

Court of Appeals, State of Michigan

ORDER

People of MI v Jason Michael Jett

Docket No. 351940

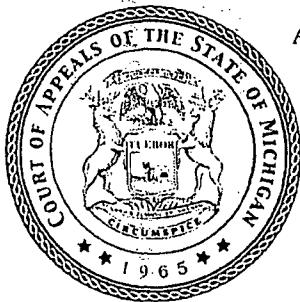
LC No. 2019-000195-FH

Deborah A. Servitto
Presiding Judge

Mark J. Cavanagh

Jonathan Tukel
Judges

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



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

FEB 10 2020

Date

The signature of Jerome W. Zimmer Jr. in cursive ink.

Chief Clerk

Order

Appendix A
Michigan Supreme Court
Lansing, Michigan

July 28, 2020

Bridget M. McCormack,
Chief Justice

161125

David F. Viviano,
Chief Justice Pro Tem

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

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

v

SC: 161125
COA: 351940
Macomb CC: 2019-000195-FH

JASON MICHAEL JETT,
Defendant-Appellant.

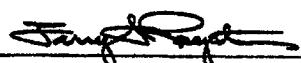
On order of the Court, the application for leave to appeal the February 10, 2020 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.



10720

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.

July 28, 2020


Clerk

STATE OF MICHIGAN
SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

Case No. 2019-0195-FH

JASON MICHAEL JETT,

Defendant.

OPINION AND ORDER

Defendant Jason Michael Jett has filed a challenge to jurisdiction.

I. BACKGROUND

Defendant Jason Michael Jett stands charged with: I. Child sexually abusive activity contrary to MCL 750.145c(2) and II. Using the internet to communicate with another to commit a crime contrary to MCL 750.145d(2)(f). He was bound over January 16, 2019 following a preliminary examination in the 41B Judicial District Court.

On April 16, 2019, defendant moved to quash the felony information. Defendant contended he went to the Concorde Inn to have sex with an adult rather than a minor child. In response, People asserted defendant tried to set up a date for sex with and asked for pictures of a fourteen-year-old girl. The motion to quash was denied June 5, 2019.

Defendant has now filed a challenge to jurisdiction.

II. ANALYSIS

Defendant challenges the subject-matter and personal jurisdiction of this Court.

As a preliminary matter, Tina Reneé Borgers can not represent defendant in this case; she

~~THERE ARE NO LICENSED ATTY ONLY BAR MEM~~

is not a licensed attorney. MCL 600.916(1) (person must be licensed and authorized to practice law) and Attorney Search, *State Bar of Michigan* <<https://www.zeekbeek.com/SBM/Search-Results#lname=Borgers&mtype=good®ion=MI>> (accessed September 25, 2019) (yielding a negative search for Borgers among licensed attorneys).

Borgers signed the "Notice of Hearing and Motion" that requested relief in the form of a dismissal with prejudice. Given her lack of licensure, Borgers' actions (especially given her use of the plural pronoun "we" and in light of defendant Jason Michael Jett's attempt to name her as counsel) constitute the unauthorized practice of law. See *Dressel v Ameribank*, 468 Mich 557, 566; 664 NW2d 151 (2003) ("a person engages in the practice of law when he counsels or assists another in matters that require the use of legal discretion and profound legal knowledge"). Therefore, Borgers is guilty of contempt of court. MCL 600.916(1) (person engaged in unauthorized practice of law is guilty of contempt of court). She shall immediately cease and desist from further activities constituting the unauthorized practice of law or face contempt charges.

Defendant's reliance on "UCC 1-308" (actually MCL 440.1308) is misplaced. The Uniform Commercial Code does not apply to this criminal case. *People v Dempster*, 396 Mich 700, 708; 242 NW2d 381 (1976) (UCC governs commercial transactions); see also MCL 440.1103(1)(a) and (b).

Defendant has not identified any factual basis or cited other legal authority in support of his superficial jurisdictional challenge. Consequently, the motion need not be further addressed. See *People v Leonard*, 224 Mich App 569, 588; 569 NW2d 663 (1997) (party may not simply announce a position or argument in a brief and then leave it up to the court to discover and rationalize the basis of his claims).

COMPLAINT
RIGHT

Notwithstanding, defendant stands charged with two felonies. Circuit courts have jurisdiction possessed by courts of record at common law, including the authority to adjudicate felony charges. MCL 600.601 and *People v Ham-Ying*, 178 Mich App 601, 607; 444 NW2d 529 (1989) (circuit courts have exclusive jurisdiction to try felony offenses). Hence, this Court has subject-matter jurisdiction to hear this case.

No SIGNED COMPLAINT

Moreover, defendant allegedly committed criminal acts in Michigan, was arrested in Michigan and resides in Michigan. Thus, this Court has personal jurisdiction over defendant. MCL 600.701(1) and (2). PRESUMED

III. CONCLUSION

For the reasons set forth above:

- A. The appointment of Tina Reneé Borgers as legal counsel is DISMISSED and
- B. Defendant Jason Michael Jett's challenge to jurisdiction is DENIED.

This *Opinion and Order* neither resolves the last pending claim in this matter nor closes the case. MCR 2.602(A)(3).

IT IS SO ORDERED.


HONORABLE RICHARD L. CARETTI
Circuit Court Judge

DATE: September 25, 2019

cc: Bill Harding, Esq.
Maroun Hakim, Esq.
Jason Michael Jett
Tina Renee Borgers

RICHARD L. CARETTI
CIRCUIT JUDGE
SEP 25 2019
A TRUE COPY
FRED MILLER, COUNTY CLERK
BY: Sandra A. Adams Court Clerk



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STATE OF MICHIGAN

SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

Case No. 2019-0195-FH

JASON MICHAEL JETT,

Defendant.

OPINION AND ORDER

Recent filings in this matter require addressing.

I. BACKGROUND

Defendant Jason Michael Jett stands charged with: I. Child sexually abusive activity contrary to MCL 750.145c(2) and II. Using the internet to communicate with another to commit a crime contrary to MCL 750.145d(2)(f). He was bound over January 16, 2019 following a preliminary examination in the 41B Judicial District Court.

On April 16, 2019, defendant moved to quash the felony information. Defendant contended he went to the Concorde Inn to have sex with an adult rather than a minor child. In response, People asserted defendant tried to set up a date for sex with and asked for pictures of a fourteen-year-old girl. The motion to quash was denied June 5, 2019.

Various missives have now been filed in this action.

II. ANALYSIS

First, defendant has filed a "Notice of Rogatory Appointment" to settle this matter with respect to the trust/corporate entity named JASON MICHAEL JETT. Defendant's reference to a

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separate corporate entity citizen is nothing more than reliance on the repeatedly discredited sovereign citizen/redemptionist theory. See, e.g., *US v Benabe*, 654 F3d 753, 767 (CA 7, 2011); *US v Hart*, 545 F Supp 470, 474 (D ND, 1982), aff'd 701 F2d 749 (CA 8, 1983); *McLaughlin v CitiMortgage, Inc*, 726 F Supp 2d 201, 214 (D Conn, 2010); *Anderson v O'Sullivan*, 224 Md App 501, 508-513; 121 A3d 181 (2015); and *Blocker v US Bank Nat'l Ass'n*, 993 NE2d 1154, 1157 (Ind App, 2013). Moreover, judges are neutral arbiters in the cases before them and are prohibited from having an interest in those cases. *People v Cobbs*, 443 Mich 276, 281-282; 505 NW2d 208 (1993), quoting *People v Killebrew*, 416 Mich 189, 202, 205; 330 NW2d 834 (1982) (“judicial involvement must be limited in order ‘to...retain the function of the judge as a neutral arbiter, and...an impartial dispenser of justice’ ” and “trial judge’s role...shall remain that of a detached and neutral judicial official”); see also MCR 2.003(C)(1)(f), 2.003(C)(1)(g) and 6.001(D); and Code of Judicial Conduct, Canons 2(A), 2(B), (2)(C), 3(A)(7) and 3(A)(12). Consequently, the Court declines to act as defendant’s fiduciary.

