

Order

Michigan Supreme Court
Lansing, Michigan

March 3, 2020

Bridget M. McCormack,
Chief Justice

160201(44)

David F. Viviano,
Chief Justice Pro Tem

JOSEPH WHITE,
Plaintiff-Appellant,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 160201
COA: 348605
Wayne CC: 11-011126-CZ

DETROIT EAST COMMUNITY MENTAL
HEALTH, MARILYN SNOWDEN, SHIRLEY
CALHOUN, DORIS STERRETT, and
GATEWAY COMMUNITY HEALTH
PROVIDER,
Defendants-Appellees.

On order of the Court, the motion for reconsideration of this Court's November 19, 2019 order is considered, and it is DENIED, because we are not persuaded that reconsideration of our previous order is warranted. MCR 7.311(G).



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 3, 2020

a0224

Clerk

APPENDIX - D

Order

Michigan Supreme Court
Lansing, Michigan

November 19, 2019

Bridget M. McCormack,
Chief Justice

160201

David F. Viviano,
Chief Justice Pro Tem

JOSEPH WHITE,
Plaintiff-Appellant,

v

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

SC: 160201
COA: 348605
Wayne CC: 11-011126-CZ

DETROIT EAST COMMUNITY MENTAL
HEALTH, MARILYN SNOWDEN, SHIRLEY
CALHOUN, DORIS STERRETT, and
GATEWAY COMMUNITY HEALTH
PROVIDER,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the August 5, 2019 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 19, 2019

Clerk

p1118

APPENDIX-C

Court of Appeals, State of Michigan

ORDER

Joseph White v Detroit East Community Mental Health

Thomas C. Cameron
Presiding Judge

Docket No. 348605

Karen M. Fort Hood

LC No. 11-011126-CZ

Anica Letica
Judges

The Court orders that the application for leave to appeal is DENIED for lack of merit in the grounds presented.

On its own motion, this Court finds sanctions warranted on the basis that plaintiff-appellant's pursuit of this appeal is frivolous and vexatious. MCR 7.216(C)(1). Plaintiff-appellant is ordered to pay the Clerk of this Court \$500 within 28 days of the date of this order. We direct the Clerk of the Court to return without accepting any further filings by or on behalf of Joseph White in any non-criminal matter until he has made the payment required by this order. MCR 7.216(A)(7).


Presiding Judge

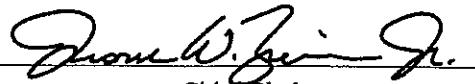


A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

AUG 05 2019

Date

Chief Clerk



APPENDIX - A

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

JOSEPH WHITE,

Plaintiff,

-v-

**DETROIT EAST COMMUNITY
MENTAL HEALTH, MARILYN SNOWDEN,
SHIRLEY CALHOUN, DORIS STERRETT, and
GATEWAY COMMUNITY HEALTH PROVIDER,**

Case No. 11-011126-CZ

Hon. Muriel D. Hughes

Defendants.

**OPINION AND ORDER
DENYING PLAINTIFF'S THIRD MOTION FOR RELIEF
FROM JUDGMENT**

At a session of said Court held in the Coleman A. Young Municipal Center, Detroit, Wayne County, Michigan on this: 4/3/2019

PRESENT: Muriel D. Hughes
Circuit Judge

This civil matter is before the Court on a motion for relief from judgment filed by Plaintiff, Joseph White, acting in *propria persona*. The Court notes that this motion is Plaintiff's third motion for relief from judgment. For the reasons stated below, the Court denies the motion.

I. BACKGROUND

This case arose out of Plaintiff's employment at Detroit East, Inc. Community Mental Health Center. Plaintiff's complaint alleged violations of the Whistleblower Protection Act, the Michigan Minimum Wage Law, and the Elliott-Larsen Civil Rights Act. On January 16, 2013, an

APPENDIX - B

order was entered by this Court's predecessor, the Hon. Amy Hathaway, granting summary disposition in favor of Defendant, Gateway Community Health Provider ("Gateway"), and dismissing Plaintiff's claims as to Gateway on the basis that Gateway was not Plaintiff's employer for the purposes of the alleged violations. On February 7, 2013, an order was entered dismissing Plaintiff's claims against the remaining Defendants and closing the case. Plaintiff appealed the dismissal to the Michigan Court of Appeals, which affirmed the dismissal by the Hon. Amy Hathaway. Plaintiff filed a motion for reconsideration, which the Michigan Court of Appeals denied on September 10, 2014. Plaintiff then filed an application for leave to appeal with the Michigan Supreme Court, which denied leave on March 31, 2015. On June 30, 2015, the Michigan Supreme Court also denied Plaintiff's motion for reconsideration.

