

STATE OF MICHIGAN  
DEPARTMENT OF ATTORNEY GENERAL



DANA NESSEL  
ATTORNEY GENERAL

P.O. Box 30212  
LANSING, MICHIGAN 48909

January 5, 2024

Representative Angela Witwer  
House Appropriations Committee  
H-351 Capitol Building  
Lansing, MI 48933  
[angelawitwer@gouse.mi.gov](mailto:angelawitwer@gouse.mi.gov)

Mary Ann Cleary, Director  
House Fiscal Agency  
House Office Building  
124 N. Capitol Ave, #4  
Lansing, MI 48933  
[mcleary@house.mi.gov](mailto:mcleary@house.mi.gov)

Representative Felicia Brabec  
House Appropriations Subcommittee on  
General Government  
797 House Office Building  
Lansing, MI 48933  
[FeliciaBrabec@house.mi.gov](mailto:FeliciaBrabec@house.mi.gov)

Katharyn Summers, Director  
Senate Fiscal Agency  
Victor Office Center  
201 N Washington Square # 800  
Lansing, MI 48933  
[ksummers@senate.michigan.gov](mailto:ksummers@senate.michigan.gov)

Senator Sarah Anthony  
Senate Appropriations Committee  
S-324 Capitol Building  
Lansing, MI 48933  
[SenSAthony@senate.michigan.gov](mailto:SenSAthony@senate.michigan.gov)

Jen Flood  
State Budget Director  
George W. Romney Building  
111 South Capitol Avenue  
Lansing, MI 48933  
[FloodJ3@michigan.gov](mailto:FloodJ3@michigan.gov)

Senator John Cherry  
Senate Appropriations Subcommittee on  
General Government  
3600 Binsfeld Office Building  
Lansing, MI 48933  
[senjcherry@senate.michigan.gov](mailto:senjcherry@senate.michigan.gov)

*Sent by email only*

Dear Representatives, Senators, and Directors;

Pursuant to 2019 PA 10, the Department is directed to provide a quarterly report on the wrongful imprisonment compensation fund. The specific report language and the department's responses for the First Quarter of Fiscal Year 2024 (October 1, 2023 – December 31, 2023) are as follows:

Dear Representatives, Senators, and Directors;

Page 2

January 24, 2024

(a) All payments made from the wrongful imprisonment fund in each prior quarter of the fiscal year, and the total of those payments, including if each payment is part of a new settlement or part of an installment plan.

1. *Marvin Cotton v State of Michigan*, Court of Claims No. 21-000197-MZ. On October 1, 2023, a Release and Settlement Agreement was executed by the parties, providing that the State provide compensation in the amount of \$630,062.67, and attorney fees and costs in the amount of \$20,758.13.
2. *Tyrone Rogers v State of Michigan*, Court of Claims No. 22-00116-MZ. On November 14, 2023, a Release and Settlement Agreement was executed by the parties, providing that the State provide compensation in the amount of \$165,000.00, pay attorney fees in the amount of \$11,500.00, and costs in the amount of \$295.45.
3. *Richard Phillips v State of Michigan*, Court of Claims No. 23-000085-MZ. On October 30, 2023, a Stipulated Order of Judgment was entered providing that the State pay compensation in the amount of \$735,088.34.

**TOTAL PAYMENTS OUT OF THE FUND: \$1,562,704.59**

(b) Total payments made from each prior fiscal year and the total of all payments to date (per Treasury):

FY17:	\$2,101,235.47
FY18:	\$2,177,139.49
FY19 Total	\$5,913,335.04
FY20 Total	\$13,096,204.52
FY21 Total	\$10,297,740.23
FY22 Total	\$9,804,160.04
FY23 Total	\$6,060,172.84

**CUMULATIVE TO DATE: \$49,449,987.63**

Dear Representatives, Senators, and Directors;

Page 3

January 24, 2024

(c) Any settlements that have been decided but have yet to receive a payment.

1. *Richard Phillips v State of Michigan*, Court of Claims No.23-000085-MZ. On December 18, 2023, a Stipulated Order of judgment for Attorney Fees and Costs was entered providing for the payment of attorney y fees in the amount of \$9,750.00, and costs in the amount of \$175.00. The judgment will be paid in the second quarter (FY24).

(d) The number of known cases seeking a settlement, but do not have a final judgment, and the dollar amount of each potential payment for these known cases, and the total of these payments.

See Appendix A.

(e) The balance in the wrongful imprisonment fund at the end of the previous quarter.

Pursuant to the Department of Treasury's records, as of December 31, 2023, there was \$19,751,466.97, in the Wrongful Imprisonment Compensation Fund.

Sincerely,



Ashley Steffen  
Director, Office of Legislative Affairs  
Department of Attorney General

AS/sg  
Attachments

## APPENDIX A

List of known cases seeking a settlement, but do not have a final judgment, and the dollar amount of each potential payment for these known cases, and the total of these payments, at the end of the 1<sup>st</sup> Quarter of the fiscal year 2024 (October 1, 2023 – December 31, 2023).

PLAINTIFF	COMPENSATION SOUGHT
Avery, Chamar**	\$383,500.00 in compensation, plus costs and attorney fees.
Christian, Kino	\$674,520.55 in compensation, plus costs and attorney fees.
Clark, Alphonso	\$892,465.75 in compensation, plus costs and attorney fees.
Edwards, Joshun	\$674,538.76 in compensation, plus costs and attorney fees.
Edwards, Dartanian	\$651,935.41 in compensation, plus costs and attorney fees.
Griffin, Michael	\$638,904.11 in compensation, plus costs and attorney fees.
Hinton, C-Quan	\$676,182.64 in compensation, plus costs and attorney fees.
Phillips, Richard	Costs and attorney fees
Searcy, Thelonious*	\$892,763.83 in compensation, plus costs and attorney fees.
Webb, Kenneth	\$1,802,465.82 in compensation, plus costs and attorney fees.
Wright, Louis	\$1,752,513.07 in compensation, plus costs and attorney fees.

**TOTAL AMOUNT OF POTENTIAL CLAIMS: \$9039,789.94 (plus attorney fees and costs in each case up to \$50,000.00 or 10% of the compensation awarded whichever is less).**

\* Plaintiff did not specify the amount of compensation sought in his complaint. Consequently, the State has calculated the potential compensation.

\*\*pending on appeal