Second, defendant has submitted a “Truth Affidavit in the Nature of Supplemental Rules for Administrative and Meritime [sic] Claims Rules”. Significantly, this proceeding is a criminal matter rather than a commercial or maritime matter. Hence, defendant’s reliance on uncited commercial and/or maritime law wholly lacks merit. Additionally, defendant’s affidavit fails to comply with MCR 2.119(B)(1). Therefore, defendant’s affidavit is invalid.

Third, defendant has submitted an “Affidavit Notice of Liability Regarding Trespass Fee Schedule and Remedy”. However, defendant can not unilaterally impose a contract upon anyone. Contrast *Mallory v Detroit*, 181 Mich App 121, 127; 449 NW2d 115 (1989) (setting forth the essential elements of a contract, including mutuality of agreement that is lacking here). Recall also that this is a criminal matter and defendant is apparently seeking liquidated commercial

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and/or tort damages. But see *UAW-GM Human Resource Center v KSL Recreation Corp*, 228 Mich App 486, 508; 579 NW2d 411 (1998) (validity of liquidated damages provision is a question of law); and compare *El Ameen Bey v Stumpf*, 825 F Supp 2d 537, 551 (D NJ, 2011) (rejecting filing consisting of “nothing but gibberish mixed with senselessly-picked Latin terms, constitutional phrases and pointless rhetoric”).

Fourth, “tinA renEE” has submitted a letter essentially challenging the proofs in this matter. However, it is well established “that the jury is the sole judge of the facts. It is the function of the jury alone to listen to testimony, weigh the evidence and decide the questions of fact.” *People v Palmer*, 392 Mich 370, 375; 220 NW2d 393 (1974), citing *People v Mosden*, 381 Mich 506, 510; 164 NW2d 26 (1969).

Finally, MCR 2.107(A)(1) requires a party filing a document to serve a copy of every document on the other parties. MCR 2.111(A)(1) requires all allegations in a pleading to be clear, concise and direct. MCR 2.119(A)(1) requires motions to state with particularity the grounds and authority on which they are based. MCR 2.119(A)(2) requires motions to be accompanied by briefs citing proper authority. The Code of Judicial Conduct, Canon 3(A)(4) precludes a judge from considering ex parte communications. The noted missives violate these various procedural and ethical rules. Defendant is forewarned that further divergences may result in an appropriate sanction. MCR 1.109(E)(6), 1.109(E)(7), 2.115(B) and 2.625(A)(2).

III. CONCLUSION

The referenced missives shall be filed and no additional action will be taken on the missives. This decision is without prejudice to defendant Jason Michael Jett’s right to present any applicable and legally recognized defenses at trial.

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This *Opinion and Order* neither resolves the last pending claim in this matter nor closes the case. MCR 2.602(A)(3).

IT IS SO ORDERED.


HONORABLE RICHARD L. CARETTI
Circuit Court Judge

DATE: September 25, 2019

cc: Bill Harding, Esq.
Maroun Hakim, Esq.
Jason Michael Jett
Tina Renee Borgers



RICHARD L. CARETTI
CIRCUIT JUDGE

SEP 25 2019

A TRUE COPY
FRED MILLER, COUNTY CLERK
BY: Jonda A. Adams Court Clerk



STATE OF MICHIGAN

SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

Case No. 2019-0195-FH

JASON MICHAEL JETT,

Defendant.

OPINION AND ORDER

Recent additional filings in this matter require addressing.

I. BACKGROUND

Defendant Jason Michael Jett stands charged with: I. Child sexually abusive activity contrary to MCL 750.145c(2) and II. Using the internet to communicate with another to commit a crime contrary to MCL 750.145d(2)(f). He was bound over January 16, 2019 following a preliminary examination in the 41B Judicial District Court.

On April 16, 2019, defendant moved to quash the felony information. Defendant contended he went to the Concorde Inn to have sex with an adult rather than a minor child. In response, People asserted defendant tried to set up a date for sex with and asked for pictures of a fourteen-year-old girl. The motion to quash was denied June 5, 2019.

Various additional missives have now been filed in this action.

II. ANALYSIS

First, defendant has filed a "Certificate of Sole Proprietorship" registering his name as a business. The significance of this filing is unclear. However, the Certificate was not filed until

September 23, 2019, well after the charged offenses occurred. Hence, the Certificate is of no apparent significance to this action.

Second, defendant has filed a "Written in the Private Letter to William Harding P#28342". Having chosen to file this written communication in this action, defendant has waived any privacy therein. As the communication is directed to Harding, no further analysis is necessary.

Third, defendant has filed a "Written in the Private Letter to Maroun J Hakim P#28489". Again, having chosen to file this written communication in this action, defendant has waived any privacy therein. As the communication is directed to Maroun, no further analysis is necessary.

Additionally, MCR 2.107(A)(1) requires a party filing a document to serve a copy of every document on the other parties. MCR 2.111(A)(1) requires all allegations in a pleading to be clear, concise and direct. MCR 2.119(A)(1) requires motions to state with particularity the grounds and authority on which they are based. MCR 2.119(A)(2) requires motions to be accompanied by briefs citing proper authority. The noted missives violate these various procedural rules. Defendant is forewarned that further divergences may result in an appropriate sanction. MCR 1.109(E)(6), 1.109(E)(7), 2.115(B) and 2.625(A)(2).

III. CONCLUSION

The additionally referenced missives have been filed and no further action will be taken on these missives.

This *Opinion and Order* neither resolves the last pending claim in this matter nor closes the case. MCR 2.602(A)(3).

IT IS SO ORDERED.


HONORABLE RICHARD L. CARETTI
Circuit Court Judge

DATE: September 26, 2019

cc: Bill Harding, Esq.
Maroun Hakim, Esq.
Jason Michael Jett
Tina Renee Borgers



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STATE OF MICHIGAN

SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

Case No. 2019-0195-FH

JASON MICHAEL JETT,

Defendant.

OPINION AND ORDER

Tina Renee Borgers has filed a request for a subpoena.

I. BACKGROUND

Defendant Jason Michael Jett was charged with: I. Child sexually abusive activity contrary to MCL 750.145c(2) and II. Using the internet to communicate with another to commit a crime contrary to MCL 750.145d(2)(f). He was bound over January 16, 2019 following a preliminary examination in the 41B Judicial District Court.

On April 16, 2019, defendant moved to quash the felony information. Defendant contended he went to the Concorde Inn to have sex with an adult rather than a minor child. In response, People asserted defendant tried to set up a date for sex with and asked for pictures of a fourteen-year-old girl. The motion to quash was denied June 5, 2019.

Tina Renee Borgers sent a letter dated May 10, 2019 of "due diligence" that essentially challenged the proofs in this matter. On September 6, 2019, defendant filed a "Notice of Rogatory Appointment" and a "Truth Affidavit in the Nature of Supplemental Rules for Administrative and Maritime [sic] Claims Rules". He filed an "Affidavit Notice of Liability

Regarding Trespass Fee Schedule and Remedy" on September 9, 2019. An *Opinion and Order* dated September 25, 2019 held the missives were invalid and that no further action would be taken on them; the Court was willing to overlook a single overexuberant act by Borgers in seeking relief on defendant's behalf.