Subsequently, on December 7, 2015, Plaintiff filed a Petition for Writ of Certiorari with the United States Supreme Court, which denied the Petition on January 11, 2016, as well as Plaintiff's Petition for Rehearing on March 7, 2016. Plaintiff then moved in this Court to have his original case reinstated and to have an order setting aside the dismissal of his case due to fraud upon the court. This Court denied Plaintiff's motion on May 3, 2016.

Plaintiff again sought appellate relief and the Michigan Court of Appeals denied his request for leave to appeal on August 12, 2016. His motion for reconsideration in the Michigan Court of Appeals was also denied on September 26, 2016. The Michigan Supreme Court then denied his application for leave to appeal the Michigan Court of Appeals' ruling on April 2, 2017.

On August 15, 2017, Plaintiff filed a motion for relief from judgment in this Court, which was denied. The Court held that the motion was untimely pursuant to MCR 2.612(C)(2). The

Court also held that Plaintiff failed to demonstrate fraud upon the Court and failed to explain how alleged newly discovered evidence indicates fraud upon the Court warranting relief from a final order of dismissal after a ruling on a motion for summary disposition. Plaintiff then filed a renewed motion for relief from judgment, which the Court denied on February 27, 2018. The Court of Appeals denied Plaintiff's application for leave to appeal on March 21, 2018. His application for leave to appeal was then denied by the Supreme Court on July 27, 2018. According to Plaintiff, he has filed his third petition for a Writ of Certiorari in the United States Supreme Court, which is still pending. The instant motion followed.

II. STANDARDS FOR DETERMINING MOTIONS FOR RELIEF FROM JUDGMENT

Under MCR 2.612, the court may relieve a party from a final judgment or order. The grounds for relief under MCR 2.612(C)(1) include:

- (a) Mistake, inadvertence, surprise, or excusable neglect.
- (b) Newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under MCR 2.611(B).
- (c) Fraud (intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party.
- (d) The judgment is void.
- (e) The judgment has been satisfied, released, or discharged; a prior judgment on which it is based has been reversed or otherwise vacated; or it is no longer equitable that the judgment should have prospective application.
- (f) Any other reason justifying relief from the operation of the judgment.

Under MCR 2.612(C)(1)(f), relief from a judgment may be grounded on “[a]ny other reason justifying relief from the operation of the judgment.” To obtain relief from a judgment

pursuant to MCR 2.612(C)(1)(f), three requirements must be met: (1) the reason for setting aside the judgment may not fall under subsections (a)-(e), absent a showing that injustice would result were the judgment to stand; (2) the substantial rights of the opposing party may not be detrimentally affected; and (3) extraordinary circumstances must exist that mandate setting aside the judgment in order to achieve justice. *Heugel v Heugel*, 237 Mich App 471, 478-79; 603 NW2d 121 (1999). “Generally, relief is granted under subsection (f) only when the judgment was obtained by the improper conduct of the party in whose favor it was rendered.” *Id.* at 479. Furthermore, the “motion must be made within a reasonable time, and, for the grounds stated in subrules (C)(1)(a), (b), and (c), within one year after the judgment, order, or proceeding was entered or taken.” MCR 2.612(C)(2).

III. ANALYSIS

In Plaintiff’s renewed motion for relief of judgment, Plaintiff again makes the same claims as his earlier motions for relief from judgment, which the Court has already ruled on. In the instant motion, he reiterates his previous claims that the abuse toward pro se litigants “only benefits people in administrative authority.”

He again argues that the abuse was conducted with malice and constitutes fraud upon the Court. He also again alleges that there was fraud in the Court’s Register of Actions. Plaintiff has failed to point to any specific instance of “fraud” contained in the Register of Actions. All actions taken in this case were properly noted in the Register of Actions. Plaintiff also again asserts that he never dismissed the instant case and that the Register of Actions shows that this case was dismissed. The Plaintiff’s argument that the case has not been dismissed because he did not dismiss it is meritless because, once a defendant has responded to the complaint, the plaintiff

has no authority to dismiss the case. Only the Court can do this by order. MCR 2.504(A)(2). As this Court has explained in its prior opinion, a case may be dismissed by the Court under MCR 2.504(B)(2). The court on its own initiative may dismiss a case which has been tried without a jury "on the ground that, on the facts and the law, the plaintiff has no right to relief." MCR 2.504(B)(2).

