Crime Victim's Rights fee, \$200 costs, \$600 attorney fees, \$60 state minimum costs.

PEOPLE v KRISTINE JOY KESSEL, Pled Guilty, 08/26/2008, Kent County, 17th Circuit Court, 1 Count - Vulnerable Adult-Caregiver Commingle Funds/Obstruction Investigation, 1 Count - Embezzlement from a Vulnerable Adult \$1,000 or more but less than \$20,000, 1 Count - False Pretenses greater than \$999 but less than \$20,000.00, 1 Count - Identity Theft. Plea - 1 Count Vulnerable Adults - Caregiver Commingling Funds/Obstructing Investigations. 24 months probation, \$60 state minimum, \$700 court costs, \$960 and oversight fee.

PEOPLE v SHIRLEY LARKIN, Dismissed, 03/06/2008, Washtenaw County, 14-A District Court, 1 Count - Patient Abuse.

PEOPLE v KIMBERLY ANNE LAUER-DELUCA, Acquitted, Jury Trial, 05/10/2007, Kent County, 59th District Court, 1 Count - False Statement to Obtain Employment.

PEOPLE v BILLY LIM, D.D.S., Pled Guilty, 07/11/2007, Ingham County, 30th Circuit Court, 138 Counts - Medicaid False Claims. Plea - 2 Counts Medicaid Fraud False Claim. \$1.3 million in restitution, \$60 Crime Victim's Rights fee, \$60 state costs and \$400 in costs, 48 months probation.

PEOPLE v LINDA JOY LAVANCE, Pled Guilty, 12/04/2008, 11th Circuit Court, Schoolcraft County, 1 Count - Embezzlement from a Vulnerable Adult \$1,000 or more but less than \$20,000, 2 Counts - Embezzlement from a Vulnerable Adult \$1,000 or more but less than \$20,000. Plea - 1 Count Embezzlement - Person in Relationship with Vulnerable Adult. 12 months probation, \$60 state minimum, \$60 Crime Victim's Rights fee, \$2,888.07 restitution to Schoolcraft Medical Care Facility, \$300 court costs, \$300 attorney fees, \$300 fine, \$100 supervision fee, \$50 county victim restitution fund = \$4,058.07 total, 6 months jail held to end of probation unless otherwise reviewed, or at any time on order of the Court.

PEOPLE v ANN MARIA LORD, Pled Guilty, 09/15/2008, Wexford County, 28th Circuit Court, 1 Count - Embezzlement from a Vulnerable Adult \$1,000 Or more but less than \$20,000, Habitual Offender-Fourth Offense Notice. Plea - 1 Count Embezzlement, more than \$1,000 but less than \$20,000. 2 days jail, 24 months probation, \$60 state costs, \$60 Crime Victim's Rights fee, \$300 court costs, \$300 attorney fees, \$300 fines, \$960 other costs, \$7,015.85 restitution.

PEOPLE v ALMOS EUGENE LOVE, III, LPN, Acquittal, Jury Trial, 08/29/2007, Wayne County, 3rd Circuit Court, 1 Count - Involuntary Manslaughter, 4 Counts - Vulnerable Adult Abuse, 2nd Degree.

PEOPLE v ALMOS EUGENE LOVE, Acquittal Jury Trial, 09/24/2007 Wayne County, 3rd Circuit Court, 1 Count - Absconding or Forfeiting Bond.

PEOPLE v WALTER MARTIN LUCAS, III, DDS, Pled Guilty, 2/8/2008, Ingham County, 54-B District Court, 63 Counts - Medicaid Fraud and 11 Counts - Medical Records - Intentionally Placing False Information on Chart - Health Care Provider. Remanded back to 54-A District Court from the 30th Circuit Court due to charge being a misdemeanor. Plea - 1 Count False Pretenses \$200, Less than \$1,000. 24 months probation, \$1,895 fine, \$105 costs, \$2,571.92 restitution, \$60 Crime Victim's Rights fee, \$600 supervision \$45 state minimum costs, and 500 hours community services.

PEOPLE v MICHELLE LYN LUCERO, Pled Guilty, 08/28/2008, Calhoun County, 37th Circuit Court, 1 Count - Controlled Substance - Possess Less than 25 Grams, 1 Count - Larceny In a Building, 1 Count - Nursing Homes-Abuse Of A Patient. Plea - 1 Count Controlled Substance - Possession less than 25 Grams and 1 Count Larceny from a Building. 18 months probation, \$100 fine, \$1,000 costs, \$60 Crime Victim's Rights fee, \$120 state costs.

