

List of Cases and Related Attorneys re James E White Layoff

The MSU case noted in this box predates Petitioner's UIA (et seq.) case and got the correct result but opposite the result of Petitioner's case. An unemployment insurance payment was correctly due, even though the ALJ reached that conclusion via a wrong rationale: no "notice." The ALJ deciding that case apparently relied on a case in which the union contract called for "notice" but the MCL 421 law has no equivalent "notice" requirement. In fact the law mandates essentially that "notice" (outside contract obligations) cannot constitute agreement by the employee "to wave [sic] ... benefits" (MCL 421.31). UIA Case No. 9393117, ALJ Docket No. 17-012285.

Layoff Letter July 7, 2017 for layoff effective August 31, 2017 — Queen McMiller and perhaps unknown staff and/or attorneys approve "You will be continued..." language.

Plaintiff UIA Layoff Claim C4781329-0¹ (unemployment) effective 03-Sep-2017 — (Closed 21-Oct-2017)

UIA Vacation Questionnaire*² Case Number: 10634324 (unemployment) September 25, 2017

Petitioner's responses Sep25, 2017 RE: Vacation Certification Questionnaire noted the MSU/APA union contract calls for a vacation payout on termination, not layoff, and that the UIA questionnaire cannot be answered without filling in vacation dates whether vacation was taken or not.

A separate response of mine Oct 3, 2017, the date Petitioner presumably answered the questionnaire noted the APA contract termination vs. layoff issue and further noted that: the "Unemployment Benefits in Michigan: A Handbook for Unemployed Workers" very explicitly states that any ***earnings*** noted for unemployment certification must be ***for*** the period being certified. The vacation "pay" was clearly earned prior to the September date on which a payment was made.

UIA Fraud Questionnaire* Case Number: 10634325 (unemployment) September 25, 2017

Petitioner's response indicated that as of 9-25-2017 Petitioner had received no payment.

¹ To make case numbers stand out they have been underlined in this document.

² An asterisk (*) indicates the form letters, not the specifics relevant to Petitioner, which were all "Authorized By ... **Wanda Stokes**, TIA Director.

UIA Notice of Redetermination* Case Number: 0-010-634-324 (unemployment) October 9, 2017 Denying September 30, 2017 \$362 Benefit (apparently due to MSU claim of \$2,356.53³ “vacation” payment. UIA staff and/or lawyers who violated MCL 421.48(2) “however...” sentence without required MSU proof are unknown.)

Petitioner’s response Oct 9, 2017 noted that neither the law or the rules supported the denial and asked for any MCL 421.4(2) “informal rules” but UIA denied there were any informal rules.

Petitioner’s appeal Oct 9, 2017 noted that MCL 421.27(c) mandated that payments must be “for” the period for which the benefit was being reduced (denied) and that the MCL 421.48(2) clearly precluded invoking 27(c) anyway for earned and vested vacation time.

UIA No-Fraud Determination* Case Number: 0-010-634-325 (unemployment fraud) October 9, 2017 — (UIA staff and/or lawyers unknown but correct.)

UIA Advocacy Case Number: 0-010-634-324C (unemployment) Opened: September 22, 2017 with Notice* sent November 15, 2017 became ALJ Docket No. 17-024033 (unemployment).

UIA Advocacy Case Number: 0-010-634-325C (unemployment fraud) Opened: September 22, 2017 with Notice* sent November 15, 2017 became ALJ Docket No. 17-024034 (unemployment fraud).

MCAC (now UIAC) Case Number 10634324 (unemployment) and Case Number 10634325 (unemployment fraud) as Appeal Number 17-024033 (unemployment) on November 08, 2017 scheduled a telephone hearing with an ALJ for November 29, 2017 for both the denial of benefits and the UIA suggested fraud.

Petitioner’s responses to the ALJ (and MSU) prior to the hearing included both MSU/APA union contract specifics regarding termination vs. layoff and employee in full control of vested earned vacation as well as clear MSU policy documentation regarding vacation payout on termination and not on layoff.

