

[Abridged] Petition for Redress of Grievances to the United States Senate¹

Particularly Regarding the November 21, 2025 Order on Case No. 25-1276
(arising from 1:23-cv-1248) at the United States Court of Appeals for the Sixth
Circuit re (Title short format):

JAMES EDWARD WHITE.

Plaintiff-Appellant

v.

U.S. SUPREME COURT, named as Supreme Court of the United States
and employees c/o Chief Justice Roberta, et al.

Defendants-Appellees

And 1:23-cv-01180 at United States District Court for the Western District of
Michigan, Southern Division:

JAMES EDWARD WHITE.

Plaintiff-Appellant

v.

Michigan, State of

Defendants-Appellees

The full Title of the first case (1248) additionally includes “United States House
of Representatives members and staff” (for which Elisa Slotkin, Jim Jordan, and
Kevin McCarthy were explicitly footnoted) and “The Executive Branch of the United
States and employees.” Centuries old rules brought into the U.S. Constitution by at
least Amendment IX (or the Preamble word “Justice”) are assumed.

INTRODUCTION

In particular the U.S. Supreme Court ignored the very federal/state structure
established by at least U.S. Const. Art. III, § 2, Cl. 2 “and those in which a State

¹ This document in unabridged form is available in electronic form from the link at
the bottom of <https://usareset.net/forum/viewtopic.php?p=252#p252>

shall be Party, the supreme Court ***shall have original Jurisdiction***” which clearly precludes the Supreme Court having denial certiorari “discretion” when a State is a party. At a minimum in a Republican Form of Government “the People” elect legislators to make the laws which the Executive enforces with the aid of the Judiciary. As will be clearly shown Michigan has a clear law which neither its Executive branch nor its Judiciary are enforcing against State of Michigan actors. The U.S. Const. Amend. V and/or XIV “due process” requirements were not done in Petitioner’s cases at either the State or Federal levels.

FUNDAMENTALS OF JUSTICE

It is as much the duty of government to render prompt justice against itself, in favor of citizens, as it is to administer the same between private individuals. (Abraham Lincoln, Annual Message to Congress, December 3, 1861)

U.S. Const., Amend I: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; ***or the right of the people*** peaceably to assemble, and ***to petition the Government for a redress of grievances***. (and bold also in Michigan Constitution of 1963, Art. I, § 3)

One part of a statute must be so construed by another, that the whole may (if possible) ***stand: ut res magis valeat, quam pereat*** [the whole subject matter may rather operate than be annulled]. (Blackstone V1, see U.S. Supreme Court case 22-387 Rehear PDF 14-15)

...little courts however communicated with others of a larger jurisdiction, and those with others of a still greater power; ascending gradually from the lowest to the ***supreme courts***, which were respectively ***constituted to correct the errors of the inferior ones***... (Blackstone V3, see 22-387 Rehear PDF 15)

DUE PROCESS: FIRST UNDERSTAND THE LAW

MCL 421.48(2)²: ***However, payments for a vacation or holiday, or the right to which has irrevocably vested***, after 14 days following a vacation or holiday ***shall not be considered wages or remuneration*** within the meaning of this section.

While that portion of the law was repeatedly quoted by the State of Michigan (including its courts) they never explained how they could ignore it. Their reading stopped at “All amounts paid to a claimant by an employing unit or former employing unit *for a vacation*”² and ignored the “as the result of the separation”² that is a critical part of the first sentence of MCL 421.48(2). MSU provided false

² See page 5 The parsing of the first sentence could be argued but no variant parsing overcomes the “However” of the second sentence.

vacation entries³ and misrepresentation to the UIA⁴. MSU falsely told the UIA their payment was based on either contract⁵ or policy when it was not and they provided no copy to support their statement. MSU's apparent intent was to escape \$724 (\$362 per week x 2) in unemployment insurance costs by using those falsehoods. Proper MCAC appeals were stonewalled, the final one with no response at all.

SUPERINTENDING CONTROL

So Petitioner filed a Superintending Control Complaint in the 30th Michigan Circuit Court. The Complaint was illogically dismissed by the 30th Circuit Court noting an existing appeal in the related arithmetic case (discussed in the next heading: Arithmetic). Plaintiff filed a Motion to Correct or Reverse the illogical dismissal which the 30th Circuit treated as a Reconsideration and denied on the illogical grounds that Petitioner had a right to appeal that only arose by law and rule *after* the Superintending Control Complaint *caused the UIAC to provide a response that Petitioner then made final by appealing to the 30th Circuit Court* per MCL 421.34(7) "Unless" and MCL 421.38(1). I.e., invalid circular logic.

