



CITY COUNCIL AGENDA ITEM

Date: May 26, 2011

To: Troy City Council Members

From: Lori Grigg Bluhm, City Attorney
Allan T. Motzny, Assistant City Attorney

Subject: M. Amelia (Neal) Jermano v City of Troy et. al.

Plaintiff M. Amelia (Neal) Jermano filed the attached lawsuit against the City of Troy Police Department, individual police officers, and a member of the Troy Civil Service Commission, who was improperly identified in the lawsuit as the Troy Police Commissioner. Several other individuals and entities have also been sued in either the first or the second amended complaint filed by Jermano, including the Oakland County Sheriff, Prosecutor, etc.. The Plaintiff is not represented by an attorney.

Her lawsuit includes 25 separate counts based on various legal theories. Her claims against the Troy defendants all relate to a valid arrest made on February 20, 2009 in the City of Troy. Plaintiff was arrested after the officers received verification that she had a felony warrant for her arrest from Oak Park. The arrest warrant was based on a charge of aggravated stalking. Essentially, Plaintiff's claims against Troy are based on an allegation the arrest was improper and that she was threatened and harassed by Troy Police officers. The case was filed in the United States District Court for the Eastern District of Michigan and assigned to Judge Avern Cohn.

In order to protect the interests of the Troy defendants, our office has already filed a motion to dismiss, since it needed to be filed within 21 days of the date of service. Although it may have been possible to obtain an extension of time to file the first responsive pleadings, this is much more difficult when there is a plaintiff representing herself. A proposed resolution authorizing our continued legal representation is provided for your consideration.

Law Suit – FYI

M. Amelia (Neal) Jermano.v City of Troy P.D., et. al

- Date Received: May 13, 2011
- Method of Delivery:
 - First Class Mail
 - Certified Mail
 - Personally Served
- Received by:
 - City Attorney
 - City Clerk
 - Mayor
- Signed for by:
- Copy of certified mail postcard attached to original
- Date Received by City Clerk: May 13, 2011
- Date Routed: May 19, 2011

City Attorney	X
City Manager	X
Risk Management	X
Police	X
City Clerk's Office - Original	X

- (11) Violation of 18 U.S.C. section 1512. (d)(2). Tampering with a victim
- (12) Violation of 18 U.S.C. section 1512. (d)(2). Retaliation against a victim
- (13) Malicious abuse of process
- (14) Michigan Stalking Law MCL 750.411(h),(i)
- (15) Michigan Assault Law MCL 750.81
- (16) Michigan Battery Law MCL 750.81d
- (17) Intentional Infliction of emotional distress
- (18) Negligent infliction of emotional distress
- (19) Legal Malpractice
- (20) Violation of 18 U.S.C. section 1001. False statements
- (21) Violation of 18 U.S.C. section 1505. Obstruction of proceedings
- (22) Violation of 18 U.S.C. section 1506. Theft or alteration of record or process
- (23) Violation of Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, 2009
- (24) Violation of Elliott-Larsen Civil Rights Act 4530 of 1976 (Mich. Civil Rights Act)
- (25) Malicious prosecution

This is a Civil Rights complaint for declaratory, injunctive and other appropriate relief brought by Plaintiff Jermano, M. Amelia (Neal) Jermano a United States citizen, appearing pro se. Plaintiff Jermano brings this complaint for violations of her individual and associational rights under the First, Fourth, Fifth, Sixth, Eighth, Ninth, and Fourteenth Amendments to the United States Constitution, in violation of 42 U.S.C. 1983, 1985, 1986 and 1988; Article 1, sections 2, 10, 11, 12, 13, 15, 16, 18 and 19 of the Michigan Constitution; Sections MCL 750.411(h),(i) (stalking/threatening), under the Michigan governmental tort liability statutes and under Michigan Common law for intentional and/or negligent infliction of emotional distress, conversion, loss of employment, negligence, negligent supervision, assault, battery, false arrest, false imprisonment, illegal search and seizure, obstruction of justice, malicious prosecution, perjury, and civil conspiracy.