PEOPLE v SHEILA GAIL MADSEN, Pled Guilty, 08/06/2007, Alpena County, 26th Circuit Court, 1 Count - Obtaining and Using Money of Vulnerable Adult. Plea - 1 Count Embezzlement with Vulnerable Adult. Sentenced to 18 months to 5 years,

\$3,000 restitution, \$60 state minimum costs, \$60 Crime Victim's Rights fee, \$400 costs, \$300 attorney fees.

PEOPLE v MARK RUSSELL MAJOR, Acquittal, Jury Trial, 06/22/2007, Monroe County, 1st District Court, 1 Count - Failure to Report Abuse/Mistreatment of Patient.

PEOPLE v WALEED ABDUL RAHIM MAMMO, D.D.S., Pled Guilty, 12/21/2006, Ingham County, 30th Circuit Court, 27 Counts - Medicaid Fraud, 38 Counts - Health Care Fraud. Plea - 1 Count Medicaid Fraud False Claim and 1 Count Health Care Fraud False Claim. 6 months probation, \$100 fine, \$150 costs, \$5,407.75 Medicaid and BC/BS restitution, to be split, \$60 Crime Victim's Rights fee, \$60 state minimum costs.

PEOPLE v WALEED MAMMO, D.D.S., P.C., Pled Guilty, 12/21/2006, Ingham County, 30th Circuit Court, 27 Counts - Medicaid Fraud, 38 Counts - Health Care Fraud. Plea - 1 Count Medicaid Fraud False Claim and 1 Count Health Care Fraud False Claim. 6 months probation, \$100 fine, \$150 costs, \$1,233.25 Medicaid and BC/BS restitution, \$60 state minimum costs.

PEOPLE v JESSICA MARIE MARTIN (A/K/A JESSICA M. LOCKARD, Pled Guilty, 11/09/2006, Wayne County, 3rd Circuit Court, 3 Counts - Controlled Substance-Obtaining by Fraud. Plea - 2 Counts Medicaid False Claims. 60 days jail with work release, 36 months probation, \$600 court costs, \$60 Crime Victim's Rights fee.

PEOPLE v SANDRA HELEN MATHEWS, Pled Guilty 11/29/2007, St. Joseph County, 3-B District Court, 1 Count - Patient Abuse. Plea - 1 Count Assault and Battery. \$155 fines/costs, \$50 Crime Victim's Rights fee, \$45 state minimum costs.

PLAINTIFF v GEORGE EVERETT MEAD, Pled Guilty, 03/11/2008, Wayne County, 3rd Circuit Court, 1 Count - Embezzlement from a Vulnerable Adult - \$1,000 or more, but less than \$20,000. Plea - 1 Count Embezzlement by Arson (\$1,000-\$20,000). 5 years probation, \$14,200 restitution to St. Francis Nursing Center, \$400 attorney fees, \$60 state minimum costs, \$60 Crime Victim's Rights fee, \$200 a year supervision fee to Department of Corrections, St. Francis Nursing Center to be the payee for Social Security benefits representative for Marjorie Gardner.

PEOPLE v CHARLES DARNELL MITCHELL, JR., Pled Guilty, 11/06/2008, Wayne County, 36th District Court, 1 Count - Patient Abuse. Plea - 1 Count Nursing Home Abuse. 1 year probation, \$100 fine, \$200 costs, \$50 Crime Victim's Rights fee, \$420 supervision fee, \$200 urinalysis testing, and \$970 attorney fees (any violation = 60 days in jail).

PEOPLE v KENNETH DARNELL MITCHELL, Acquittal, Bench Trial, 01/11/2007, Ingham County, 30th Circuit Court, 1 Count - Criminal Enterprise, 1 Count - Aiding and Abetting the Practice of Medicine without a License.

PEOPLE v BONNIE JEAN MORTEN, RN, Pled Guilty, 10/20/2006, Antrim County, 13th Circuit Court, 2 Counts - Falsifying Medical Records. Plea - 1 Count Attempted Medical Records/False Info Chart. 6 months jail (to be held in abeyance), \$60 Crime Victim's Rights fee, \$60 state costs, \$800 costs, \$200 fines, and 24 months probation.