ARITHMETIC

MSU had at least two arithmetic errors which they have not been able to explain or correct. The \$2,356.53⁶ of documentation sent to Petitioner and ALJ has not been explained but its specifics were part of the stated reason for denying Petitioner's unemployment benefit for the week of September 30, 2017. The \$2,604.26 of the 09/30/2017 Pay Statement⁷ does not match the \$2,356.53 and neither can be computed on the basis of Petitioner's hourly pay rate of \$29.35 for a 2080-hour work year. Using the formula $\$29.35 \times 102$ vacation hours deducted⁸ yields \$2,993.70 due which is a discrepancy of \$389.44 from the paid \$2,604.26. In part the arithmetic error stems from the fact that only 94 hours of faked vacation entries were made by CHOREYSH⁹ but even that number cannot be successfully used to get either the \$2,356.53 or \$2,604.26.

FURTHER ANALYSIS

Who was injured? In these cases Petitioner believes the answer is obvious: Petitioner; denied \$362 unemployment benefit (MSU aimed for \$724), denied \$389.44 in vacation time or payment for it; and denied \$177.75 in Costs for the Superintending Control Complaint.

³ See page 6 Exhibit C The CHOREYSH entries.

⁴ See pages 8 Exhibit F In examining this MSU submission to the ALJ Petitioner could not reproduce the \$2,356.53 which led to Plaintiff more closely examining the \$2,604.26 in the 09/30/2017 Pay Statement (p. 6 Exhibit F) which Plaintiff could not reproduce either thus leading to another suit discussed in the Arithmetic (p. 3) section of this Petition.

⁵ See page 7 Exhibit E, particularly -157 through -159 and -171

⁶ See page 8 Exhibit F

⁷ See page 6 Exhibit D

⁸ See page 6 Exhibit D

⁹ See page 6 Exhibit D

EXHIBIT A. ADMINISTRATIVE LAW JUDGE ORDER

**STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM**

Form 1850

JAMES E WHITE
4107 BREAKWATER DR
OKEMOS, MI 488644413

Docket No.: 17-024033
Case No.: 10634324
Employer: MICH ST UNIVER UNMPL
COMP DIV
Claimant: JAMES E WHITE
SSN: XXX-XX-XXXX

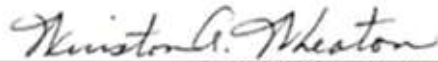
Administrative Law Judge: Winston A. Wheaton

ORDER

The Agency's October 9, 2017 Redetermination is affirmed.

Claimant is ineligible for benefits for week ending September 30, 2017, pursuant to the remuneration offset provisions of Sections 27(c) and 48(2) of the Michigan Employment Security Act (Act).

Decision Date: December 4, 2017



**WINSTON A. WHEATON
ADMINISTRATIVE LAW JUDGE**

REASONING AND CONCLUSIONS OF LAW

Claimant argues that because the vacation pay was earned prior to his layoff it cannot be used for offset. That interpretation is contrary to the plain language of the statute. Section 48(2) lists the kind of payments that will offset against unemployment benefits.

Vacation pay is the first in the list. All vacation pay is earned prior to a layoff or separation. To eliminate offset for all vacation pay earned prior to layoff or separation would render the section a nullity.

The employer argues that the payment should have been allocated to more than one week. It concedes that it did not protest the Monetary Determination or subsequent Agency adjudications. It is too late to raise the issue for the first time in this hearing.

Based on the record established in this matter, and the applicable law, the Agency's Redetermination is affirmed.

EXHIBIT B. PARSED MCL 421.48(2)

**APPENDIX QQQ
STRUCTURAL DIAGRAM OF MCL 421.48(2)**

(From A118. Nuances in Petitioner's parsing could be argued but the essential structure seems obvious.)

All amounts paid to a claimant by an employing unit
or former employing unit

for
 a **vacation**
 or
 a holiday,

and

amounts paid

 in the form of retroactive pay, pay in lieu of
 notice, severance payments, salary
 continuation,

or

other remuneration

 intended by the employing unit as
 continuing wages

or

other monetary consideration

as the result of the separation,

excluding SUB payments as described in section 44,

shall be considered remuneration in determining
whether an individual is unemployed under this
section and also in determining his or her benefit
payments under section 27(c),

for

 the period designated by the contract or
 agreement providing for the payment,
or

 if there is no contractual specification of
 the period to which payments shall be
 allocated,
 then for
 the period designated by the employing
 unit or former employing unit.