MSU responses included claiming to UIA on 9-18-17 they “allocated” a \$2,356.53³ payment to James White for 9-3-17 to 9-15-17 @ 3:00 PM for 94 hours of vacation and paid it on 9-29-17 and also provided their responses to a UIA [Employer] Vacation Pay Questionnaire they submitted on 10-17-17 indicating the payment was per contract or policy and agreeing they would provide a copy (which, as far as Petitioner knows, MSU didn’t). MSU staff member Judy McManaman (now

³ This dollar amount along with the 94 hours and computer printouts showing false vacation entries were the first clue Petitioner had about arithmetic errors involved in Petitioner’s 09/29/2017 pay statement which showed 102 hours of vested vacation zeroed out.

retired) apparently did the submissions and it is not known if any lawyer(s) or other staff were involved.⁴

Via email on December 3, 2017 to Judy McManaman Petitioner grieved (arithmetic) the pay amount and 94 hours because Petitioner could not make the arithmetic work. Amy Holda responded with more errors and eventually promised to restore 8 hours of vacation but never did. Multiple emails were exchanged with MSU and the APA in further attempting to get the apparent arithmetic discrepancies corrected. Petitioner does not know if any lawyers were involved. See below for Petitioner Small Claim Case No. 18-0922-SC (arithmetic) filed 8-20-18 in Lansing 54-B District Court.

The ALJ, **Winston A. Wheaton**⁵, dismissed the UIA suggested fraud charge, Docket No. 17-024034 Case No. 10634325 (unemployment fraud), on December 1, 2017

The ALJ affirmed the UIA C4781329-0 (unemployment) claim denial of benefits on December 4, 2017, Docket No. 17-024033 Case No. 10634324 (unemployment), as an “ineligible” issue stating “remuneration offset” (rather than 27(c) “benefit reduction”) on the grounds that the first sentence of 48(2) listed “vacation” as its first item but totally ignoring the first sentence’s “as the result of the separation” and the second sentence’s “However” and “the right to which has irrevocably vested.”

The ALJ on December 18, 2017 denied Petitioners request for rehearing and/or reconsideration of Docket No. 17-024033 Case No. 10634324 (unemployment) on the grounds that ALJ had the discretion to deny rehearing but again without examining the “However” sentence of 48(2).

Petitioner appealed the ALJ decision to the MCAC on 1/15/2018 which the MCAC designated as Appeal Docket No 17-024033-255373W (unemployment) and which **Jack F. Wheatley**, **Duncan A. McMillan**, and **Lester A. Owczarski** affirmed the denial of rehearing and the ALJ decision on MAR 7 2018 with no discussion of 48(2) and/or reconsideration.

Daniel J. Zarimba, attorney for the Michigan Education Association, without Petitioner’s request and without doing anything to argue the decision, on April 2, 2018 requested a MCAC rehearing of Appeal Docket No 17-024033-255373W (unemployment) which the same three MCAC lawyers denied on FEB 06 2019.

⁴ Edith Willenbrecht, an unemployment insurance advocate paid by Michigan, was Petitioner’s attorney at the hearing and we emphasized there was no vacation and policy and contract did not support the payment. Amy Holda participated with (witness) Judy McManaman for MSU.

⁵ **Bolded** names in this document are known to be Michigan lawyers.