On September 17, 2019, defendant filed an "Affidavit of Exhibits"¹ for the purported purpose of "present[ing] our [sic] defense". He also filed a "Notice and Declaration of Cancellation and Revocation" on September 20, 2019 that stated he was voiding any agreements between himself and the United States of America and/or State of Michigan. The missives again violated MCR 2.107(A)(1) (requiring a party filing a document to serve a copy of every document on the other parties), MCR 2.111(A)(1) (requiring all allegations in a pleading to be clear, concise and direct), MCR 2.119(A)(1) (requiring motions to state with particularity the grounds and authority on which they are based) and MCR 2.119(A)(2) (requiring motions to be accompanied by briefs citing proper authority); and also violated MCR 2.119(C)(1) (requiring notice of a hearing on a motion). Consequently, no action was taken on these missives.

On September 20, 2019, defendant filed a "Challenge of Jurisdiction" that also sought to appoint Borgers as his counsel. In conjunction therewith, Borgers filed a Notice of Hearing and Motion on September 20, 2019 seeking to dismiss this matter; she signed the pleading that identified her as "Defendant's GEN. COUNCIL [sic] OF RIGHT". A second *Opinion and Order* dated September 25, 2019, held Borgers could not represent defendant because she was not a licensed attorney, held Borgers was guilty of contempt of court for her unauthorized practice of law, warned Borgers that further activities constituting the unauthorized practice of law would result in a contempt charge and held defendant's challenge to jurisdiction lacked merit. A copy

¹The "Affidavit of Exhibits" consisted of an "Affidavit if [sic] Truth" in which he essentially denied any wrongdoing, a copy of the Preliminary Examination title page and an unsigned copy of the Felony Complaint.

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of the decision was mailed to Borgers.

On September 24, 2019, defendant filed a "Certificate of Sole Proprietorship" and documents entitled "Written in the Private Letter to William Harding P#28342" and "Written in the Private Letter to Maroun J Hakim P#28489". An *Opinion and Order* dated September 26, 2019 concluded the "Certificate of Sole Proprietorship" lacked any apparent significance and the other documents required no analysis.

Meanwhile, defendant filed a second "Affidavit of Exhibits" on September 25, 2019 for the purported purpose of "present[ing] our [sic] defense".² Given the continued violation of the identified court rules, no action was taken on the missive.

Defendant was scheduled for trial on September 26, 2019. When the case was called and defendant was asked to join his counsel, Borgers interrupted the proceedings to announce, "We are living beings, we wish for remedy". The Court informed Borgers, again, that she was not allowed to practice law, her submission of pleadings constituted the unauthorized practice of law and if she attempted one more time to act as defendant's attorney or speak on his behalf that she would be held in direct contempt of court. Borgers then asked if the Court was "offering us a contract" and "if so, we would like full disclosure". The Court held Borgers in direct contempt of court under MCL 600.916(1) and ordered her taken into custody. Borgers continued to disrupt the proceedings as she was escorted from the courtroom; her incessant vituperations in the hallway can also be heard in the courtroom. The Court had Borgers brought back into the courtroom about one hour later, struck the finding of contempt, warned her against the further unauthorized practice of law and ordered her released.

²This second "Affidavit of Exhibits" appended all of the previously identified documents as well as purported transcripts of police body camera footage, texts from Macomb County Sheriff Detective Aaron Hurley to defendant and response texts from defendant to Det. Hurley; a document entitled "Written in the Private Letter to Richard Caretti"; and copies of MCL 750.145c and 750.145d.

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Borgers has now filed a request for a subpoena on behalf of defendant.

II. ANALYSIS

As a preliminary matter, “[t]here is no general constitutional right to discovery in a criminal case”. *People v Dickinson*, 321 Mich App 1, 18-19; 909 NW2d 24 (2017), citing *People v Jackson*, 292 Mich App 583, 590; 808 NW2d 541 (2011), quoting *Weatherford v Bursey*, 429 US 545, 559; 97 S Ct 837; 51 L Ed 2d 30 (1977). Instead, “[t]he Michigan Court Rules govern the scope of discovery in a criminal case.” *Dickinson*, 321 Mich App at 19, citing MCR 6.201 and *People v Phillips*, 468 Mich 583, 589; 663 NW2d 463 (2003). The subpoena is improperly addressed to this Court. Contrast MCR 6.201(A) and (B). The information sought is also not relevant to any issue to be determined in this matter and not necessary to a fair trial or proper preparation of a defense. See MRE 401 and *People v Graham*, 173 Mich App 473, 477; 434 NW2d 165 (1988).

Moreover, only parties to an action or attorneys are permitted to seek a subpoena. MCR 2.305(A)(1) and 2.506(B)(1). Borgers, despite listing herself as a defendant/respondent on the subpoena request, is not a party to this action. She is also not an attorney. Attorney Search, *State Bar of Michigan* <<https://www.zeekbeek.com/SBM/Search-Results#lname=Borgers&mtype=good®ion=MI>> (accessed October 3, 2019) (yielding a negative search for Borgers among licensed attorneys). Therefore, Borgers is not entitled to request a subpoena.

Significantly, the subpoena request contains a “DEMAND TO DISMISS AB ANITO NUK PRO TUNK BEATUS VENERIS UT TE IPSUM, NO MORE BULLYING”. Roughly translated, Borgers seeks to have this matter ‘dismissed from the start through this happy Friday^[3] and, yourself, no more bullying’. See Google Translate, *Google* <https://translate.google.com/?rlz=1C1GCEV_en&um=1&ie=UTF-8&hl=en&client=tw-ob#auto>

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/en/veneris+beatus> and <https://translate.google.com/?rlz=1C1GCEV_en&um=1&ie=UTF-8&hl=en&client=tw-ob#view=home&op=translate&sl=auto&tl=en&text=et%20te%20ipsum> (accessed October 3, 2019). Consequently, Borgers' filing of the subpoena request constitutes the unauthorized practice of law. *Detroit Bar Ass'n v Union Guardian Trust Co*, 282 Mich 216, 223; 276 NW 365 (1937) (practice of law includes drafting of documents to be presented to courts) and MCL 600.916(1) (person must be licensed to practice law).

Accordingly, Borgers is again guilty of contempt of court. MCL 600.916(1) (person engaged in unauthorized practice of law is guilty of contempt of court). The matter will be reported to the State Bar of Michigan Unauthorized Practice of Law Committee for possible legal action.

III. CONCLUSION

For the reasons set forth above, Tina Renee Borgers' request for a subpoena is QUASHED. MCR 2.305(A)(4)(a) and 6.201(E).

This *Opinion and Order* neither resolves the last pending claim in this matter nor closes the case. MCR 2.602(A)(3).

RICHARD L. CARETTI
CIRCUIT JUDGE

DATE: October 4, 2019

OCT - 4 2019

cc: Bill Harding, Esq.
Maroun Hakim, Esq. **TRUE COPY**
Jason Michael Jett
Tina Renee Borgers

FRED MILLER, COUNTY CLERK
By: [Signature] *Conf. Clerk*

HONORABLE RICHARD L. CARETTI
Circuit Court Judge



³The subpoena request was filed on Friday, September 27, 2019.

STATE OF MICHIGAN

SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

Case No. 2019-0195-FH

JASON MICHAEL JETT,

Defendant.

OPINION AND ORDER

Defendant Jason Michael Jett has filed a "Notice of Revocation of Power of Attorney & Revocation of Signature Affidavit".

I. BACKGROUND

Defendant Jason Michael Jett was charged with: I. Child sexually abusive activity contrary to MCL 750.145c(2) and II. Using the internet to communicate with another to commit a crime contrary to MCL 750.145d(2)(f). He was bound over January 16, 2019 following a preliminary examination in the 41B Judicial District Court.

On April 16, 2019, defendant moved to quash the felony information. Defendant contended he went to the Concorde Inn to have sex with an adult rather than a minor child. In response, People asserted defendant tried to set up a date for sex with and asked for pictures of a fourteen-year-old girl. The motion to quash was denied June 5, 2019.