However,

 payments for a **vacation** or holiday,
or

 the right to which has irrevocably **vested**,
 after 14 days following a vacation or
 holiday

shall **not** be considered wages or remuneration
within the meaning of this section.

EXHIBIT C. FAKED VACATION ENTRIES

White, James (Jim) Edward	08/06/2018	9749	M1	8 H 2900	Vacation	07/18/2018	WHITEJ71
	01/03/2018		M1	8 H 2900	Vacation	01/22/2018	WHITEJ71
	09/15/2017		M1	6 H 2900	Vacation	09/01/2017	CHOREYSH
			M1	2 H 2990	Excused Unpaid	09/14/2017	CHOREYSH
	09/14/2017		M1	8 H 2900	Vacation	09/01/2017	CHOREYSH
	09/13/2017		M1	8 H 2900	Vacation	09/01/2017	CHOREYSH
	09/12/2017		M1	8 H 2900	Vacation	09/01/2017	CHOREYSH
	09/11/2017		M1	8 H 2900	Vacation	09/01/2017	CHOREYSH
	09/08/2017		M1	8 H 2900	Vacation	09/01/2017	CHOREYSH
	09/07/2017		M1	8 H 2900	Vacation	09/01/2017	CHOREYSH
	09/06/2017		M1	8 H 2900	Vacation	09/01/2017	CHOREYSH
	09/05/2017		M1	8 H 2900	Vacation	09/01/2017	CHOREYSH
	09/04/2017		M1	8 H 2900	Vacation	09/01/2017	CHOREYSH
	09/01/2017		M1	8 H 2900	Vacation	09/01/2017	CHOREYSH
	08/31/2017		M1	8 H 2900	Vacation	09/01/2017	CHOREYSH
	08/30/2017		M1	0 H 2900	Vacation	01/16/2018	CHOREYSH
	08/23/2017		M1	4 H 2900	Personal	08/18/2017	WHITEJ71
	08/22/2017		M1	8 H 2900	Vacation	08/18/2017	WHITEJ71
	08/21/2017		M1	8 H 2900	Vacation	08/18/2017	WHITEJ71

EXHIBIT D. 09/30/2017 PAY STATEMENT

EMPLOYEE STATEMENT OF EARNINGS AND DEDUCTIONS
MICHIGAN STATE UNIVERSITY
East Lansing, Michigan

FOUNDED
1855

UNIVERSITY

Name James Edward White

SSN XXX-XX-XXXX

ID 9749

Pay Period 09/01/2017 - 09/30/2017

Pay date 09/29/2017

Deliv. Code 1P54474100

W-4 Information

FedM01

Add \$0.00

StateS01

Add \$0.00

Gross Pay

Deductions & Taxes

Current2,604.26647.27

YTD43,303.3812,042.11

Gross Pay

Rate

Hours

Current

00009749 Pay Period Salary

2,604.26

00009749 Unpaid Salary-S

2.00

60.56

Total Earnings

2,604.26

MSU Contributions

Current

YTD

MSU MN Mtch Fidelity ER

260.42

4,330.34

Blue Care Network ER

0.00

3,046.32

Caremark ER

0.00

998.88

Delta Dental Employer

19.59

333.03

FICA ER

160.24

2,662.51

Medicare ER

37.47

622.68

Total Contributions

477.72

11,993.76

Taxable Benefits

Current

YTD

Total Taxable Benefits

0.00

0.00

Pre Tax Deductions

Current

YTD

Mn Bse Fidelity EE

130.21

2,165.17

Parking Pre-tax

340.00

Delta Dental FF Pre-Tax

19.59

19.59

Total Pre Tax Deductions

149.80

2,524.76

Post Tax Deductions

Current

YTD

APA Dues

70.00

630.00

Total Post Tax Deductions

70.00

630.00

Taxes

Authority

Current

YTD

Federal Withholding

FED

139.61

3,996.57

FICA EE

FED

160.24

2,662.51

Medicare EE

FED

37.47

622.68

State Withholding

MI

90.15

1,605.59

Total Employee Tax

427.47

8,887.35

Quota Overview

Vacation

Sick

Personal

Family Sick

Starting Balance

102.00

802.50

8.50

80.00

Accruals

0.00

3.20

0.00

0.00

Adjustments

0.00

0.00

0.00

0.00

Time Taken

- 102.00

0.00

0.00

0.00

Ending Balance

0.00

805.70

8.50

80.00

Vacation Service Months

129.50

Check Information

Bank Name

Payment Method

Amount

0000974900187001

LAFCU

PY Direct Deposit (ACH)