Petitioner filed Small Claim Case No. 18-0922-SC⁶ (arithmetic) on 8-20-18 in Lansing 54-B District Court when it became certain MSU would not be responsive to correcting the December 3, 2017 grieved arithmetic errors apparently made when computing the 9/29/2017 Pay Statement. At MSU's request (October 9, 2018, **Brian T. Quinn**) the 54-B District Court transferred the case to the Michigan Court of Claims as Case #18-000219-MZ⁷ (arithmetic). Quinn (falsely) claimed summary judgement was required due to MSU/APA union CBA unambiguously requiring binding arbitration and due to State immunity due to no notice to the Court of Claims within one year⁸ but not noting that MSU delayed requesting a transfer for 50+ days and regardless court rules mandate that the original filing date in the Small Claims Court continue as the filing date. Petitioner responded noting the MSU delay, the court rule re filing date transfer, and that the CBA made arbitration an APA option and grieving both an APA and an individual employee option. Petitioner at the same time as filing a reply amended the complaint to correct the erroneous 94 vacation hours vs the correct 102 vacation hours and correct the erroneously calculated pay amount. On May 15, 2019 Court of Claims Judge **Michael J. Kelly** granted MSU's motion for summary disposition on the (mistaken) grounds of APA, not employee, required to follow a supervisor to department to MSU OER path (when a laid off employee has no supervisor or department) then binding arbitration and disregarding the filing date transfer rule.

Petitioner requested MCAC reopening or rehearing or further appeal of 17-024033-255373W (unemployment) on MAR 06 2019 reiterating the 48(2) "However" sentence issue and noting that at least MCAC was not adhering to the rules of R 792.11430 or R 792.11431 of the Department of Licensing and Regulatory Affairs, Michigan Office of Administrative Hearings and Rules, Administrative Hearing Rules, Subpart C. Michigan Compensation Appellate Commission, Appeals Unemployment Cases⁹. Petitioner also applied for oral argument and/or written argument. MSU's Amanda Moses did respond, did not address the "However" of 48(2) but raised the issue of "good cause" of which one is "(v) Relying on incorrect information from the agency, administrative law judge, the hearing system or the MCAC." *MCAC did not respond until after a Superintending Control Complaint was filed March 29, 2020.*

Petitioner requested reconsideration of Court of Claims 18-000219-MZ (arithmetic) on June 5, 2019 adding the clear fact that CBA layoff and termination

⁶ <https://micourt.courts.michigan.gov/case-search/court/D54B/case-details?caseId=2018-18-0922-SC&tenantKey=D54B-33-0625219-00-00&searchUrl=%2Fcourt%2FD54B%2Fsearch%3FlastName%3Dwhite%26firstName%3Djames%26middleName%3DEdward%26page%3D1>

⁷ <https://www.courts.michigan.gov/c/courts/coc/case/18-000219>

⁸ It was the exhibits of this filing of Quinn that provided absolute proof of who falsely entered 94 hours of vacation for Petitioner, MSU staff member Sheila Chorey. Presumably that was ordered by an unknown supervisor.

⁹ https://dtmb.state.mi.us/ORRDocs/AdminCode/1799_2018-018LR_AdminCode.pdf#page=139

were distinctly different things (the former of which has no earned vacation payout). The case was again denied by **Michael J. Kelly** on June 26, 2019.

Petitioner initiated an appeal of 18-000219-MZ (arithmetic) to the Michigan Court of Appeals on 7/16/19 which became case COA 349812¹⁰ (arithmetic) and the brief was filed on 9/10/2019 observing that MSU made a calculation error when making a payment outside the payments designated by the MSU/APA union contract, that individuals could request remedies of MSU, not just the APA union, and that a Small Claims filing transferred with a 50+ day delay by MSU should still retain the Small Claims filing date per court rules. MSU reiterated a formal union grievance process for a calculation error in the payroll department and (falsely) insisted binding arbitration was mandated by the MSU/APA contract and disregarded the court rules regarding case transfer retaining the original filing date. **Kathleen Jansen, Kirsten Frank Kelly, and Thomas C. Cameron** affirmed the Court of Claims denial on September 10, 2020 again ignoring that the CBA explicitly makes grieving available to individual employees and arbitration is a union option and not mandatory.