On September 6, 2019, defendant filed a "Notice of Rogatory Appointment" and a "Truth Affidavit in the Nature of Supplemental Rules for Administrative and Maritime [sic] Claims Rules". He filed an "Affidavit Notice of Liability Regarding Trespass Fee Schedule and

(32)

Remedy" on September 9, 2019. An *Opinion and Order* dated September 25, 2019 held the missives were invalid and that no further action would be taken on them.

On September 17, 2019, defendant filed an "Affidavit of Exhibits"¹ for the purported purpose of "present[ing] our [sic] defense". He also filed a "Notice and Declaration of Cancellation and Revocation" on September 20, 2019 that stated he was voiding any agreements between himself and the United States of America and/or State of Michigan. The missives again violated MCR 2.107(A)(1) (requiring a party filing a document to serve a copy of every document on the other parties), MCR 2.111(A)(1) (requiring all allegations in a pleading to be clear, concise and direct), MCR 2.119(A)(1) (requiring motions to state with particularity the grounds and authority on which they are based) and MCR 2.119(A)(2) (requiring motions to be accompanied by briefs citing proper authority); and also violated MCR 2.119(C)(1) (requiring notice of a hearing on a motion). Consequently, no action was taken on these missives.

On September 20, 2019, defendant filed a "Challenge of Jurisdiction" that also sought to appoint Tina Renee Borgers as his counsel. A second *Opinion and Order* dated September 25, 2019, held Borgers could not represent defendant because she was not a licensed attorney, Borgers was guilty of contempt of court for her unauthorized practice of law and defendant's challenge to jurisdiction lacked merit. A copy of the decision was mailed to Borgers.

On September 24, 2019, defendant filed a "Certificate of Sole Proprietorship" and documents entitled "Written in the Private Letter to William Harding P#28342" and "Written in the Private Letter to Maroun J Hakim P#28489". An *Opinion and Order* dated September 26, 2019 concluded the "Certificate of Sole Proprietorship" lacked any apparent significance and the other documents required no analysis.

¹The "Affidavit of Exhibits" consisted of an "Affidavit if [sic] Truth" in which he essentially denied any wrongdoing, a copy of the Preliminary Examination title page and an unsigned copy of the Felony Complaint.

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Meanwhile, defendant filed a second "Affidavit of Exhibits" on September 25, 2019 for the purported purpose of "present[ing] our [sic] defense".² Given the continued violation of the identified court rules, no action was taken on the missive.

On September 26, 2019, defendant filed a document designated as "Affirmative Defenses, Counter-complaint and Common Factual Allegations". However, defendant pled no contest to an added Count III—accosting a child for immoral purposes contrary to MCL 750.145a—on September 26, 2019 in exchange for the dismissal of Counts I and II. In pleading no contest, defendant waived any affirmative defenses; he also conceded the facts adduced at his preliminary examination as a basis for his plea, which also defeated the allegations of his 'counter-complaint'.

Defendant has now filed a "Notice of Revocation of Power of Attorney & Revocation of Signature Affidavit".

II. ANALYSIS

Defendant seeks to withdraw his signature on the Advice of Rights form.

Defendant avows he "was coerced, deceived and defrauded by heinous acts of non-disclosure" into signing the Advice of Rights form. However, defendant fails to proffer any details or authority in support of his averment. Contrast *People v Kelly*, 231 Mich App 627, 640-641; 588 NW2d 480 (1998) (party may not simply announce an argument in a brief and then leave it up to the court to discover and rationalize the basis of its claims).

Notwithstanding, defendant admitted at the hearing held September 26, 2019 that he had been presented the Advice of Rights form. His counsel explained the Advice of Rights form to

²This second "Affidavit of Exhibits" appended all of the previously identified documents as well as purported transcripts of police body camera footage, texts from Macomb County Sheriff Detective Aaron Hurley to defendant and response texts from defendant to Det. Hurley; a document entitled "Written in the Private Letter to Richard Caretti"; and copies of MCL 750.145c and 750.145d.

him on the record and he acknowledged his counsel had explained his rights to him. Defendant signed the Advice of Rights form in open court. He also stated he understood the basis of his plea and its ramifications, including the *Cobbs* agreement. Moreover, defendant stated he was accepting the plea of his own free will and that no promises or threats had been made to get him to plead no contest.

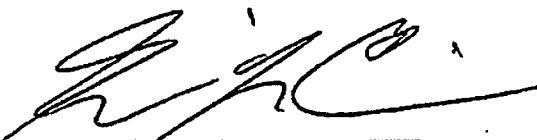
Therefore, defendant's signature on the Advice of Rights form was knowingly, voluntarily and intelligently given. Accordingly, the interests of justice do not require setting the plea aside. MCR 6.310(B)(1).

III. CONCLUSION

For the reasons set forth above, defendant Jason Michael Jett's "Notice of Revocation of Power of Attorney & Revocation of Signature Affidavit" is DENIED.

This *Opinion and Order* neither resolves the last pending claim in this matter nor closes the case. MCR 2.602(A)(3).

IT IS SO ORDERED.



HONORABLE RICHARD L. CARETTI
Circuit Court Judge

DATE: October 4, 2019

RICHARD L. CARETTI
CIRCUIT JUDGE

OCT - 4 2019

cc: Bill Harding, Esq.
Maroun Hakim, Esq.
Jason Michael Jett
Tina Renee Borgers

A TRUE COPY
FRED MILLER, COUNTY CLERK
BY: *Linda A. Adams*, Court Clerk



STATE OF MICHIGAN

SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

Case No. 2019-0195-FH

JASON MICHAEL JETT,

Defendant.

OPINION AND ORDER

Tina Renee Borgers has filed a "Truth Affidavit in the Nature of Supplemental Rules for Administrative and Maritime Claims Rules C(6)", an "Opinion and Order Request Admissions with Attachments" and a "Truth Affidavit & Notice of Mens rea: Undue Use of Force, Threat and Coercion, Under the Color of Law and Remedy".

I. BACKGROUND

Defendant Jason Michael Jett was charged with: I. Child sexually abusive activity contrary to MCL 750.145c(2) and II. Using the internet to communicate with another to commit a crime contrary to MCL 750.145d(2)(f). He was bound over January 16, 2019 following a preliminary examination in the 41B Judicial District Court.

On April 16, 2019, defendant moved to quash the felony information. Defendant contended he went to the Concorde Inn to have sex with an adult rather than a minor child. In response, People asserted defendant tried to set up a date for sex with and asked for pictures of a fourteen-year-old girl. The motion to quash was denied June 5, 2019.

Tina Renee Borgers sent a letter dated May 10, 2019 of "due diligence" that essentially

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challenged the proofs in this matter. On September 6, 2019, defendant filed a "Notice of Rogatory Appointment" and a "Truth Affidavit in the Nature of Supplemental Rules for Administrative and Maritime [sic] Claims Rules". He filed an "Affidavit Notice of Liability Regarding Trespass Fee Schedule and Remedy" on September 9, 2019. An *Opinion and Order* dated September 25, 2019 held the missives were invalid and that no further action would be taken on them; the Court was willing to overlook the first single act by Borgers in seeking relief on defendant's behalf.

On September 17, 2019, defendant filed an "Affidavit of Exhibits"¹ for the purported purpose of "present[ing] our [sic] defense". He also filed a "Notice and Declaration of Cancellation and Revocation" on September 20, 2019 that stated he was voiding any agreements between himself and the United States of America and/or State of Michigan. The missives again violated MCR 2.107(A)(1) (requiring a party filing a document to serve a copy of every document on the other parties), MCR 2.111(A)(1) (requiring all allegations in a pleading to be clear, concise and direct), MCR 2.119(A)(1) (requiring motions to state with particularity the grounds and authority on which they are based) and MCR 2.119(A)(2) (requiring motions to be accompanied by briefs citing proper authority); and also violated MCR 2.119(C)(1) (requiring notice of a hearing on a motion). Consequently, no action was taken on these missives.