As indicated above, on January 16, 2013, an order was entered by Judge Hathaway, granting summary disposition in favor of Defendant, Gateway, and dismissing Plaintiff's claims as to Gateway. In addition, on February 7, 2013, Judge Hathaway entered an order dismissing Plaintiff's claims against the remaining Defendants and closing the case. Plaintiff is barred by res judicata to raise this issue again because there has been a prior decision on its merits on the same issue of fraud in the Register of Actions in this case.

This Court has also previously denied Plaintiff's first motion for relief from judgment on the basis that the motion was untimely and that Plaintiff failed to demonstrate that any alleged newly discovered evidence demonstrated fraud on the Court. Plaintiff's first motion for relief from judgment was filed over four years later. Pursuant to MCR 2.612(C)(2), this Court held that the motion was not filed timely as to the allegation of fraud or newly discovered evidence, nor was it filed within a reasonable period of time as to any other allegation. Thus, this Court has ordered that the case remain in closed status and that the Court's predecessor entered an order dismissing the case. Again, Plaintiff is barred by res judicata to raise the same issue again because there has been a decision on the merits in this case.

In addition to Plaintiff's earlier arguments, he makes two claims: (1) that certain laws of nature provide a basis to reverse the Court's earlier decision and those laws as they pertain to

fraud are supported by several cases from Illinois and a few federal cases; and (2) that this Judge must be disqualified from presiding over Plaintiff's case due to bias.

The Court has previously ruled that relief of judgment is without merit and that the purported newly discovered evidence does not demonstrate fraud upon the Court or warrant relief of a final order of dismissal subsequent to a ruling on a motion for summary disposition. Again, Plaintiff is barred by res judicata to raise the same issue again as to fraud because there has been a decision on the merits in this case.

Plaintiff next seems to tie his claim of "fraud upon the Court" to fraud committed by "officers of the court." It appears that this would include judges, specifically the judge in this Court. He intimates, but does not directly state, that this Court is biased and, as a result, any determination by the Court is fraudulent.

With respect to the disqualification of a judge, under MCR 2.003(C)(1)(a), a party may move to disqualify the judge if the judge is biased or prejudiced against a party or attorney. A trial judge is presumed to be impartial, and the party asserting partiality has the heavy burden of overcoming that presumption. *Coble v Green*, 271 Mich App 382, 390; 722 NW2d 898, 904 (2006), citing *Cain v Dep't of Corrections*, 451 Mich 470, 497; 548 NW2d 210 (1996); See also, *B & B Investment Group v Gitler*, 229 Mich App 1, 17; 581 NW2d 17 (1998). A party challenging a judge's impartiality must show a "deep-seated favoritism or antagonism that would make fair judgment impossible." *Schellenberg v Rochester Lodge No 2225 of Benevolent and Protective Order of Elks of USA*, 228 Mich App 20, 39; 577 NW2d 163 (1998). As a general rule, judicial rulings alone almost never constitute a valid basis for a bias or partiality motion.

Liteky v United States, 510 US 540, 555; 114 S Ct 1147; 127 L Ed 2d 474 (1994). Moreover, criticism and even hostility do not serve as bases for disqualification. *Id.*

Specifically, Plaintiff asserts, “If you are non-represented litigant, and should the court not follow the law as to nonrepresented (sic) litigants, then the judge has expressed an ‘appearance of partiality’ and, under the law, it would seem that he/she has disqualified him/herself.” [Plaintiff’s Brief, p. 9]. As to the “appearance of partiality,” under MCR 2.003(C)(1)(b), disqualification of a judge is warranted when “[t]he judge, based on objective and reasonable perceptions, has either (i) a serious risk of actual bias impacting the due process rights of a party as enunciated in *Caperton v Massey*, [556 US 868]; 129 S Ct 2252; 173 L Ed 2d 1208 (2009), or (ii) has failed to adhere to the appearance of impropriety standard set forth in Canon 2 of the Michigan Code of Judicial Conduct.” Under Canon 2 of the Michigan Code of Judicial Conduct, a judge must “avoid the appearance of impropriety.” Code of Judicial Conduct, Canon 2(A). The more relevant and specific dictates of Canon 2 are as follows:

B. A judge should respect and observe the law. At all times, the conduct and manner of a judge should promote public confidence in the integrity and impartiality of the judiciary. Without regard to a person’s race, gender, or other protected personal characteristic, a judge should treat every person fairly, with courtesy and respect.