Petitioner filed a Superintending Control Complaint (re the MCAC lack of response to Petitioners' MAR 06 2019 requests) on March 19, 2020 to the Ingham County 30th Judicial Circuit Court which the clerk requested be refiled noting the Superintending Control AS type which was done on March 27, 2020 and which became case 20-191-AS¹¹ AKA 20-0191-AS-C30 (superintending) . **Brian T Quinn** appeared on behalf of MSU and **Jason D. Hawkins** on behalf of the UIAC (formerly MCAC). UIAC lawyers **Lester A. Owczarski, Neal A. Young, and William J. Runco** responded to the Superintending Control Complaint by coughing up, after MCAC/UIAC stonewalling for more than a year, re Appeal Docket No 17-024033-255373W (unemployment) a Notice of Request for Reopening and a Denial of Reopening and Review on April 30, 2020 (falsely) insisting that "good cause" was required under MCL 421.34 reopening and ignoring the also timely request for rehearing.

Re 20-191-AS (superintending) on May 19, 2020 Hawkins for UIAC requested Petitioner stipulate to closing the case and renounce Costs since the UIA had finally responded. Petitioner refused both.

Petitioner, having received the April 30, 2020 Denial of Reopening of Appeal Docket No 17-024033-255373W (unemployment) now understood he was the *de facto* winner of the 30th Circuit 20-191-AS (superintending) Superintending Control

¹⁰ <https://www.courts.michigan.gov/c/courts/coa/case/349812>

¹¹ <https://micourt.courts.michigan.gov/case-search/court/C30/case-details?caseId=2020-00000191AS-AS&tenantKey=C30-33-1625035-00-00&searchUrl=%2FCourt%2FC30%2Fsearch%3FlastName%3Dwhite%26firstName%3DJames%26middleName%3D%26page%3D1>

case and filed on May 26, 2020 a Certified Bill of Costs for \$177.75 which the courts have ignored to date.

Re 20-191-AS (superintending) Hon. **Wanda M. Stokes** dismissed the case on May 26, 2020 on the illogical grounds that COA 349812 (arithmetic) was in progress ignoring the fact that that COA case was regarding the arithmetic issues occurring on the occasion of the layoff rather than the UIA denial of benefits. (Not received by Plaintiff until May 30, 2020, i.e., after the above Costs and below Claim of Appeal filings.)

Petitioner, having received the April 30, 2020 Denial of Reopening of Appeal Docket No 17-024033-255373W (unemployment) due to the kick via the Superintending Control 20-191-AS (superintending) filing, now had an MCL 421.38 right to appeal to a circuit court therefore filed on May 28, 2020 a Claim of Appeal re that UIAC case in the Ingham County 30th Circuit Court and this filing became 20-301-AE¹² AKA 20-0301-AE-C30 (unemployment) assigned to Hon. **Wanda M. Stokes**¹³. **Rebecca Marie Smith** responded for UIA August 14, 2020 indicating the UIA had no response and **Uriel Abt** responded for MSU November 19, 2020 (untimely) supporting the “good cause” denial rationale of the 20-191-AS-C30 (superintending) case (not the AE [unemployment] case being addressed) and essentially ignoring the Petitioner’s MAR 06, 2019 rehearing request.

On June 1, 2020 Petitioner filed for the 20-191-AS (superintending) case a Motion to Reverse or Correct Dismissal which **Wanda M. Stokes** treated as a Reconsideration motion and dismissed on February 2, 2021 on the erroneous and illogical grounds that UIAC somehow declares its decisions “final” when at least the MCL 421.34(7) “Unless” sentence makes it clear that it is parties’ actions that determine whether a UIAC decision becomes “final” or not and R 792.11432¹⁴ shows proper UIAC instructions that the UIAC is intentionally short-circuiting.¹⁵

Hawkins, re 20-191-AS (superintending), on June 3, 2020 argued that because the UIAC responded to the Superintending Control Complaint (clearly only because of the Complaint) that Petitioner was therefore not eligible for Court Superintending Control or the Costs of Petitioner’s filing. Hawkins illogical reasoning was that because of the UIAC April 30, 2020 response therefore Petitioner’s — prior to April 30, 2020 — March 27, 2020 Superintending Control

¹² <https://micourt.courts.michigan.gov/case-search/court/C30/case-details?caseId=2020-00000301AE-AE&tenantKey=C30-33-1625035-00-00&searchUrl=%2Fcourt%2FC30%2Fsearch%3FlastName%3Dwhite%26firstName%3DJames%26middleName%3D%26page%3D1>

¹³ The same **Wanda M. Stokes** whose name appeared on UIA/MCAC approved form letters.