PEOPLE v MELISSA NOREEN MULL, Pled Guilty, 03/11/2008, Montcalm County, 64-B District Court, 1 Count - Providing False Information for Employment. Plea - 1 Count Nursing Homes-Providing False Information. \$45 state minimum fee, \$50 Crime Victim's Rights fee, \$300 costs, \$105 fine (to be paid by 4/18/08 or serve 1 day jail for each \$10 owed).

PEOPLE v PAMELA SUE NICKLES, Pled Guilty, 08/03/2007, Branch County, 15th Circuit Court, 1 Count - Illegally Using Money of Vulnerable Adult. Plea - 1 Count Embezzlement by a Person of Trust greater than \$1,000 but less than \$20,000. 48 months probation, \$200 fine, \$200 costs, \$18,681.05 restitution, \$60 Crime Victim's Rights fee, \$250 attorney fee, \$60 state costs, 6 months jail (to be suspended if probation is followed). Must serve 10 days by 12/7/07.

PEOPLE v PARKRIDGE ASSOCIATES, D/B/A NORTHLAND NURSING CENTER, Pled Guilty, 02/06/2007, Wayne County, 3rd Circuit Court, 1 Count - Involuntary Manslaughter, 4 Counts - Vulnerable Adult Abuse, 2nd Degree. Plea - 4 Counts Vulnerable Adult Abuse, 2nd. Forbidden from ever owning a nursing home again.

PEOPLE v NANCY JEAN PETZOLD, Pled Guilty, 07/14/2008, Saginaw County, 10th Circuit, 2 Counts - Forgery, 2 Counts - Uttering and Publishing, 2 Counts - False Impersonation of Health Professional. Plea - 2 Counts Forgery. 24 months probation, \$60 Crime Victim's Rights fee, \$120 state minimum costs, \$240 supervision fee.

PEOPLE v PORT HURON CLINIC, PC, Pled Guilty, 08/28/2008, Ingham County, 30th Circuit Court, 1 Count - Medicaid Fraud False Claim. Plea - 1 Count Medicaid Fraud False Claim. \$3,000 fines, \$60 state minimum costs, \$60 Crime Victim's Rights fee, \$2,000 court costs.

PEOPLE v JOHN PAUL POSEGA, *Nolle* Other Charge, 07/17/2008, Houghton County, 12th Circuit Court, 2 Counts - Embezzlement from a Vulnerable Adult \$1,000 or more but less than \$20,000. Plea - 1 Count Attempt Embezzlement from a Vulnerable Adult \$1,000 or more but less than \$20,000. 24 months probation, \$2,400.00 restitution, \$600 court costs \$460 other costs, \$60 state, \$60 Crime Victim's Rights fee, \$100 probation enhancement fee, \$240 state supervision.

PEOPLE v PLYMOUTH ROAD DENTAL, P.C., Dismissed, Court, 07/24/2007, Ingham County, 30th Circuit Court, 10 Counts - Medicaid False Claims.

PEOPLE v MECCA SHEY RAMSEY, Acquitted, Jury Trial, 06/25/2007, Oakland County, 52-3rd District Court, 1 Count - False Statement to Obtain Employment.

PEOPLE v ANTIONETTE ANYREE SCANDRICK, Dismissed, Court, 01/31/2008, Genesee County, 67-4A District Court, 1 Count - False Statement to Obtain Employment.

PEOPLE v RONALD JEROME SILVER, Pled Guilty, 03/05/2008, Genesee County, 67-4A District Court, 1 Count - False Statement to Obtain Employment. Plea - 1 Count False Statement to Obtain Employment. \$100 fine, \$280 costs, \$40 state minimum costs.

PEOPLE v GARY LOUIS SINGER, Pled Guilty 01/06/2006, Antrim County, 13th

Circuit Court, 4 Counts - False Pretenses over \$20,000, 1 Count - Forgery, 1 Count - Uttering and Publishing. Plea - 2 Counts False Pretenses \$20,000 or more. Delayed sentence. 57-120 months jail, \$867,504.49 balance of restitution (joint and several w/Zimmerman and Estate Growth Management).

PEOPLE v LAWRENCE WENDELL STEWART, DDS, Guilty Jury Trial, 06/06/2008, Ingham County, 30th Circuit Court, 46 Counts - Medicaid Fraud-False Claim. \$92,085.44 restitution, \$60.00 other, \$38,944.35 fines and costs, 365 days jail, \$36,484.35 Attorney General fees, \$2,460.00 state costs. Jail suspended upon successful completion of probation and payment of restitution in full.