C. A judge should not allow family, social, or other relationships to influence judicial conduct or judgment. A judge should not use the prestige of office to advance personal business interests or those of others, ...

Code of Judicial Conduct, Canon 2(B) and (C).

To summarize, under Canon 2, the Court should follow the law and apply it impartially, the Court should treat all people with courtesy and respect, the Court should not allow family or

friends to influence decision making, and the Court should not use the prestige of the office to advance business or personal interests.

In the instant case, the Court has not engaged in any activity prohibited under either MCR 2.003 or Canon 2. Nor has Plaintiff indicated specifically what activity the Court has engaged in which would demonstrate the appearance of impropriety. Plaintiff has not provided the Court with a factual predicate for his claim of the appearance of partiality or impropriety. “A party may not leave it to (sic) Court of Appeals to search for the factual basis to sustain or reject its position, but must support its position with specific references to the record.” 7A Mich Pl & Pr § 57:36 (2d ed), citing *Begin v Michigan Bell Telephone Co*, 284 Mich App 581; 773 NW2d 271 (2009). See also *Great Lakes Div of Nat Steel Corp v City of Ecorse*, 227 Mich App 379, 424; 576 NW2d 667 (1998) (“A party may not leave it to this Court to search for a factual basis to sustain or reject its position.”). In addition, Plaintiff has not requested disqualification, but merely asserts that the appearance of partiality renders any judgment made in this case fraudulent.

The only activity this Court has engaged in is ruling on the various matters associated with this case. Any rulings against Plaintiff cannot be said to show the appearance of impropriety or actual bias. *Liteky, supra*. Moreover, other than ruling against him, Plaintiff has failed to point to any specific instance demonstrating a “deep-seated favoritism or antagonism that would make fair judgment impossible.” *Schellenberg, supra*. Therefore, his claim that the Court did not follow the law or exhibited the appearance of partiality or impropriety is without merit.

IV. CONCLUSION

Plaintiff has failed to demonstrate entitlement to relief from judgment pursuant to MCR 2.612(C)(1). As this Court has previously ruled on Plaintiff's prior motions, Plaintiff's motion does not demonstrate fraud upon the Court or warrant relief from a final order of dismissal subsequent to a ruling on a motion for summary disposition. Plaintiff's renewed motion is also untimely pursuant to MCR 2.612(C)(2) and barred by res judicata because there have been prior decisions on the merits in this action regarding the motion for relief from judgment based on fraud. Nor has he carried his burden to overcome the presumption that the Court is fair and impartial. *Coble, supra*. He has failed to show that the Court is biased or has engaged in any activity resulting in the appearance of partiality or impropriety, which would warrant relief from the Court's final order of dismissal of Plaintiff's case. Finally, Plaintiff has exhausted all of his remedies at law and is barred from filing future motions for relief from judgment based on fraud.

On the basis of the foregoing opinion, Plaintiff's third motion for relief from judgment is hereby **DENIED WITH PREJUDICE** and the case remains in closed status.

IT IS SO ORDERED.

DATED:

/s/ Muriel D. Hughes 4/3/2019
Circuit Judge

JOSEPH WHITE-PETITIONER-(PRO-SE)

VS

DETROIT EAST COMMUNITY MENTAL HEALTH,
et al,- RESPONDENT(S)

EXHIBITS

Exhibit A- A copy of a Detroit Police Department- Twelfth precinct document with a police report number of 19-1211-0163, dated 12/11/2019, report officer Ms. L. Andrews. Regarding a police report filed by Joseph White.

Exhibit B- A copy of a four page police report, filed at the Roseville, Michigan Police Department reported by Joseph White, dated 12/20/ 2019, report no.190032895, regarding Shallie Rashanda Renee Myles, and Latari Myles.

Exhibit C- A copy of a letter from the Roseville, Michigan City Attorney, Timothy D. Tomlinson, from the law firm of York, Dolan, & Tomlinson, P.C., dated January 6, 2020, regarding a cease and desist letter sent to Latari Myles, in regards to a police report filed by Joseph White.

Exhibit D- A copy of an email letter Joseph and Brenda White, sent to Attorney General Dana Nessel, dated September 26, 2019, regarding their cases.

Exhibit E- A copy of an email letter Joseph and Brenda White, sent to Richard L. Cunningham, head of criminal division, dated November 26, 2019. regarding their cases.