¹⁴ https://dtmb.state.mi.us/ORRDocs/AdminCode/1799_2018-018LR_AdminCode.pdf#page=140

¹⁵ It is unknown whether this short-circuiting is a result of actions by **Wanda M. Stokes** or simply accepted by her when she was TIA Director.

Complaint was unnecessary since a right to appeal had later on April 30, 2021 become available.

Petitioner asked the Court of Appeals for reconsideration of case COA 349812 (arithmetic) on September 30, 2020 and via a corrected filing on October 1, 2020 again pointing out that contract and law allowed individuals to grieve, that MSU did administratively process that grievance without demanding union involvement, and that arbitration was a union option and, in any case, correct arithmetic is a Constitutional, not contract, issue. Without comment the reconsideration was denied October 21, 2020 by the original panel of three judges.

Petitioner applied for a leave to appeal COA 349812 (arithmetic) with the Michigan Supreme Court on December 1, 2020 which became Michigan Supreme Court Number 162298 (arithmetic). **Uriel Abt** answered for MSU again (falsely) claiming mandatory arbitration, ignoring correct arithmetic, individual grievances, and filing date maintenance on transfer between courts. On March 30, 2021 **Bridget M. McCormack, Brian K. Zahra, David F. Viviano, Richard H. Bernstein, Elizabeth T. Clement, Megan K. Cavanagh, and Elizabeth M. Welch** of the Michigan Supreme Court, ignoring their “reason” obligations under the Constitution of Michigan of 1963 (as updated from the 1908 constitution), denied the application.

Re 20-0301-AE-C30 (unemployment) **Wanda M. Stokes** on Jan 22, 2021 affirmed the UIAC denial of reopening on the grounds that Petitioner was time-barred based on the MCAC/UIAC denial of rehearing on March 7, 2018 and totally ignoring the MCAC FEB 06 2019 denial and Petitioner’s Mar. 6, 2019 reopening/rehearing/further appeal requests as well as the UIAC April 30, 2020 denial for which Petitioner was not time-barred due to Petitioner’s May 27, 2020 Claim of Appeal within the 30 day window allowed by MCL 421.38. Additionally **Wanda M. Stokes** denied Petitioner’s appeal for failure to provide “good cause” which is applicable to reopening only and ignoring both the fact that a timely rehearing request was made and that “good cause” “g. [i]f an interested party has been misled by incorrect information from the agency, the office of appeals, or the board of review” was included in her affirmation of the denial. Petitioner also believes clear UIA/ALJ/MCAC/UIAC ignoring the “However” sentence of 48(2) or the “Unless” sentence of 34(7) of the applicable law must always be “good cause” and that the published MCAC Rule R 792.11432¹⁶, of which Petitioner was well aware, not thinking the rules would “mislead” him to ignore the short-circuit effort of the MCAC responses’ form text.

Petitioner on February 10, 2021 requested 20-0301-AE-C30 (unemployment) reconsideration noting that R 792.11432(c) clearly made his appeal of MAR 06 2019 to the MCAC timely in accordance with MCL 421.34(7). The reconsideration request

¹⁶ See footnote 14.

was responded to by **Wanda M. Stokes** with a copy of the 2/17/2021 denial of 20-191-AS-C30 (superintending?) which was not only illogical it made no sense.