The individual Defendants violated the Plaintiff Jermano's rights under the Constitution and laws of the United States of America while acting in the scope of their employment and under color of state law; officers made unlawful traffic stop, preformed unreasonable searches and seizure, oppressed, threatened and intimidated the Plaintiff Jermano. The Defendants conspired to institute, authorize, tolerate, ratify permit and acquiesce in policies, practices and customs of detentions and interrogations without probable cause, to harass the Plaintiff Jermano without reasonable, articulable suspicion of a crime. The individual

Defendant's provision of government law enforcement services were done with deliberate indifference, knowingly in violation of Plaintiff Jermano's legal and constitutional rights, without good faith. The Defendant's actions directly and proximately caused Plaintiff Jermano loss of employment, loss of personal property, severe mental pain and suffering and emotional anguish through the violation of public trust by their gross negligence, and reckless and callous indifference to the rights and safety of the Plaintiff Jermano. The Defendants deliberately acted in the face of perceived risks that would violate state and federal law all to the damage of the Plaintiff Jermano which constitutes a serious miscarriage of justice.

II. JURISDICTION AND VENUE

1. Jurisdiction of this court arises under 28 U.S.C. Sections 1331, 1345, 1337, 1343(a) and 1367(a); 42 U.S.C. Sections 1983, 1985, 1986, and 1988; and 18 U.S.C. 1961-1968.
2. Jurisdiction of this court for the pendent claims is authorized by F. R. Civ. P. 18(a) and arises under the doctrine of pendent jurisdiction as set forth in the United Mine Workers v. Gibbs, 383 U.S. 715 (1966).
3. The causes of action alleged herein arise from factual allegations occurring in the judicial district.
4. *On information and belief, it is alleged that each of the named Defendants resides in this judicial district.*
5. Plaintiff Jermano resides in the state of Michigan.
6. The amount in controversy in excess of \$75,000.00

III. PARTIES

A. Plaintiff Jermano

7. The Plaintiff Jermano M. Amelia (Neal) Jermano is a citizen and resident of Oakland County, Michigan, United States of America; and a resident of Michigan during all relevant times of this action.

B. Defendants

8. Defendant Officer Troy Taylor (A.K.A. Ginopolis), ID number 01145, is a citizen and resident of Oakland County, Michigan, United States of America; and a duly appointed police officer in the Oak Park Police Department, and a resident of Michigan at all times relevant to this Complaint. She is sued in her official and individual capacities.

9. Defendant Officer Rachel Meyers, ID number 01138, is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Oak Park Police Department and a resident of Michigan at all times relevant to this Complaint. She is sued in her official and individual capacities.

10. Defendant Officer Eric Zarfl, ID number 01189, is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Oak Park Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

11. Defendant Officer Michael Pinkerton, ID number 01120, is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Oak Park Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

12. Defendant Officer Anthony Carignan, ID number 01214, is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Oak Park Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

13. Defendant Officer Shawn Tetler, ID number 0137, is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Oak Park Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

14. Defendant Officer John Stanson, ID number 01193, is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Oak Park Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

15. Defendant John Doe 1- citizen and resident of Oakland County Michigan, United States of America; and resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacity.

16. Defendant Officer Keith Hermans, ID number 01219, is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Oak Park Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

17. Defendant Officer "SK", ID number 011609, is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Oak Park Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

18. Defendant Officer Jim Rourke, ID number 01091, is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Oak Park Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

19. Defendant Officer Chris Martinelli, ID number 01044, is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Oak Park Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

20. Defendant Officer Rob Wickham, ID number 01157, is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Oak Park Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

21. Defendant City of Oak Park Police Department is a Municipal Corporation, organized under the laws of the Commonwealth of Michigan. It is responsible for the policies, procedures, and practices implemented through its various agencies, agents, departments and employees, and for injury occasioned thereby. It was also the public employer of the aforementioned Defendants at all times relevant to this Complaint. They are sued in their individual and official capacities.

22. Defendant James Hock, Oak Park City Manager, is a citizen and resident of Oakland County Michigan, United States of America; a resident of Michigan at all times relevant, to this Complaint. He is sued in his official and individual capacities.

23. Defendant Detective Duncan - Royal Oak Police Department, is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

24. Defendant City of Royal Oak Police Department is a Municipal Corporation, organized under the laws of the Commonwealth of Michigan. It is responsible for the policies, procedures, and practices implemented through its various agencies, agents, departments and employees, and for injury

occasioned thereby. It was also the public employer of Detective Duncan at all times relevant to this Complaint. They are sued in their individual and official capacities.

25. Defendant Christopher Jahnke, Commissioner City of Royal Oak, is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant, to this Complaint. He is sued in his official and individual capacities.