Exhibit F- A copy of a letter sent to Joseph and Brenda White, from Richard L. Cunningham, head of the criminal division from Attorney General Dana Nessel's office, dated December 3, 2019, regarding their cases.

Exhibit G- A copy of a two page letter dated January 22, 2020, sent to Joseph and Brenda White, from Richard Lynch, General Counsel of the Wayne County Third Judicial Circuit Court of Michigan, regarding their cases filed in the Wayne County Third Circuit Court.

Exhibit H- A copy of a letter sent to Joseph White, from the office of Governor Gretchen Whitmer, dated March 9, 2020, thanking Joseph for contacting their office regarding his concerns. Signed by the Governor of Michigan Gretchen Whitmer.

Exhibits I- A copy of a letter dated March 27, 2020, written by Joseph White, sent to the Chief Judge Timothy M. Kenny, from the Wayne County 3rd Judicial Circuit Court, regarding a homicide investigation.

DETROIT POLICE DEPARTMENT – TWELFTH PRECINCT
1441 W. 7 Mile Road
DETROIT, MI 48203
MAIN: (313) 596-1200 DETECTIVES: (313) 596-1240

DATE: 12-11-19

REPORT #: 19-1211-0163

Officer/Civilian MS. L. Andrews
(Name of person taking report)

A copy of your Vehicle Accident report can be picked up in person and will be ready 7 business days after it has been reported. There is a fee of \$10.00 (cash only). You may also retrieve a Vehicle Accident report online at www.tracview.com or www.authorizetransaction.com at a \$17.00 charge.

A copy of an Incident report can be picked up in person and will be ready 3-5 business days after it has been reported. There will be a fee of \$10.00 (cash only).

Detroit Police Department Records and Gun Registration is located at 2875 W. GRAND BLVD., DETROIT, MI 48202. Hours of operation are 8:00 a.m. to 3:45 p.m., Monday through Friday, and may be contacted at the following:

Records: (313) 596-1908

Gun Registration: (313) 596-1984

Auto Recovery or Telephone Crime Reporting: (313) 267-4600

EXHIBIT A



ROSEVILLE POLICE DEPARTMENT

29753 GRATIOT AVE
ROSEVILLE MI 48066
586 775-2100



Case Report

Administrative Details:

CR No	Subject
190032895	1380 - Telephone Used for Harassment, Threats [13003]
Report Date/Time	Occurrence Date/Time
12/20/2019 16:28	12/11/2019 12:00
Location	Call Source
30585 SANDHURST DR	PHONE
Dispatched Offense	Verified Offense
1316 Intimidation (Also Includes Interfering with 911 call)	1380 Telephone Used for Harassment, Threats
County	City/Twp/Village
50 - Macomb	89 - Roseville
Division	
Patrol	

Action Requested:

<input type="checkbox"/> Arrest warrant	<input type="checkbox"/> Review only
<input type="checkbox"/> Search warrant	<input type="checkbox"/> Forfeiture
<input type="checkbox"/> Juvenile petition	<input type="checkbox"/> Other

EXHIBIT-B

Offenses:

1380 - Telephone Used for Harassment, Threats

IBR Code / IBR Group

13C - Intimidation / A

Crime Against

PE

Domestic Violence

No

Using

A-Alcohol: No C-Computer Equipment: No D-Drugs/Narcotics: No

Criminal Activity

N - None/Unknown

People:

MYLES, LATARI (S-SUSPECT) [RVBALLORH (10399)]

Last Name Myles	First Name Latari	Middle Name	Suffix	Mr/Mrs/Ms			
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Street Address			Apt #	County	Country	Home Phone	Work Phone
City		State	Zip	Cell Phone	Email		

WHITE, JOSEPH (V-VICTIM) [RVBALLORH (10399)]

PE:	W.Type:	Last Name White	First Name Joseph	Middle Name	Suffix	Mr/Mrs/Ms	
DOB (Age)	Sex	Race BLACK/AFR	Ethnicity Other	Birth City & State	Birth Country	Country of Citizenship	
	M	ICAN	Ethnicity/Nat				
Street Address			Apt #	County	Country	Home Phone	Work Phone
City		State	Zip	Cell Phone	Email		
Victim Injury							

Victim Offender Relationships

Offender

Type

Relationship

S-SUSPECT**MYLES, SHALLIE (O-OTHER) (X-MISCELLANEOUS) [RVBALLORH (10399)]**

PE:	W.Type:	Last Name Myles	First Name Shallie	Middle Name	Suffix	Mr/Mrs/Ms	
DOB (Age)	Sex	Race BLACK/AFR	Ethnicity Other	Birth City & State	Birth Country	Country of Citizenship	
	F	ICAN	Ethnicity/Nat				
Street Address			Apt #	County	Country	Home Phone	Work Phone
City		State	Zip	Cell Phone	Email		

Narrative:

CR No: 190032895-001 Written By: RVBALLORH (10399) Date: 12/20/2019 06:32 PM



19-32895

Initial Contact:

On December 20th at 1620hrs, Joseph White came into Roseville Police Department to make a harassment report.