On March 9, 2021 Petitioner filed an Application for Leave to Appeal 20-0301-AE-C30 (unemployment) in the Michigan Court of Appeals that became Michigan COA 356513¹⁷ (unemployment). Petitioner again pointed out the MCL 421.48(2) “However” sentence but also noted MCL 408.473 which mandates that employers are required to pay fringe benefits (such as vacation) “in accordance with the terms set forth in the written contract or written policy” which MSU clearly did not do by paying for earned and vested vacation time on layoff rather than waiting until termination. The timeliness and “good cause” of prior appeals was also addressed by Petitioner. **Michael F. Gadola, Stephen L. Borrello, and Brock A. Swartzle** were the judges that denied the application on June 15, 2021 “for lack of merit in the grounds presented” which clearly did not address the law’s “However” sentence.

Petitioner moved for Michigan Supreme Court reconsideration for MSC 162298 (arithmetic) on April 19, 2021 which was again denied by the Michigan Supreme Court on July 6, 2021 with reasoning not compliant with the Article VI, § 6¹⁸ of the Constitution of Michigan of 1963 as revised from the 1908 Michigan Constitution.

On July 6, 2021 Petitioner moved for reconsideration of COA 356513 (unemployment) explicitly noting the Constitution of Michigan of 1963 Article VI, § 28¹⁹ as well as reiterating the “However” and “Unless” sentences of the law, and repeating R 792.11432, “good cause,” “final,” etc. It is not understood how the State of Michigan disregarding the “However” sentence of MCL 421.48(2) cannot be a “palpable error.” The same three judge panel denied reconsideration on August 11, 2021.

On 9/20/2021 Petitioner filed an Application for Leave to Appeal COA 356513 (unemployment) to the Michigan Supreme Court which became MSC 163548 (unemployment) and in which Petitioner hammered on when a MCAC/UIAC case becomes “final” and whether the UIA, ALJ, MCAC/UIAC, and Circuit Courts could simply ignore the “However” sentence of MCL 421.48(2). **Rebecca M. Smith** responded (with **Fadwa A. Hammoud**) for the UIA ignoring the timeliness of Petitioner’s request for rehearing, the “Unless” sentence of MCL 421.34(7), and R 792.11432 instead focusing on “good cause” re reopening and bungling interpretation of the “However” sentence. Petitioner also observed that the State Court of Appeals and the Supreme Court were charging fees for filing in spite of MCL 421.31 that prohibits charging fees for 421 cases. On May 3, 2022 the Michigan Supreme Court denied Petitioner’s application because **Bridget M. McCormack, Brian K. Zahra, David F. Viviano, Richard H. Bernstein,**

¹⁷ <https://www.courts.michigan.gov/c/courts/coa/case/356513>

¹⁸ [https://legislature.mi.gov/\(S\(iifjvmazhc2m405gsvb50ak\)\)/documents/mcl/pdf/mcl-chap1.pdf#page=47](https://legislature.mi.gov/(S(iifjvmazhc2m405gsvb50ak))/documents/mcl/pdf/mcl-chap1.pdf#page=47)

¹⁹ [https://legislature.mi.gov/\(S\(iifjvmazhc2m405gsvb50ak\)\)/documents/mcl/pdf/mcl-chap1.pdf#page=52](https://legislature.mi.gov/(S(iifjvmazhc2m405gsvb50ak))/documents/mcl/pdf/mcl-chap1.pdf#page=52)

Elizabeth T. Clement, Megan K. Cavanagh, and Elizabeth M. Welch were “not persuaded that the questions presented should be reviewed by this Court.” Never mind that that is not a “reason” compatible with the Michigan Supreme Court obligations under Article VI, § 6 of the Constitution of Michigan of 1963 as revised from the 1908 Michigan Constitution (see footnote 18).

On 10/17/2021 Petitioner filed with **Larry Royster** Michigan Clerk of the Court, a request for a refund of the Court’s wrongly charged fees (court fees) and they were refunded in part on October 26, 2021 and 2022-04-05 and in part denied. Further requests April 13, 2022 for proper refunds were refused.