26. Defendant Officer Scott La Mitza is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Troy Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

27. Defendant Officer Timothy Garcher is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Troy Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

28. Defendant Officer Edwin Julian is a citizen and resident of Oakland County Michigan, United States of America; and a duly appointed police officer in the Troy Police Department and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

29. Defendant City of Troy Police Department is a Municipal Corporation, organized under the laws of the Commonwealth of Michigan. It is responsible for the policies, procedures, and practices implemented through its various agencies, agents, departments and employees, and for injury occasioned thereby. It was also the public employer of Defendants Officer La Mitza, Officer Garcher and Officer Julian, at all times relevant to this Complaint. They are sued in their individual and official capacities.

30. Defendant David Cannon - Police Commissioner Troy is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant, to this Complaint. He is sued in his official and individual capacities.

31. Defendant Jessica R. Cooper - Oakland County Prosecutor is a citizen and resident of Oakland County, Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. She is sued in her official and individual capacities.

32. Defendant Joanne Pray - Assistant Oakland County Prosecutor is a citizen and resident of Oakland County, Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. She is sued in her official and individual capacities.

33. Defendant Oakland County Jail is a Municipal Corporation, organized under the laws of the Commonwealth of Michigan. It is responsible for the policies, procedures, and practices implemented through its various agencies, agents, departments and employees, and for injury occasioned thereby. It

was also the public employer of Defendant Sheriff Michael Bouchard, and other as yet unnamed Defendants John Doe's 1- 2 (jail deputies) at all times relevant to this Complaint.

34. Defendant Michael Bouchard - Oakland County Sheriff is a citizen and resident of Oakland County, Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

35. Defendant Common Ground Sanctuary is a Municipal Corporation, organized under the laws of the Commonwealth of Michigan. It is responsible for the policies, procedures, and practices implemented through its various agencies, agents, departments and employees, and for injury occasioned thereby. It was also the public employer of Defendant Storm (NLN), Defendant Shawn Force and Defendant Melissa Felice, at all times relevant to this Complaint. They are sued in their individual and official capacities.

36. Defendant Shawn Force - Crisis Line Coordinator at Common Ground Sanctuary is a citizen and resident of Oakland County Michigan, United States of America, and a resident of Michigan at all times relevant to this Complaint. She is sued in her official and individual capacities.

37. Defendant Melissa Felice - Crisis Line Operator at Common Ground Sanctuary is a citizen and resident of Oakland County Michigan, United States of America, and a resident of Michigan at all times relevant to this Complaint. She is sued in her official and individual capacities.

38. Defendant YWCA Interim House is a Municipal Corporation, organized under the laws of the Commonwealth of Michigan. It is responsible for the policies, procedures, and practices implemented through its various agencies, agents, departments and employees, and for injury occasioned thereby. It was also the public employer of Defendant Magner, Defendant Mc Cormick, Defendant Jones-Karim and Defendant France, at all times relevant to this Complaint. They are sued in their individual and official capacities.

39. Defendant Anna Kellog Magner Volunteer Sexual Assault/Domestic Abuse Counselor of YWCA Interim House - is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. She is sued in her official and individual capacities.

40. Defendant Pamela Mc Cormick - co-worker of Defendant Magner at the YWCA Interim House is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. She is sued in her official and individual capacities.

41. Defendant Sandra Jones-Karim - Supervisor at YWCA Interim House is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. She is sued in her official and individual capacities.

42. Defendant Curtis France - Managing Supervisor of the YWCA Interim House is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. She is sued in her official and individual capacities.

43. Defendant Danielle Krauthofer- a sales clerk at 1-800-FLOWERS Flowers is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. She is sued in her official and individual capacities.

44. Defendant John Doe - owner of 1-800-FLOWERS Flowers, in Royal Oak is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

45. Defendant Julie Growe is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. She is sued in her individual capacity.

46. Defendant Kevin D'Angelo- boyfriend/husband of Magner/ acting process server of PPO, is a citizen and resident of Michigan; and a resident of Michigan, United States of America at all times relevant to this Complaint. He is sued in his official and individual capacities.

47. Defendant Martin Krohner - first assigned defense counsel is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities

48. Defendant Dean Elden – only assigned defense counsel for PPO is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

49. Defendant Michael McCarthy - second assigned defense counsel is a citizen and resident of Oakland County Michigan, United States of America; and a resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacities.

50. Defendant John Doe 2- citizen and resident of Oakland County Michigan, United States of America; and resident of Michigan at all times relevant to this Complaint. He is sued in his official and individual capacity.