On September 20, 2019, defendant filed a "Challenge of Jurisdiction" that also sought to appoint Borgers as his counsel. In conjunction therewith, Borgers filed a Notice of Hearing and Motion on September 20, 2019 seeking to dismiss this matter; she signed the pleading that identified her as "Defendant's GEN. COUNCIL [sic] OF RIGHT". A second *Opinion and Order*

¹The "Affidavit of Exhibits" consisted of an "Affidavit if [sic] Truth" in which he essentially denied any wrongdoing, a copy of the Preliminary Examination title page and an unsigned copy of the Felony Complaint.

(Kb)

dated September 25, 2019, held Borgers could not represent defendant because she was not a licensed attorney, held Borgers was guilty of contempt of court for her unauthorized practice of law, warned Borgers that further activities constituting the unauthorized practice of law would result in a contempt charge and held defendant's challenge to jurisdiction lacked merit. A copy of the decision was mailed to Borgers.

On September 24, 2019, defendant filed a "Certificate of Sole Proprietorship" and documents entitled "Written in the Private Letter to William Harding P#28342" and "Written in the Private Letter to Maroun J Hakim P#28489". An *Opinion and Order* dated September 26, 2019 concluded the "Certificate of Sole Proprietorship" lacked any apparent significance and the other documents required no analysis.

Meanwhile, defendant filed a second "Affidavit of Exhibits" on September 25, 2019 for the purported purpose of "present[ing] our [sic] defense".² Given the continued violation of the identified court rules, no action was taken on the missive.

Defendant was scheduled for trial on September 26, 2019. When the case was called and defendant was asked to join his counsel, Borgers interrupted the proceedings to announce, "We are living beings, we wish for remedy". The Court informed Borgers, again, that she was not allowed to practice law, her submission of pleadings constituted the unauthorized practice of law and if she attempted one more time to act as defendant's attorney or speak on his behalf that she would be held in direct contempt of court. Borgers then asked if the Court was "offering us a contract" and "if so, we would like full disclosure". The Court held Borgers in direct contempt of

²This second "Affidavit of Exhibits" appended all of the previously identified documents as well as purported transcripts of police body camera footage, texts from Macomb County Sheriff Detective Aaron Hurley to defendant and response texts from defendant to Det. Hurley; a document entitled "Written in the Private Letter to Richard Caretti"; and copies of MCL 750.145c and 750.145d.

court under MCL 600.916(1) and ordered her taken into custody. Borgers continued to disrupt the proceedings as she was escorted from the courtroom; her incessant vituperations in the hallway could also be heard in the courtroom. The Court had Borgers brought back into the courtroom about one hour later, struck the finding of contempt, warned her against the further unauthorized practice of law and ordered her released.

Meanwhile, defendant pled guilty to an added count of accosting a child for immoral purposes contrary to MCL 750.145a in exchange for the dismissal of the original charges and a *Cobbs* agreement of no additional jail time.

On September 27, 2019, Borgers filed a request for a subpoena on behalf of defendant. An *Opinion and Order* dated October 4, 2019 found Borgers' request again constituted the unauthorized practice of law, found her in contempt under MCL 600.916(1) and reported the matter to the State Bar of Michigan Unauthorized Practice of Law Committee for possible legal action.

Borgers has now again filed various documents.

II. ANALYSIS

The "Truth Affidavit in the Nature of Supplemental Rules for Administrative and Maritime Claims Rules C(6)" is legal nonsense. As noted, Borgers disrupted the proceedings on September 26, 2109 and again attempted to act as defendant's attorney despite her lack of licensure; she was found in contempt and taken into custody. Borgers' reliance on administrative, commercial and maritime law is entirely misplaced. The affidavit is also of no value. See *Holmes v Mich Capital Med Ctr*, 242 Mich App 703, 711-712; 620 NW2d 319 (2000) (an unnotarized "affidavit" is not an affidavit). Notwithstanding, Borgers' arguments on

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defendant's behalf constitute the continued unauthorized practice of law. Recall MCL 600.916(1) (person must be licensed to practice law) and *Detroit Bar Ass'n v Union Guardian Trust Co*, 282 Mich 216, 223; 276 NW 365 (1937) (practice of law includes drafting of documents to be presented to courts). Such is grounds for contempt of court. MCL 600.916(1).

Borgers signed the "Opinion and Order Request Admissions with Attachments" as "Council Of Right – Next Person – Private Attorney General". She makes nonsensical arguments on her and defendant's behalf. Borgers also affirms the filing of previous documents on defendant's behalf. Therefore, Borgers has once again engaged in the unauthorized practice of law. MCL 600.916(1). Accordingly, she is guilty of contempt of court. *Id.*

Borgers similarly signed the "Truth Affidavit & Notice of :Mens rea: Undue Use of Force, Threat and Coercion, Under the Color of Law and Remedy" as "Attorney in Fact". She also modified the case caption to reflect defendant is "paired with :tina-renee:borgers: and Soul Proprietor of JASON MICHAEL JETT". However, Borgers is not a party to this action and wholly lacks authority to make any arguments on defendant's behalf. Therefore, Borgers has yet again engaged in the unauthorized practice of law. MCL 600.916(1). She has also impugned the integrity of the Court. This is also grounds for contempt. *Id.* and MCR 3.606. In addition, these filings will also be reported to the State Bar of Michigan Unauthorized Practice of Law Committee.

III. CONCLUSION

Tina Renee Borgers is again warned that she has committed contempt of court for her above-referenced actions.

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This *Opinion and Order* neither resolves the last pending claim in this matter nor closes the case. MCR 2.602(A)(3).

IT IS SO ORDERED.


HONORABLE RICHARD L. CARETTI
Circuit Court Judge

DATE: October 16, 2019

cc: Bill Hardin, Esq.
Maroun Hakim, Esq.
Jason Michael Jett
Tina Renee Borgers



IN THE ABS. OF THE HONORABLE
RICHARD L. CARETTI
OCT 16 2019
A TRUE COPY
FRED MILLER, COUNTY CLERK
BY: *Sandra A. O'Brien*, Court Clerk

(80)

STATE OF MICHIGAN
SIXTEENTH JUDICIAL CIRCUIT COURT
PEOPLE OF THE STATE OF MICHIGAN,

November 22 2019
RECEIVED

Plaintiff,

vs.

Case No. 2019-0195-FH

JASON MICHAEL JETT,

Defendant.

OPINION AND ORDER

Tina Renee Borgers has filed a "Copy: Threat Letter From State Bar", "A4V-Notice-of-Dishonor-And-Criminal-Contempt-of-Court Criminal-Complaint" and various "Official U.S. Bonding/Surety Requests".

I. BACKGROUND

Defendant Jason Michael Jett was originally charged with: I. Child sexually abusive activity contrary to MCL 750.145c(2) and II. Using the internet to communicate with another to commit a crime contrary to MCL 750.145d(2)(f). He was bound over January 16, 2019 following a preliminary examination in the 41B Judicial District Court.

On April 16, 2019, defendant moved to quash the felony information. The motion was denied June 5, 2019.

On September 26, 2019, defendant pled guilty to an added count of accosting a child for immoral purposes contrary to MCL 750.145a in exchange for the dismissal of the original charges and a *Cobbs* agreement of no additional jail time.

In the interim and since defendant's plea, Tina Renee Borgers has filed various missives

(41)

on behalf of defendant. She has been repeatedly warned against the unauthorized practice of law, found in contempt under MCL 600.916(1) and reported to the State Bar of Michigan Unauthorized Practice of Law Committee for possible legal action.

Borgers has now again filed various missives.

II. ANALYSIS

Borgers' filing of these most recent missives yet again represents an attempt to act as defendant's attorney despite her lack of licensure. Accordingly, she is guilty of contempt of court for the unauthorized practice of law. MCL 600.916(1).