On 1/14/2022 Petitioner contacted Governor **Gretchen Whitmer** regarding the Michigan Supreme Court ignoring the plain English of the MSU/APA contract, Michigan law, correct arithmetic, and valid logic (arithmetic, unemployment) among other things and her Michigan and U.S. Constitutional responsibilities to see that the laws of Michigan and the United States were properly enforced by her executive branch and the judiciary of Michigan according to the Constitution of Michigan of 1963 Article VI, § 25²⁰. Her response (or one of her staff, it is not known whether she saw the request) was essentially “find a lawyer” even though obviously court processes had already been followed through even the Michigan Supreme Court. Several other attempts fared no better if they got any response at all and a 2/20/2023 FOIA request to find out how the “find a lawyer” response was decided upon got no result.

On May 24, 2022 Petitioner requested Supreme Court reconsideration for MSC 163548 (unemployment) providing precedents that show that statute trumps administrative agency rules and contracts should be interpreted within the statutes too. Interestingly, though the Michigan Court rules do not permit replies to reconsiderations unless the Court so requests, the UIA chose to submit a reply via **Rebecca M. Smith** and **Jason Hawkins** that provided a State examination of the “However” sentence and gutted it effectively ignoring the words “However” and “or the right to which has irrevocably vested” which are the words that make that sentence/law read in favor of Petitioner. The Michigan Supreme Court again was “not persuaded” for no specified reason and denied reconsideration on July 28, 2022.

On September 15, 2022 Petitioner filed a claim for the unrefunded fees and costs in the Michigan Court of Claims which became case COC No. 22-000153-MZ (court fees) assigned to Hon. **Brock A. Swartzle** with **Bryan W. Beach** representing Royster and the State of Michigan. A jury was demanded October 27, 2022 and the fee for such was submitted but was returned November 1, 2022 essentially on the grounds that U.S. Constitution Amendment VII did not apply in spite of the Federalist Papers No. 83 making very clear that juries were essential to preventing the corruption (whether by money or power) of the judiciary. The case

²⁰ [https://legislature.mi.gov/\(S\(iifjvmazhc2m405gsvb50ak\)\)/documents/mcl/pdf/mcl-chap1.pdf#page=51](https://legislature.mi.gov/(S(iifjvmazhc2m405gsvb50ak))/documents/mcl/pdf/mcl-chap1.pdf#page=51)

was dismissed without a jury January 20, 2023 essentially on the grounds that the unrefunded filing fee costs were a service fee of the State's case filing fee collection vendor. I.e., State was *not* at fault for charging for the filing in the first place!

Petitioner, still believing that honest, high integrity lawyers and judges must exist somewhere, "Justice" being the 17th word in the U.S. Constitution, and the expectation that actually reading the law in plain English and getting both arithmetic and logic correct were expected of courts, went to the trouble and expense of filing in the U.S. Supreme Court both the arithmetic and layoff cases as one given they came from the same MSU effort. This became SC No. 22-387²¹ (unemployment/arithmetic). Neither MSU, represented by **Elizabeth M. Watza**, nor the State of Michigan, represented by **Fadwa A. Hammoud**, chose to defend themselves seemingly having an understanding that States could do as they pleased without honoring the U.S. Constitution regarding correct arithmetic, valid logic, or understanding law in plain English. See Nov 19 2022 and Dec 01 2022. The basic issue being that Amendment IX guarantees Petitioner's (and MSU's and the State of Michigan's) rights to correct arithmetic, valid logic, and understanding law in plain English equally. The U.S. Supreme Court denied certiorari on January 9, 2023.

Of course on Feb 01 2023 Petitioner requested a reconsideration of U.S. Supreme Court 22-387 (unemployment/arithmetic) based on due process, Amendment IX, and a State being a party grounds and was again flatly denied even though the filing pointed out how Blackstone, the Michigan Judicial Institute's Appeals & Opinions Benchbook—Second Edition²², and Supreme Court precedent were all in Petitioner's favor re understanding law in plain English. And, of course, SCOTUS denied certiorari again on February 27, 2023 ignoring their responsibility as designated in the U.S. Constitution.

