

STATE OF MICHIGAN

IN THE 14TH CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

v

NICHOLAS DANIELS and LANDSCAPE
SUPPLIES, LLC,

Defendants.

HON. TIMOTHY G. HICKS

File No. 20-1436-CZ

Timothy M. Maat (P48691)
Assistant Prosecuting Attorney
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Edward A. Newmyer (P42063)
Attorney for Defendant
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**ORDER GRANTING PLAINTIFF'S MOTION
FOR A DECLARATORY JUDGMENT**

The court has received briefing, heard oral argument, and has entered its written opinion in this case. This order follows.

As stipulated to by the parties, defendant is deemed essential during the COVID-19 State of Emergency for the purpose of operating a compost facility and has been designated as an authorized compost site. Accordingly, the following non-essential operations by defendant **must cease**:

- Routine landscaping, tree service, irrigation, and other related outdoor maintenance operations.
- Delivery of materials to customers.
- "Curbside Pickup" of materials from the defendant's location by customers.

The narrow exception to this order permits delivery of material and in-person work that is strictly necessary to address a circumstance that immediately and genuinely impairs the habitability of a home during the emergency.

IT IS SO ORDERED.

Date: April 17, 2020



Timothy G. Hicks, P35198
Circuit Judge

CERTIFICATE OF MAILING

I hereby certify that on the 17 day of April, 2020, I personally mailed copies of this order to the parties above named at their respective addresses, by ordinary mail and electronic mail



Nicholas P. Geraux, Court Officer, 14th Circuit Court