Borgers' most recent missives are not relevant, material or pertinent to the criminal proceedings against defendant. Instead, the missives are, once more, not well grounded in fact; are not warranted by existing law or a good-faith argument for the extension, modification, or reversal of existing law; serve no proper purpose in this criminal matter involving a third party, defendant Jett; are an attempt to confuse, intimidate and harass the Court, prosecutor and defense counsel; and impugn the integrity of the Court, prosecutor and defense counsel. Contrast MCR 1.109(E)(5)(b) and (c). Accordingly, the missives are noted as being filed and will not be further addressed.

These most recent missives will also be reported to the State Bar of Michigan Unauthorized Practice of Law Committee.

III. CONCLUSION

For the reasons set forth above, Tina Renee Borgers is guilty of contempt. An appropriate sanction is reserved.

This *Opinion and Order* neither resolves the last pending claim in this matter nor closes the case. MCR 2.602(A)(3).

IT IS SO ORDERED.


HONORABLE RICHARD L. CARETTI
Circuit Court Judge

DATE: November 15, 2019

cc: Bill Hardin, Esq.
Maroun Hakim, Esq.
Jason Michael Jett
Tina Renee Borgers



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STATE OF MICHIGAN
SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

November 29 2019
Received

Plaintiff,

vs.

Case No. 2019-0195-FH

JASON MICHAEL JETT,

Defendant.

OPINION AND ORDER

Defendant Jason Michael Jett and Tina Renee Borgers have filed further missives.

I. BACKGROUND

Defendant Jason Michael Jett was originally charged with: I. Child sexually abusive activity contrary to MCL 750.145c(2) and II. Using the internet to communicate with another to commit a crime contrary to MCL 750.145d(2)(f). He was bound over January 16, 2019 following a preliminary examination in the 41B Judicial District Court.

On April 16, 2019, defendant moved to quash the felony information. The motion was denied June 5, 2019.

On September 26, 2019, defendant pled guilty to an added count of accosting a child for immoral purposes contrary to MCL 750.145a in exchange for the dismissal of the original charges and a *Cobbs* agreement of no additional jail time.

On November 20, 2019, defendant moved to withdraw his plea. The motion was denied and he was sentenced to six days in the Macomb County Jail with credit for time served of six days; probation for five years; compliance with the Sex Offenders Registration Act, MCL 28.721

et seq.; DNA testing; and various costs and fees.

Defendant and Tina Renee Borgers have now filed further missives.

II. ANALYSIS

A. "Notice-of-Settlement-and-Closure-of-Account" and "Letter-of-Rogatory-Acceptance-for-Honor"

Borgers' signing of these missives¹ once again represents an attempt to act as defendant's attorney despite her lack of licensure. Accordingly, she is yet again guilty of contempt of court for the unauthorized practice of law. MCL 600.916(1).

These missives are not relevant, material or pertinent to the criminal proceedings against defendant.² Indeed, civil remedies are of no effect and lack any validity in criminal proceedings.

Accordingly, these missives are legal nullities and will not be further addressed.

B. "Notice-of-First-and-Final-Warning" and "No-Judicial-Officer-is-Immune"

Borgers' signing of these missives³ once again represents an attempt to act as defendant's attorney despite her lack of licensure. Accordingly, she is yet again guilty of contempt of court for the unauthorized practice of law. MCL 600.916(1).

These missives are similarly irrelevant, immaterial or impertinent to the criminal proceedings against defendant; civil remedies are of no effect and lack any validity in criminal proceedings.⁴ MCL 691.1407(5) governs judicial immunity.

Accordingly, these missives are legal nullities and will not be further addressed.

¹Defendant has also signed the "Letter-of-Rogatory-Acceptance-for-Honor".

²The missives espouse sovereign citizen/redemptionist theories that have been repeatedly discredited. Recall *US v Benabe*, 654 F3d 753, 767 (CA 7, 2011); *US v Hart*, 545 F Supp 470, 474 (D ND, 1982), aff'd 701 F2d 749 (CA 8, 1983); *McLaughlin v CitiMortgage, Inc.*, 726 F Supp 2d 201, 214 (D Conn, 2010); *Anderson v O'Sullivan*, 224 Md App 501, 508-513; 121 A3d 181 (2015); and *Blocker v US Bank Nat'l Ass'n*, 993 NE2d 1154, 1157 (Ind App, 2013).

³Defendant has also signed the "Notice-of-First-and-Final-Warning".

⁴See n 2. Moreover, as previously explained, defendant and Borgers can not unilaterally impose a contract upon anyone. Contrast *Mallory v Detroit*, 181 Mich App 121, 127; 449 NW2d 115 (1989).

C. "That-is-not-my-Name"

Borgers' signing and filing of this missive once again represents an attempt to act as defendant's attorney despite her lack of licensure. Accordingly, she is yet again guilty of contempt of court for the unauthorized practice of law. MCL 600.916(1).

The missive relies on discredited sovereign citizen/redemptionist theories.⁵ The discourse regarding "dog Latin" and "real Latin" is nonsensical babble.⁶

D. "Notice-of-contempt-proceedings"

Borgers has filed a copy of an e-mail advising her to discontinue ex parte communications with the Court. This missive was apparently filed for posterity's sake.

E. Other

The filing of these noted missives unfailingly—despite prior notices—violates various procedural and ethical rules.⁷

Borgers has been repeatedly informed that her prior filings constituted the unauthorized practice of law. She is forewarned that the filing of an additional missive(s) will result in the immediate issuance of a bench warrant for her arrest on criminal contempt of court charges.

III. CONCLUSION

For the reasons set forth above:

A. The missives entitled "Notice-of-Settlement-and-Closure-of-Account", "Letter-of-

⁵See n 2.

⁶Recall *EI Ameen Bey v Stumpf*, 825 F Supp 2d 537, 551 (D NJ, 2011) (rejecting filing consisting of "nothing but gibberish....and pointless rhetoric"). In addition, Borgers' continued reliance on "UCC 1-308" is misplaced. The Uniform Commercial Code does not apply to criminal proceedings. *People v Dempster*, 396 Mich 700, 708; 242 NW2d 381 (1976) (UCC governs commercial transactions); see also MCL 440.1103(1)(a) and (b).

⁷Including but not limited to MCR 2.107(A)(1) (requiring a party filing a document to serve a copy of every document on the other parties), MCR 2.111(A)(1) (requiring all allegations in a pleading to be clear, concise and direct), MCR 2.119(A)(1) (requiring motions to state with particularity the grounds and authority on which they are based), MCR 2.119(A)(2) (requiring motions to be accompanied by briefs citing proper authority), MCR 2.119(C)(1) (requiring notice of hearings on motions) and The Code of Judicial Conduct, Canon 3(A)(4) (precluding a judge from considering ex parte communications).

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Rogatory-Acceptance-for-Honor", "Notice-of-First-and-Final-Warning", "No-Judicial-Officer-is-Immune", "That-is-not-my-Name" and "Notice-of-contempt-proceedings" are legal nullities and VOID; and

B. Tina Renee Borgers is guilty of contempt, MCL 600.916(1), and an appropriate sanction is reserved.

This *Opinion and Order* again resolves the last pending claim in this matter, which remains closed. MCR 2.602(A)(3).

IT IS SO ORDERED.

RICHARD L. CARETTI
CIRCUIT JUDGE
NOV 22 2019
HONORABLE RICHARD L. CARETTI
A. TRICIE COPE, Clerk
FRED MILLER, County Court Judge
BY: Paula Clark, Court Clerk

DATE: November 22, 2019

cc: Bill Harding, Esq.
Maroun Hakim, Esq.
Jason Michael Jett
Tina Renee Borgers



STATE OF MICHIGAN
SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

Case No. 2019-0195-FH

JASON MICHAEL JETT,

Defendant.