On February 9, 2023 Petitioner filed for reconsideration of COC No. 22-000153-MZ (court fees) noting particularly MCL 421.31 and again demanding a jury (but without submitting a fee for such). The reconsideration filing was REJECTED (Petitioner assumes due to an omitted Motion fee) then was resubmitted February 13, 2023 with the fee being under protest re the case's relationship to MCL 421. Swartzle again on March 16, 2023 denied both the claim and access to a jury.

On April 5, 2023 Petitioner filed a Claim of Appeal in the Michigan Court of Appeals and again demanded a jury re COC No. 22-000153-MZ. This filing became COA 365597 (court fees). **Cassandra Drysdale-Crown** represented the State of Michigan. A hearing was held 05/08/2024 in which the Plaintiff appeared²³ but there was no jury, only a judicial panel of **Kathleen Jansen, Christopher M.**

²¹ <https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/22-387.html>

²² <https://www.courts.michigan.gov/49a01f/siteassets/publications/benchbooks/appeals-opinions/appeals-opinions.pdf#page=50>

²³ This was the first time Petitioner got to appear in a courtroom in front of a judge and Plaintiff expressed his appreciation for that fact.

Murray, and Colleen A. O'Brian. The judges agreed that the case was a civil case but nonetheless on May 16, 2024 without a demanded Amendment VII jury affirmed the denial of Petitioner's request for completion of the refund and costs.

On 06/03/2024 Petitioner requested reconsideration of COA 365597 (court fees) and on 06/20/2024 the same judge panel denied reconsideration.

On 9/23/24 Petitioner filed in the U.S. Supreme Court a Motion for Leave to File Original Action Under Article III of the Constitution of the United States and Notice of Constitutional Question (court fees/VII violation) against the State of Michigan regarding their violation of U.S. Constitution Amendment VII re civil case juries. On October 11, 2024 a clerk of SCOTUS, Rashonda Garner for Scott S. Harris, returned the filing asserting Amendment XI and *Hans v. Louisiana* 134 U.S. 1 (1890) were reasons the Motion could not be accepted. On November 27, 2024 Plaintiff replied with clear documentation and reasoning that showed that Amendment XI did not cover Citizens of a State vs their State and that *Hans* was absolutely an Amendment X states rights case to control their own debt payment timing. On January 21, 2025 Garner again rejected the filing arguing illogically that "the original jurisdiction of this Court does not extend to a suit by an individual against the *United States*²⁴" and that statutes and court rules could override the U.S. Constitution. On February 6, 2025 Petitioner again returned the Motion to SCOTUS noting the U.S. Constitution is the Supreme Law of the Land and on February 14, 2025 Garner again returned the filing only noting as the reason that it was already in their January 21, 2025 response.

On March 6, 2025 Petitioner filed a Rule 22.1 and 3 appeal (court fees/VII violation mainly and by the way arithmetic, logic, plain English re Amendment IX) to the Sixth Circuit United States Court of Appeals Justice, Bret Kavanaugh, regarding Michigan violating Amendment VII, MCL 421.31 and Constitutional Amendment IX correct arithmetic, valid logic, and understanding law in plain English. That filing is over a year old without an answer though a Petitioner May 6, 2025 follow-up query did apparently elicit a clerk returning the original Motion filing documents on January 26, 2026 with no explanation other than an unsigned copy of the February 14, 2025 response letter.

From Petitioner's perspective it appears that most, if not all attorneys, involved in the cases, including judges, Justices, etc., were/are *NOT* working for "Justice" but were/are instead looking to make sure either lawyers or the Government won/win or to follow the easiest path for themselves. Petition can not help but wonder how much is similarly occurring with various cases across the USA.

²⁴ Emphasis added by Petitioner.