Background Information:

Joseph stated that he has been involved with a case through Detroit Police Department that is ongoing since 2011. The case has expanded and has recently began to involve some of Joseph's family members, including Latari and Shallie Myles. Shallie Myles is Joseph's niece and Latari is Shallie's husband.

Incident:

On December 11th, Joseph received a phone call from Shallie Myles. Shallie was also with Latari during the time of this phone call. For most of the conversation, Latari was the one speaking on the phone. Joseph was able to play an audio recording of the conversation as well. In the conversation Latari was irate and yelling at Joseph stating that he needed to keep his family out of his business. For certain parts of the conversation it was hard to understand what Latari was saying due to how loud he was talking into the phone. In the phone call, Latari made no overt threats to Joseph and his well being. According to Joseph, Latari was angry that Joseph had involved himself and Shallie in the ongoing case

Conclusion:

Joseph was provided with an incident number for the report and advised to follow up with the city attorney. A copy of Joseph's witness statement was scanned into this report as well.

CR No: 190032895-002 Written By: RVZIELKEJ (10369) Date: 12/23/2019 02:43 PM

MR WHITE CAME TO PD AD ADVISED WRITER HE WANTED TO ADD INFO TO THIS REPORT AS HE HAD AN APPOINTMENT WITH MR TOMLINSON IN JANUARY AND WANTED THIS INFO FROM 36TH DISTRICT COURT TO BE PART OF HIS REPORT; FILE WAS SCANNED/ATTACHED.

Attachments:

File Name	File Type	Comments	Date	By	Role
Attachments Included In This Report:					
doc00996920191 220192715.pdf	pdf	Witness Statement	12/20/2019 07:30 PM	BALLOR, HUNTER	POLICEOFFICER
doc01006420191 223143508.pdf	pdf	19-32895 36TH DISTRICT COURT CASE 1906149601	12/23/2019 02:40 PM	ZIELKE, JAMES	POLICEOFFICER

RK, DOLAN & TOMLINSON C.
Attorneys and Counselors at law
22600 Hall Road, Suite 205
Clinton Township, Michigan 48036
586-263-5050
Fax 586-263-4763

John A. Dolan (jdolan@yorkdolanlaw.com)
Timothy D. Tomlinson (ttomlinson@yorkdolanlaw.com)

Fred A. York (1930-1989)

January 6, 2020

Mr. Latari Myles
487 Bournemouth
Grosse Pointe Farms, MI 48236

Mr. Latari Myles
13129 Frankfort St.
Detroit, MI 48213

**RE: Roseville Police Department
Incident No. 19-0032895**

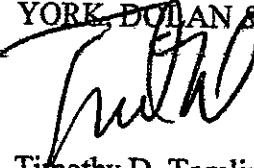
Dear Mr. Myles:

Our firm serves as City Attorneys for the City of Roseville. We prosecute ordinance violations that occur within the City. We have reviewed an incident report regarding harassment and threats.

Although it appears as though criminal activity may have occurred, we are not going to request the issuance of a complaint and arrest warrant at this time. We strongly caution that activity of the nature alleged in the incident reports will not be tolerated. Please refrain from any contact with Joseph White, including in person, by phone, email, social media (i.e. Facebook, Snapchat, Instagram, etc.) Any future incidents of this type may result in the issuance of a warrant. Should you have any question regarding same, feel free to contact me. We remain,

Very truly yours,

YORK, DOLAN & TOMLINSON, P.C.