1,956.99

EXHIBIT E. CBA VACATION RULES

CL#A2

Wednesday, November 29, 2017 7:47 AM

11/29/2017 08:58PM 2497269602

WILLENBRECHT LAW

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ARTICLE 21

VACATION PAY

A-2

-157 Accrued Vacation Leave Carryover

<u>Service Months</u>	<u>Earning Rate</u>	<u>Annual Accrual</u>	<u>Maximum Accrual</u>
Grade levels 8, 9, 10, 11, 12, 13, 14 & 15			
Completion of first 6 months of service	48 hours		
7 th month through 60 th month	8 hrs/month	96 hrs.	240 hrs.
61 st month through 120 th month	12 hrs/month	144 hrs.	240 hrs.
121 st month	16 hrs/month	192 hrs.	240 hrs.
Grade Level 16			
Completion of first 6 months service	96 hrs.		
7 th month	16 hrs/month	192 hrs.	240 hrs.

-158 Employees accrue vacation pay credits at the rate shown above for each completed month of service. Service includes work time and "Leave of Absence with Pay" time, but does not include:

1. Leave of absence without pay.
2. Regular Workers' Compensation.
3. Layoff.
4. Disciplinary suspension.

Usage Requirements

-159 An Employee may take vacation at any time during the year with permission of the supervisor and in accordance with departmental requirements.

-160 Vacation is to be taken and reported in full hour increments.

-161 A maximum of eight (8) hours pay may be made for each day of vacation. This may vary for persons on a flexible appointment.

-162 Each hour paid to an Employee shall be paid at the base rate of pay, and shall not include shift premium or other premium payments.

-170 Employees are expected and encouraged to take their annual vacation accrual each year. An Employee may continue to accrue vacation up to the Maximum Accrual shown under the Accrual Schedule section. Further accrual beyond this Maximum Accrual is not possible, and the Employee will receive no further vacation credit for months of service completed until the Employee reduces vacation credits.

-171 An Employee will receive payment for unused vacation when terminating employment.

EXHIBIT F. MSU OTHER DOCUMENTS

Nov 15 17 03:01p

Judy M / HR of MSU

5173559631

p.3

UJA 1575E
(Rev. 10-13)

Letter ID: L0039437144

Other Protests

In addition to specifically protesting this determination, you may also use the charts below to notify the UJA of any other circumstances regarding possible disqualification of ineligibility for benefits using the same "How to Protest" rules shown earlier.

Claimant Name: JAMES WHITE

Social Security Number: [REDACTED]

If you are making *special payments* to the claimant *after* the Benefit Year Beginning (BYB) date, complete the information below.

		Gross dollar Amount	Period From (month/day/year)	Period To (month/day/year)	Date Paid (month/day/year)
☐	Earnings				
☒	Accrued Holiday/Vacation Pay	\$2,356.53	9-3-17	9-15-17 2,200 p.m.	9-29-17
☐	Severance				
☐	Pay in Lieu of Notice				
☐	Sick Pay				
☐	Lost Earnings				
☐	Sales commission or Consultation fee				
☐	Short Work Week or On-Call Pay				

If you are paying the claimant a *retirement pension*, complete the information below.

Monthly Amount	Effective Date	Date of First Payment	Check the box below that reflects the amount the claimant contributed to his/her retirement.		
			☐	☐	☐
			Did not contribute	Contributed less than 1/2 the cost	Contributed 1/2 or more of cost

Additional Information:

Separation Information

The claimant indicated the separation reason with you as laid off. If you are reporting a different separation reason that is possibly disqualifying, please complete the information below. Check the box that applies to the claimant's separation with you.

☐ Discharged/Fired ☐ Voluntary Quit ☐ Voluntary Retirement ☐ Labor Dispute ☐ Other

Judy McNamee, MSU HR UC Gov, (517) 884-0104 9-18-17



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