PEOPLE v KIM DOZIER STINNETT, Pled Guilty, 11/14/2008, Wayne County, 36th District Court, 1 Count - False statement to Obtain Employment. Plea - 1 Count Nursing Home - False Statement to Obtain Employment. 2 years probation, \$100 fine, \$100 costs, \$240 supervision fee, \$200 attorney fee, \$240 urinalysis testing fee. Any violation of probation, 90 days jail.

PEOPLE v MARY ELIZABETH TAMLYN, Dismissed, Bench Trial, 07/27/2007, Hillsdale County, 2-2nd District Court, 2 Counts - Failure to Report Patient Abuse.

PEOPLE v LATONYA LYNN THOMAS, 05/16/2008, Oakland County, 52-4th District Court, 1 Count - Telecommunications - Using Device/Identification to Avoid Payment. Plea - 1 Count Telecommunications Fraud. \$210 fine and costs, \$40 state minimum costs, 6 months probation, \$456.71 restitution.

PEOPLE v EDITH ANN TREJO-HERRERA, Dismissed, 08/25/2008, Kent County, 17th Circuit Court, 1 Count - Embezzlement from a Vulnerable Adult \$1,000 or more but less than \$20,000.

PEOPLE v PERFECTO VALBUENA, Dismissed, 04/17/2007, Grand Traverse County, D40 District Court, 1 Count - Patient Abuse, 1 Count - Criminal Sexual Conduct.

PEOPLE v LEIGH ANN VYMISLICKY, Pled Guilty, 10/31/2007, Ingham County, 30th Circuit Court, 1 Count - Medicaid False Claims, 1 Count - Identity Theft, 12 Counts - Uttering and Publishing. Plea - 1 Count Medicaid Fraud False Claim. 24 months probation, \$60 Crime Victim's Rights fee, \$60 state costs, \$3,652 restitution, \$360 oversight fee, \$100 interstate compact fee.

PEOPLE v DONALD ANTHONY WALTERS, Pled Guilty, 01/19/2007, Wayne County, 3rd Circuit Court, 3 Counts - ID Theft, 1 Count - Conspiracy, 1 Count - Telecommunications Fraud. Plea - 1 Count Telecommunications Fraud. 2 years probation, \$60 Crime Victim's Rights fee, \$600 costs, \$3,803.38 restitution, \$60 costs for a felony, \$240 supervision fee, seek and maintain employment for a minimum of 30 hours per week.

PEOPLE v EDNA WILKERSON, Guilty, Bench Trial, 08/27/2007, Wayne County, 22nd District Court, 15 Counts - Failure to Report Abuse/Mistreatment of Patient, 1 Count - Failure to Report Abuse/Mistreatment of Patient, 14 Counts - Aiding and Abetting Patient Abuse. Convicted - 1 Count Failure to Report Patient Abuse or Harmful Neglect. \$1,500 fine, \$50 Crime Victim's Rights fee, \$45 state costs, 12 months probation.

PEOPLE v VIVIAN MILDRED WILLIAMS, Pled Guilty, 08/08/2008, Mackinac County, 11th Circuit Court, 2 Counts - Embezzlement from a Vulnerable Adult \$1,000 or more but less than \$20,000. Plea - 1 Count Attempt-Embezzlement from a Vulnerable Adult \$1,000 or more but less than \$20,000. \$60 state minimum, \$60 Crime Victim's Rights fee, \$300 court costs, \$300 fine, 20 days jail (to be suspended upon payment in full prior to November 8, 2008).

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Charter Schools—Urban High School Academies—Revised School Code—Application of the exceptions to the single-site requirement in MCL 380.524(1) to urban high school academies—An urban high school academy duly chartered under Part 6C of the Revised School Code, 1976 PA 451, MCL 380.1 *et seq.*, that operates a middle school and a high school at two different locations with different configurations of grades at the two schools is not subject to the 125-pupil-per-grade restriction or the one-mile-radius limitation contained in section 524(1) of the Code, MCL 380.524(1). The 125-pupil and one-mile radius conditions only apply under circumstances where the same configuration of grades is operated at more than one site. The academy may operate at multiple sites with different configurations of grades under a single contract if authorized to do so by its authorizing body152