OPINION AND ORDER

Defendant Jason Michael Jett filed additional missives on November 25, 2019.

I. BACKGROUND

Defendant Jason Michael Jett was originally charged with: I. Child sexually abusive activity contrary to MCL 750.145c(2) and II. Using the internet to communicate with another to

commit a crime contrary to MCL 750.145d(2)(f). He was bound over January 16, 2019 following a preliminary examination in the 41B Judicial District Court.

On April 16, 2019, defendant moved to quash the felony information. The motion was denied June 5, 2019.

On September 26, 2019, defendant pled guilty to an added count of accosting a child for immoral purposes contrary to MCL 750.145a in exchange for the dismissal of the original charges and a *Cobbs* agreement of no additional jail time.

On November 20, 2019, defendant moved to withdraw his plea. The motion was denied and he was sentenced to six days in the Macomb County Jail with credit for time served of six

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days; probation for five years; compliance with the Sex Offenders Registration Act, MCL 28.721 *et seq.*; DNA testing; and various costs and fees.

Defendant has now filed additional missives.

II. ANALYSIS

A. "Notices of Revocation of Power of Attorney & Revocation of Signature Affidavit"

Defendant seeks to rescind his signature on the *Notice of Right to Timely Appeal* and explanation of "How to Make Court Ordered Payments" on grounds of coercion and fraud.

Significantly, defendant offers no factual evidence in support of his argument that he was coerced or fraudulently induced into signing these documents. Contrast *People v Kelly*, 231 Mich App 627, 641; 588 NW2d 480 (1998) (party can not merely announce a position and leave it up to the court to discover and rationalize the basis for its claims).

Moreover, the aptly titled *Notice of Right to Timely Appeal* is just that, notice of defendant's appeal rights. The form does not obligate him in any way and his signature only represents that he has received a copy of the form.

Similarly, the explanation of "How to Make Court Ordered Payments" simply describes defendant's payment obligations. These costs were properly assessed at sentencing. Defendant may ignore the document at his own peril; his failure to comply may result in a violation of his probation and imposition of a prison sentence.

B. "Letter-of-Rogatory-Acceptance-for-Honor"

This missive is not relevant, material or pertinent to the criminal proceedings against defendant.¹ Indeed, civil remedies are of no effect and do not substitute for a validly imposed

¹The missives espouse sovereign citizen/redemptionist theories that have been repeatedly discredited. Recall *US v Benabe*, 654 F3d 753, 767 (CA 7, 2011); *US v Hart*, 545 F Supp 470, 474 (D ND, 1982), aff'd 701 F2d 749 (CA 8, 1983); *McLaughlin v CitiMortgage, Inc.*, 726 F Supp 2d 201, 214 (D Conn, 2010); *Anderson v O'Sullivan*, 224 Md

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criminal sentence.²

Accordingly, this missive is a legal nullity and will not be further addressed.

C. Order of Probation

This missive also relies on discredited sovereign citizen/redemptionist theories.³ The *Order of Probation* was signed November 22, 2019. Defendant's filing of an unsigned copy is acknowledgment that he has received the document and is aware of his obligations. He may ignore the document at his own peril; his failure to comply may result in a violation of his probation and imposition of a prison sentence.

III. CONCLUSION

For the reasons set forth above, defendant Jason Michael Jett's November 25, 2019 missives are legal nullities and VOID.

This *Opinion and Order* again resolves the last pending claim in this matter, which remains closed. MCR 2.602(A)(3).

IT IS SO ORDERED.



HONORABLE RICHARD L. CARETTI
Circuit Court Judge

DATE: November 27, 2019

cc: Bill Harding, Esq.
Maroun Hakim, Esq.
Jason Michael Jett
Tina Renee Borgers



²App 501, 508-513; 121 A3d 181 (2015); and *Blocker v US Bank Nat'l Ass'n*, 993 NE2d 1154, 1157 (Ind App, 2013).

³See n 1, recall *Kelly*, 231 Mich App at 641.

³See n 2 and subsection B.

STATE OF MICHIGAN

SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

December 07 2019
Received

Plaintiff,

vs.

Case No. 2019-0195-FH

JASON MICHAEL JETT,

Defendant.

OPINION AND ORDER

Defendant Jason Michael Jett filed additional missives on November 27, 2019.

I. BACKGROUND

Defendant Jason Michael Jett was originally charged with: I. Child sexually abusive activity contrary to MCL 750.145c(2) and II. Using the internet to communicate with another to commit a crime contrary to MCL 750.145d(2)(f). He was bound over January 16, 2019 following a preliminary examination in the 41B Judicial District Court.

On April 16, 2019, defendant moved to quash the felony information. The motion was denied June 5, 2019.

On September 26, 2019, defendant pled guilty to an added count of accosting a child for immoral purposes contrary to MCL 750.145a in exchange for the dismissal of the original charges and a Cobbs agreement of no additional jail time.

On November 20, 2019, defendant moved to withdraw his plea. The motion was denied and he was sentenced to six days in the Macomb County Jail with credit for time served of six days; probation for five years; compliance with the Sex Offenders Registration Act, MCL 28.721

et seq.; DNA testing; and various costs and fees.

Defendant has now filed additional missives.

II. ANALYSIS

Defendant seeks to rescind his signature on the "Michigan Sex Offender Verification/Update Form" on grounds of coercion and fraud. He also contends he has no duty to register or pay fees as a sex offender.

Significantly, defendant offers no factual evidence or legal authority in support of his argument that he was coerced or fraudulently induced into signing this document. Contrast *People v Kelly*, 231 Mich App 627, 641; 588 NW2d 480 (1998) (party can not merely announce a position and leave it up to the court to discover and rationalize the basis for its claims).

The *Cobbs* agreement provided defendant would not receive any additional jail time but would serve a sentence of probation. The sentencing agreement did not absolve defendant of his obligation to register as a sex offender.

Defendant's claim that he has prepaid his sex offender registration fees and is exempt from levy is evidently based on his continued reliance on discredited sovereign citizen/redemptionist theories. Recall *US v Benabe*, 654 F3d 753, 767 (CA 7, 2011); *US v Hart*, 545 F Supp 470, 474 (D ND, 1982), aff'd 701 F2d 749 (CA 8, 1983); *McLaughlin v CitiMortgage, Inc*, 726 F Supp 2d 201, 214 (D Conn, 2010); *Anderson v O'Sullivan*, 224 Md App 501, 508-513; 121 A3d 181 (2015); and *Blocker v US Bank Nat'l Ass'n*, 993 NE2d 1154, 1157 (Ind App, 2013). Consequently, his contention utterly lacks any legal merit.

III. CONCLUSION

For the reasons set forth above, defendant Jason Michael Jett's November 27, 2019 missives are legal nullities and VOID.

(52)

This *Opinion and Order* again resolves the last pending claim in this matter, which remains closed. MCR 2.602(A)(3).

IT IS SO ORDERED.

RICHARD L. CARETTI
CIRCUIT JUDGE
DEC 02 2019
A TRUE COPY
FRED MELLETT, COUNTY CLERK
BY: *Judge Richard L. Caretti*
HONORABLE RICHARD L. CARETTI
Probate Court Judge

DATE: December 2, 2019

cc: Bill Harding, Esq.
Maroun Hakim, Esq.
Jason Michael Jett
Tina Renee Borgers



(53)

STATE OF MICHIGAN
SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

Case No. 2019-0195-FH

JASON MICHAEL JETT,

Defendant.

OPINION AND ORDER

Defendant Jason Michael Jett filed additional missives on December 11 and 16, 2019.