Timothy D. Tomlinson
Roseville City Attorneys

/jabh

cc: Complainant

EXHIBIT-C

From: Comcast brendawhite232@comcast.net
Subject: Regarding Four Criminal Court Cases.
Date: Sep 26, 2019 at 9:42:04 PM
To: Attorney General Dana Nessel agcriminal@michigan.gov, Ice joseph white josephwhite585@comcast.net
Cc: Brenda White brendawhite232@comcast.net

Attorney General Dana Nessel,

Following two recent telephone contacts I had with your office on August 23, 2019 and September 26, 2019, regarding three cases that I have in the Michigan Supreme Court, I requested that you as the Michigan Attorney General intervene in these criminal cases, and your office instructed me to send you an email with my questions and concerns and to request that you intervene in these criminal cases, following three recent orders from the Michigan Court of Appeals, stating that the listed cases are criminal. These cases are a health and safety risk for me and the public at large, and the cases need to be resolved. Joseph White also made contact with your office on the above dates, and he is requesting that you as the Michigan Attorney General intervene and turn his case over as criminal, because the Michigan Court of Appeals, has also stated that his case is criminal, which is also a health and safety risk for him and the public at large. The cases are: Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks, MSC: 160200. Macomb County Circuit Court No. 2012-002017-NH Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company. SC: 160298. Michigan Compensation Appellate Commission Case No. 17-000015
Brenda Ford White v O. L. Matthews M. D. et al, SC: 160198. Wayne County Third Circuit Court No. 13-013472-NH.
Joseph White v Detroit East Community Mental Health et al, SC: 160201. Wayne County Circuit Court No. 11-011126-CZ

Brenda White and Joseph White
30585 Sandhurst Dr. Apt. 207
Roseville, Michigan 48066
Phone: (586) 773- 0251
Email: Brendawhite232@comcast.net
Email: josephwhite585@comcast.net

EXHIBIT-D

From: Comcast brendawhite232@comcast.net
Subject: Regarding an ending letter from your office.
Date: Nov 26, 2019 at 7:15:05 PM
To: Brenda White brendawhite232@comcast.net, Ice Joseph white
josephwhite585@comcast.net, Mr. Cunningham
cunninghamr3@michigan.gov

Mr. Cunningham,

This is in regards to a telephone conversation that Brenda White had with you on November 26, 2019. You stated that your office would not be handling Brenda and Joseph White's criminal cases. You stated that you would respond in writing to Brenda White. Attached is a copy of the original letter sent to Attorney General Dana Nessel office on September 26, 2019. The attached letter has my email address and Joseph's email address along with our home address. Please send a separate letter to Joseph White, because his case is included in the attached letter.

Thank you in advance,

Brenda White

Email: brendawhite232@comcast.net

Joseph White

Email: josephwhite585@comcast.net

pdf

EPSON045.pdf

1021 KB

Sent from my iPhone

EXHIBIT-E

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



CADILLAC PLACE
3030 WEST GRAND BOULEVARD
DETROIT, MICHIGAN 48202

DANA NESSEL
ATTORNEY GENERAL

December 3, 2019

Brenda and Joseph White
30585 Sandhurst Dr., Apt 207
Roseville, MI 48066

Dear Mr. and Mrs. White:

This letter is written in response to your recent request that the Michigan Attorney General intervene in several lawsuits in which you are a party. In your request you cite several different civil actions, but assert that the Court of Appeals has determined that these cases are criminal. You state that the Court of Appeals issued orders recognizing those cases as criminal, but you failed to provide copies of any such orders.

I have considered your request and reviewed the Court of Appeals records concerning the cases in which either one of you was a party. I am simply not persuaded that there is any valid basis for the involvement of the Attorney General in your lawsuits. Likewise, I see no basis for any criminal proceedings based on the information you presented. Within the scope of prosecutorial discretion, I am closing our file on this matter without further action.

Sincerely,


Richard L. Cunningham
Division Chief
Criminal Division

EXHIBIT-F



THIRD JUDICIAL CIRCUIT
OF MICHIGAN

TIMOTHY M. KENNY
CHIEF JUDGE

RICHARD LYNCH
GENERAL COUNSEL

742 COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3413

(313) 224-8802
E-mail: Richard.Lynch@3rdcc.org

January 22, 2020

Joseph and Brenda White
30585 Sandhurst Drive
Apt. 207
Roseville, MI 48066

Dear Mr. and Ms. White,

This letter follows our meeting this morning and my review of the documents that Mr. White gave to me for review which I enclose with this letter.

As you know, we have communicated, by phone, mailings, and, now, in person, on many occasions. I met with you today in an effort to clearly understand the role that you believe that the Court and I play in the multiple lawsuits in which you are involved that have been filed in the Third Judicial Circuit. Following our conversation, my review of Mr. White's documents, and my previous letter to you dated September 7, 2018, I can only conclude that the issues presented are outside the scope of my office. To the extent that the Third Judicial Circuit plays a role in these matters, the Court's role was and would remain that of an adjudicative body. I have no role relative to your cases and met with you in an administrative capacity.

