



Neutral

As of: January 3, 2026 7:23 PM Z

**People v. Schwab**

Supreme Court of Michigan

May 2, 2023, Decided

SC: 163423

**Reporter**

2023 Mich. LEXIS 703 \*; 511 Mich. 927; 988 N.W.2d 757; 2023 WL 3211893

PEOPLE OF THE STATE OF MICHIGAN, Plaintiff-Appellee, v BRIAN KEITH SCHWAB, Defendant-Appellant.

**Prior History:** [\*1] COA: 356443. Kent CC: 18-011018-FC.

People v. Schwab, 2021 Mich. App. LEXIS 3778 (Mich. Ct. App., June 18, 2021)

**Core Terms**

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order of the court

**Judges:** Elizabeth T. Clement, Chief Justice. Brian K. Zahra, David F. Viviano, Richard H. Bernstein, Megan K. Cavanagh, Elizabeth M. Welch, Kyra H. Bolden, Justices.

**Opinion**

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**Order**

On order of the Court, the request to raise new issues is GRANTED. The application for leave to appeal the June 18, 2021 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. The motions for appointment of counsel, to remand, to request discovery, to seek transcribing of data electronic evidence, and to disclose medical counseling records are DENIED.



Neutral

As of: January 3, 2026 7:15 PM Z

**People v. Schwab**

Court of Appeals of Michigan

June 18, 2021, Decided

Docket No. 356443

**Reporter**

2021 Mich. App. LEXIS 3778 \*

People of MI v Brian Keith Schwab

**Subsequent History:** Leave to appeal denied by, Request granted, Motion denied by People v. Schwab, 2023 Mich. LEXIS 703, 2023 WL 3211893 (Mich., May 2, 2023)

**Prior History:** People v. Schwab, 2021 Mich. App. LEXIS 2410 (Mich. Ct. App., Apr. 19, 2021)

**Counsel:** [\*1] For PEOPLE OF MI, Plaintiff-Appellee: WENDT KATHERINE.

For SCHWAB BRIAN KEITH, Defendant-Appellant: NEIL J. LEITHAUSER.

**Judges:** Douglas B. Shapiro, Presiding Judge. David H. Sawyer, Mark T. Boonstra, Judges.

**Opinion by:** Douglas B. Shapiro

**Opinion**

**ORDER**

The motion to file a supplemental brief is GRANTED.

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

/s/ Douglas B. Shapiro

Presiding Judge

APR 2020 B

Original - Court; 1st copy - Corrections; 3rd copy - State Police CJIC; 4th copy - copy - Corrections (for return); 5th copy - Prosecutor

|   |   |                         |
|---|---|-------------------------|
| STATE OF MICHIGAN<br>17TH JUDICIAL CIRCUIT<br>KENT COUNTY | AMENDED JUDGMENT OF<br>SENTENCE<br>COMMITMENT TO<br>DEPARTMENT OF CORRECTIONS | CASE NO.<br>18-11018-FC |
|---|---|-------------------------|

ORI MI - 410025J Kent County Courthouse 180 Ottawa NW, Grand Rapids, MI 49503 Court address: Court telephone number 616-632-5480  
Police Report No.

THE PEOPLE OF THE STATE OF MICHIGAN

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Prosecuting attorney's name Bar no.  
Christopher R. Becker P53752

Defendant name, address, and telephone no.  
BRIAN KEITH SCHWAB

|  |                 |                   |
|--|-----------------|-------------------|
| CTN/TCN<br>41 18 009755 99             | SID<br>2256667J | DOB<br>12/25/1982 |
| Defendant's attorney name<br>ANNA RAPA |                 | Bar no.           |

SEP 1 2020

1. The defendant was found guilty on 07/15/2020 of the crime(s) stated below.  
Date

| Count | CONVICTED BY<br>Plea* Court Jury | DISMISSED<br>BY* | CRIME  | CHARGE CODE(S)<br>MCL citation/PACC Code |
|-------|----------------------------------|------------------|--|--|
| 1     |                                  | NP               | CSC-1ST DEG (PERSON U/13, DEF 17/YRS OR OLDER)   | 750.520B2B                               |
| 2     | NC                               |                  | CSC-2ND DEG (PERSON U/13, DEF 17/YRS OR OLDER)   | 750.520C2B                               |
| 3     | NC                               |                  | CHILD SEXUALLY ABUSIVE COMMERCIAL ACTIVITY   | 750.145C2                                |
| 4     |                                  | NP               | COMPUTERS - USING TO COMMIT A CRIME -<br>MAXIMUM IMPRISONMENT OF 20 YEARS OR MORE<br>OR LIFE | 752.7973F                                |
| 5     |                                  | NP               | SEX OFFENDER FAILURE TO COMPLY WITH<br>REGISTRATION ACT                                      | 27.729                                   |
| 6     |                                  | NP               | CRIMINAL SEXUAL CONDUCT SECOND OFFENSE   | 769.121A                                 |
|       | NC                               |                  | HABITUAL OFFENDER FOURTH NOTICE  | 769.12                                   |

HON. J. JOSEPH ROSSI  
MICHIGAN STATE COURT

\*For Plea: insert "G" for guilty plea; "NC" for nolo contendere; or "MI" for guilty but mentally ill. \*For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff

- 2. The conviction is reportable to the Secretary of State under MCL 257.625(21)(b). S100098465977
- 3. HIV testing and sex offender registration is completed. Defendant's driver's license number
- 4. The defendant has been fingerprinted according to MCL 28.243.
- 5. A DNA sample is already on file with the Michigan State Police from a previous case. No assessment is required.

IT IS ORDERED:

- 6. Probation is revoked
- 7. Participating in a special alternative incarceration unit is  prohibited.  permitted.
- 8. Defendant is sentenced to custody of the Michigan Department of Corrections. This sentence shall be executed immediately.

| Count | SENTENCE<br>DATE | MINIMUM<br>Years Mos. Days | MAXIMUM<br>Years Mos. | DATE SENTENCE<br>BEGINS | JAIL CREDIT<br>Mos. Days | OTHER INFORMATION |
|-------|------------------|----------------------------|-----------------------|-------------------------|--------------------------|-------------------|
| 3     | 08/19/2020       | 20                         | 50                    |                         |                          |                   |
| 4     | 08/19/2020       | 20                         | 50                    |                         |                          |                   |

- 9. Sentence(s) to be served consecutively to (if this item is not checked, the sentence is concurrent.)  
 each other.  case numbers COUNT 3 AND 4 TO RUN CONCURRENTLY TOGETHER BUT CONSECUTIVE TO PAROLE

10. Defendant shall pay:

| State Minimum | Crime Victim | Restitution | DNA Assess. | Court Costs | Attorney Fees | Fine | Other Costs | Total |
|---------------|--------------|-------------|-------------|-------------|---------------|------|-------------|-------|
| \$136.00      | \$130.00     | \$          | \$60.00     | \$1,000.00  | \$            | \$   | \$          | \$    |

The due date for payment is Date of Sentence. Fine, costs, and fees not paid within 56 days of the due date are subject to a 20% late penalty on the amount owed.

- 11. The defendant is subject to lifetime monitoring pursuant to MCL 750.520n.
- 12. Court recommendation: **LIFETIME MONITORING**

9/1/2020  
Date

/s/ J. Joseph Rossi  
Judge HONORABLE J JOSEPH ROSSI Bar no. P53941

I certify that this is a correct and complete abstract from the original court records. The sheriff shall, without needless delay, deliver defendant to the Michigan Department of Corrections at a place designated by the department.

(SEAL)

Dennis Rapp  
Deputy Court Clerk

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