I. BACKGROUND

Defendant Jason Michael Jett was originally charged with: I. Child sexually abusive activity contrary to MCL 750.145c(2) and II. Using the internet to communicate with another to commit a crime contrary to MCL 750.145d(2)(f). He was bound over January 16, 2019 following a preliminary examination in the 41B Judicial District Court.

On April 16, 2019, defendant moved to quash the felony information. The motion was denied June 5, 2019.

On September 26, 2019, defendant pled guilty to an added count of accosting a child for immoral purposes contrary to MCL 750.145a in exchange for the dismissal of the original charges and a *Cobbs* agreement of no additional jail time.

On November 20, 2019, defendant moved to withdraw his plea. The motion was denied and he was sentenced to six days in the Macomb County Jail with credit for time served of six days; probation for five years; compliance with the Sex Offenders Registration Act, MCL 28.721 *et seq.*; DNA testing; and various costs and fees.

STATE OF MICHIGAN

Received
March 27 2020
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SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

Case No. 2019-0195-FH

JASON MICHAEL JETT,

Defendant.

OPINION AND ORDER

Defendant Jason Michael Jett moves for a stay of his sentence.

I. BACKGROUND

Defendant Jason Michael Jett was originally charged with: I. Child sexually abusive activity contrary to MCL 750.145c(2) and II. Using the internet to communicate with another to commit a crime contrary to MCL 750.145d(2)(f). He was bound over January 16, 2019 following a preliminary examination in the 41B Judicial District Court.

On April 16, 2019, defendant moved to quash the felony information. The motion was denied June 5, 2019.

On September 26, 2019, defendant pled guilty to an added count of accosting a child for immoral purposes contrary to MCL 750.145a in exchange for the dismissal of the original charges and a *Cobbs* agreement of no additional jail time.

On November 20, 2019, defendant moved to withdraw his plea. The motion was denied and he was sentenced to six days in the Macomb County Jail with credit for time served of six days; probation for five years; compliance with the Sex Offenders Registration Act, MCL 28.721

et seq.; DNA testing; and various costs and fees.

Defendant filed an application for leave to appeal with the Court of Appeals on December 10, 2019. An unpublished *Order* dated February 10, 2020 denied leave to appeal (Docket No. 351940).

Defendant now moves for a stay of his sentence.

II. ANALYSIS

Defendant asserts he has been damaged, his civil rights have been violated and he objects to the Presentence Investigation Report. Hence, defendant demands a stay of his sentence.

Motions for postappeal relief are governed by MCR 6.501 *et seq.*

MCR 6.502 provides in pertinent part:

(A) The request for relief under this subchapter must be in the form of a motion to set aside or modify the judgment. The motion must specify all of the grounds for relief which are available to the defendant and of which the defendant has, or by the exercise of due diligence, should have knowledge.

* * *

(C) The motion may not be noticed for hearing, and must be typed or legibly handwritten and include a verification by the defendant or defendant's lawyer in accordance with MCR 1.109(D)(3). Except as otherwise ordered by the court, the combined length of the motion and memorandum of law in support may not exceed 50 pages double-spaced, exclusive of attachments and exhibits. * * * The motion must be substantially in the form approved by the State Court Administrative Office, and must include:

* * *

(11) The relief requested;

(12) The grounds for the relief requested;

(13) The facts supporting each ground, stated in summary form;

(14) Whether any of the grounds for the relief requested were raised before; if so, at what stage of the case, and, if not, the reasons they were not raised;

* * *

(G)(1) Except as provided in subrule (G)(2), regardless of whether a defendant has previously filed a motion for relief from judgment, after August 1, 1995, one and only one motion for relief from judgment may be filed with regard to a conviction. The court shall return without filing any successive motions for relief from judgment. A defendant may not appeal the denial or rejection of a successive motion.

(2) A defendant may file a second or subsequent motion based on a retroactive change in law that occurred after the first motion for relief from judgment or a claim

of new evidence that was not discoverable before the first such motion. The clerk shall refer a successive motion that asserts that one of these exceptions is applicable to the judge to whom the case is assigned for a determination whether the motion is within one of the exceptions.

MCR 6.503 provides:

(A)(1) A defendant seeking relief under this subchapter must file a motion and a copy of the motion with the clerk of the court in which the defendant was convicted and sentenced.

* * *

(B) The defendant shall serve a copy of the motion and notice of its filing on the prosecuting attorney. Unless so ordered by the court as provided in this subchapter, the filing and service of the motion does not require a response by the prosecutor.

MCR 6.504(B) provides in pertinent part:

(1) The court shall promptly examine the motion, together with all the files, records, transcripts, and correspondence relating to the judgment under attack. * * *

(2) If it plainly appears from the face of the materials described in subrule (B)(1) that the defendant is not entitled to relief, the court shall deny the motion without directing further proceedings. The order must include a concise statement of the reasons for the denial.

MCR 6.508(D) provides in pertinent part:

The defendant has the burden of establishing entitlement to the relief requested. The court may not grant relief to the defendant if the motion

* * *

(3) alleges grounds for relief, other than jurisdictional defects, which could have been raised on appeal from the conviction and sentence or in a prior motion under this subchapter unless the defendant demonstrates

(a) good cause for failure to raise such grounds on appeal...and

(b) actual prejudice from the alleged irregularities that support the claim for relief. As used in this subrule, "actual prejudice" means that,

* * *

(ii) in a conviction entered on a plea of guilty, guilty but mentally ill, or nolo contendere, the defect in the proceedings was such that it renders the plea an involuntary one to a degree that it would be manifestly unjust to allow the conviction to stand;

(iii) in any case, the irregularity was so offensive to the maintenance of a sound judicial process that the conviction should not be allowed to stand regardless of its effect on the outcome of the case;

(iv) in the case of a challenge to the sentence, the sentence is invalid.

As a preliminary matter, the record does not permit determination of whether defendant raised these issues on appeal. To the extent defendant raised these issues and the Court of Appeals denied relief, this Court can not reconsider the issues. See, e.g., *Taines v Munson*, 42 Mich App 256; 201 NW2d 685 (1972); see also *People v Wells*, 103 Mich App 455, 462; 303 NW2d 226 (1981) ("thrust of the [law of the case] doctrine is that an inferior court is bound by the rulings of a superior court"). If defendant did not raise these issues on appeal, he has neither alleged nor proven good cause for failing to do so. Notwithstanding, defendant's arguments will be considered.

Defendant's contentions that he has been damaged and his civil rights have been violated lack substantive analysis and any citations to competent authority. The contentions will not be further addressed. *People v Kelly*, 231 Mich App 627, 641; 588 NW2d 480 (1998) (party can not merely announce a position and leave it up to the court to discover and rationalize the basis for its claims).

Defendant's objection to receipt of his PSIR is based on FR Crim P 32. The objection wholly lacks merit; FR Crim P 32 does not apply to this action. *Bowers v Bowers*, 216 Mich App 491; 549 NW2d 592 (1996) (Michigan court rules, not federal, control state court actions). Defendant has not established a violation of MCR 6.425(B).

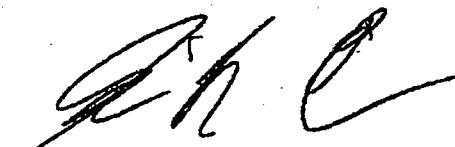
Therefore, defendant is not entitled to relief.

III. CONCLUSION

For the reasons set forth above, defendant Jason Michael Jett's motion for a stay of his sentence is DENIED.

This *Opinion and Order* again resolves the last pending claim in this matter, which remains closed. MCR 2.602(A)(3).

IT IS SO ORDERED.


HONORABLE RICHARD L. CARETTI
Circuit Court Judge

DATE: March 20, 2020

cc: Bill Harding, Esq.
Maroun Hakim, Esq.
Jason Michael Jett
Tina Renee Borgers



**Additional material
from this filing is
available in the
Clerk's Office.**