In summary, neither the Court nor I can advise you on, represent you in, advocate on your behalf relative to, or investigate for you the various claims that you present. Each of these actions exceeds the scope of the Court's role and my role within the Court.

In preparing this response, as in all other communications that I have had with either of you, **I must remind you that I do not represent you and cannot provide you with legal advice**. Therefore, I offer no opinion on the facts or the merits of the claims that we discussed or the documents that you

EXHIBIT - G

provided to me. As I previously wrote to you, "While I appreciate your passion on this issue, I can serve neither as your attorney nor as your sounding board on this matter." This statement remains as true today as when I wrote it on September 7, 2018.

With this in mind, I again request that you not contact me regarding this matter, as I cannot assist you. To the extent that you wish to pursue legal claims arising out of the matters you discussed with me, you must adhere to the remedies and procedures established by law. Because legal matters are frequently more complex than they first appear, you may wish to consult with a licensed attorney who may advise you regarding these issues. Regardless of how you choose to proceed, I see no merit in discussing these matters with you further. Therefore, I will neither meet with nor otherwise communicate with you regarding these issues. I remain,

Sincerely Yours,



Richard Lynch
General Counsel

Enclosure: (1 – document packet received from Mr. White today)



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GARLIN GILCHRIST II
LT. GOVERNOR

March 9, 2020

Joseph White
30585 Sandhurst Drive Apt 207
Roseville, Michigan 48066

Dear Joseph,

Thank you for taking the time to contact and share your concerns with my office. I appreciate the effort you took to reach me and the opportunity to respond.

I have asked my staff to follow up with you, but they have been unable to reach you. If you would like, you may contact Scottie in my office at (517) 335-7858, and they would be happy to discuss this issue with you further.

Thank you again for contacting me, and we hope to hear from you soon.

Sincerely,

A handwritten signature in black ink that reads "Gretchen Whitmer".

Gretchen Whitmer
Governor of Michigan

ATD: SMB

EXHIBIT-H

HON. TIMOTHY M. KENNY, CHIEF JUDGE
3rd JUDICIAL CIRCUIT COURT
2 WOODWARD AVENUE
701 COLEMAN A. YOUNG MUNICIPAL
CENTER, DETROIT, MICHIGAN 48226

March 27, 2020

Re: Joseph White v Detroit East Community Mental Health, Marilyn Snowden, Shirley Calhoun, Doris Sterrett, and Gateway Community Health Provider,

Dear Hon. Chief Judge Timothy M. Kenny,

I am writing you this letter to inform you that an active homicide investigation has taken place because Judge Muriel D. Hughes, allowed defendants attorneys to continue withholding evidence and to withdraw from the above named case. As a result of the continued corruption surrounding this case, a police officer by the name of Rasheen P. McClain, was killed. Defendant Shirley Calhoun's nephew Donte Calhoun, was killed, and his brother Christian Calhoun, was shot by the same shooter and severely wounded. A citizen by the name of Nathaniel Loyd was also killed by the same shooter. I reported Shirley Calhoun's involvement in illegal housing in my initial complaint, and it was ignored by the court. This illegal housing was ran by deceased defendant Shirley Calhoun, and her ex husband Douglas Calhoun, has lead to the shootings of the persons listed above. Deceased defendant Shirley Calhoun's death on November 23, 2019, has also been said to be a suspicious death, as stated by her daughter Geneva S. Thomas, and several prior co-workers from Detroit East Community Mental Health.

Judge Muriel D. Hughes, did not use proper authority to initiate proper intervention. This violation was reported by Joseph White. Judge Muriel D. Hughes, cooperated with defendants attorneys misconduct, and she failed to respond to corruption in the above named case. Judge Muriel D. Hughes, should be removed from the above named case. The appearance of justice being served is just as important as justice itself. I am requesting that you respond in writing on how you as the chief judge of the Wayne County Third Circuit Court will handle this matter. I have enclosed a second copy of the this letter to be stamped by the court and sent back to me for my records. Thank You in advance for your cooperation in this grave matter.

Signature

Joseph White

JOSEPH WHITE
30585 SANDHURST DR. Apt. 207
ROSEVILLE, MICHIGAN 48066
H: (586) 773-0251
C: (586) 215-7913

EXHIBIT-I