An urban high school academy duly chartered under Part 6C of the Revised School Code, 1976 PA 451, MCL 380.1 *et seq.*, that operates two elementary schools (both offering kindergarten through grade 5), one middle school, and one high school, each at separate locations, may operate under a single authorizing contract provided that the two elementary schools offering the same configuration of grades have a combined total enrollment not exceeding 125 pupils

per grade and are both located within a one-mile radius of the academy's central administrative office. The 125-pupil-per-grade restriction and the one-mile-radius limitation contained in section 524(1) of the Revised School Code, MCL 380.524(1), do not apply to either the high school or the middle school because they operate different configurations of grades152

An urban high school academy duly chartered under Part 6C of the Revised School Code, 1976 PA 451, MCL 380.1 *et seq*, that operates grades 6 through 12 (including a middle school and a high school) at a single location where its central administrative office is also located is not subject to the 125-pupil-per-grade restriction or the one-mile-radius limitation of MCL 380.524(1) because these conditions apply solely to circumstances where the same configuration of grades is offered at multiple locations under a single contract152

SINGLE STATE CONSTRUCTION CODE ACT:

See OCCUPATIONAL CODE

T.

TAXATION:

General Property Tax Act—State Real Estate Transfer Tax Act—Real Property—Taxation—Exemption from state real estate transfer taxes— An exemption from the requirement imposed by the State Real Estate Transfer Tax Act, MCL 207.521 *et seq*, to pay state real estate transfer taxes upon the transfer or sale of real property may be claimed under MCL 207.526(t) if, on the date a parcel occupied as a principal residence is transferred, its state equalized value is less than or equal to its state equalized value on the date the owner purchased or acquired the parcel *and* the property is sold for not more than its true cash value at the time of sale.122

Z.

ZONING:

*Michigan Zoning Enabling Act—*The requirement in section 601(3) of the Michigan Zoning Enabling Act, MCL 125.3601(3), that a member of the zoning or planning commission be appointed to the zoning board of appeals does not require that a current member of the zoning board be removed to create a vacancy that may then be filled to satisfy the requirement. The city or village council may amend its zoning ordinance to increase the number of members on the zoning board of appeals either temporarily or permanently and fill the newly created position with the required zoning or planning commission member.....24

A member of a city or village zoning board of appeals who also serves as a member of the local unit's planning or zoning commission must abstain from voting on a matter being considered by the zoning board of appeals that he or she voted on as a member of the zoning or planning commission where the facts and circumstances associated with the particular decision under review make abstention necessary to satisfy the due process requirement of impartial decision making24

A city or village council may appoint a successor to the zoning board of appeals after the expiration of a member's term notwithstanding the passing of the one-month deadline imposed by section 601(9) of the Michigan Zoning Enabling Act, MCL 125.3601(9), but the council should complete the appointment process as soon as practicable thereafter. Where a city or village council fails to timely appoint a successor to the zoning board of appeals after the expiration of a member's term under MCL 125.3601(9), that member may continue to serve beyond the expiration of his or her term as a holdover member until a successor is appointed and qualified24

The requirement in section 601(9) of the Michigan Zoning Enabling Act, MCL 125.3601(9), for appointment of a successor on the zoning board of appeals within one month after the term of the preceding member has expired has no application to the filling of a mid-term vacancy by appointment to the zoning board of appeals by the city or village24

In order to comply with the 30-day deadline for appealing to the circuit court from a decision of a zoning board of appeals set forth in section 606(3) of the Michigan Zoning Enabling Act, MCL 125.3606(3), a party must file the appeal within 30 days of the date on which the zoning board of appeals certifies its decision in writing or the date on which it approves the minutes of the meeting at which its decision was made, whichever is earlier24

Appeals to the Court of Appeals from decisions by a circuit court on review of a decision of the zoning board of appeals may only be taken by application for leave to appeal to that court in accordance with MCR 7.203 and not as a matter of right24

The provisions as to the effective date of a zoning ordinance and for the publication of notice of its adoption set forth in section 401(6) and (7) of the Michigan Zoning Enabling Act, MCL 125.3401(6) and (7), will control over different requirements for the effective date of a city ordinance or for the publication of notice of its adoption set forth in a city charter24

A municipality may comply with the requirements in section 103(2) of the Michigan Zoning Enabling Act, MCL 125.3103(2), for giving notice to the occupants of structures within 300 feet of a property subject to certain zoning actions for which this type of notice is required, by either delivering a written notice in person to an occupant of each unit in such a structure, or by mailing a letter to one or more occupants of each unit in such a structure by name if known or addressed to the "occupant" if the name of an occupant is not known24