51. Plaintiff Jermano sues all public employees in their official and individual capacities.

IV. FACTS:

----- (HIGHLIGHTS *) -----

52. On February 20, 2009 the Plaintiff Jermano was arrested on charges of: misdemeanor ex-parte PPO violation and felony aggravated stalking charges. [Exh. 6]

53. On June 10, 2010 the PPO charge was dismissed.¹ [Exh. 9]

54. On October 5, 2010 the stalking charge was dismissed. [Exh. 10]

55. Plaintiff Jermano was held on a combined bail of \$600,000.00 [Six-Hundred Thousand Dollars]:

a) Magistrate Sheldon Larkey ordered \$500,000 bail on the stalking charge.

b) Retired visiting Judge Fred Mester ordered \$100,000 "CASH-ONLY" bail on the PPO.

56. On February 25, 2009 Plaintiff Jermano was arraigned on stalking charge: [5] days after arrest. [Exh. 7]

57. On March 06, 2009 the Plaintiff Jermano was arraigned on the PPO charge: [13] days after arrest. [Exh. 8]

58. As of March 20, 2009 the warrant issued for Plaintiff Jermano's arrest was NOT signed by the prosecutor or a Judge. [Exh. 12-A, p. 2]

59. The Warrant issued and executed for the stalking arrest of the Plaintiff Jermano was not signed upon return as required by law, pursuant to MCR 6.102(A),(B),(C)(4),(E), and MCR 6.104(A), MCR 6.006(A). [Exh. 13, p. 2]

60. By November 16, 2009 a copy of the warrant obtained from the County Clerk's Office was signed by the prosecutor and a judge. [Exh. 12-B, p. 2, & Exh. 25, p.2]

¹ Before the dismissal of the PPO violation charge, two John Doe Officers re-served the same PPO that had been allegedly violated, as the "1st Amended PPO". The only amended changes to the PPO were the inclusion of the Complainant's name; "Anna Magner" as an "alias" of the Plaintiff Jermano.

61. Plaintiff Jermano was gainfully employed as an AT& T U-Verse Communications Specialist before her arrest.

62. Plaintiff Jermano met Defendant Growe in August 2008, when she sold Growe a subscription to AT&T U-Verse and discovering they were both "animal lovers", became friends.

63. Plaintiff Jermano moved into Defendant Growe's house for 3 weeks, starting on December 24, 2008, as emergency measure after acquiring puppies that were not allowed by management at her apartment.

64. Plaintiff Jermano was alleged to have violated an ex-parte PPO by sending a Valentine's Day delivery of 9-dozen roses and a teddy bear to her ex-counselor [a female] Defendant Magner, who lived down the street from Defendant Growe.

65. Plaintiff Jermano was alleged to have been served the ex-parte PPO by Defendant Magner's live-in boyfriend, Defendant D'Angelo on January 21, 2009.

66. Defendant D'Angelo falsely alleged to have served an ex-parte PPO notice on the Plaintiff Jermano on January 21, 2009 at 8:15pm.

67. Plaintiff Jermano had moved-out of residence where Defendant D'Angelo alleged to have served it, 2 days prior, on January 19, 2009.

68. Defendants Officer Troy Taylor (A.K.A. Ginopolis) and Officer Rachel Meyers duly appointed police officers in the Oak Park Police Department participated in a [chain-link] conspiracy motivated in part by homophobic prejudice, to maliciously prosecute the Plaintiff Jermano. [Exh. 1 p. 1-2]

69. Defendants Officer Taylor (A.K.A. Ginopolis) and Officer Meyers composed Criminal Complaint #09-3090 (one in a series of unsubstantiated criminal reports) with information that they knew to be false when they created it, to wit,

- a) Officers reported that Defendant Magner had alleged that Plaintiff Jermano made an excessive amount of phone calls to harass Defendant Magner, yet officers had no verifiable proof (phone records) to substantiate the criminal actions claimed.
- b) Defendants Officer Taylor (A.K.A. Ginopolis) and Officer Meyers reported that an ex-parte PPO Magner had issued against the Plaintiff Jermano had been violated, when they in fact knew that the PPO was confirmed as Non-Served. [Exh. 2]

- c) Officer Taylor (a.k.a. Ginopolis) assisted Defendant D'Angelo in notarizing a Proof of Service document for the PPO she knew had NOT been served. [Exh. 3]
- d) Officer Taylor (a.k.a. Ginopolis) had 1-800-FLOWERS shop receipts that confirmed NO delivery was made on February 14, 2009 as alleged in the PPO violation crime report and knew that NO PPO was ever served on the Plaintiff Jermano, as was alleged by Defendant Magner. [Exh. 4]
- e) Defendants Officer Zarfl and Defendant Officer Pinkerton created a crime report on February 14, 2009 stating that they had observed the Plaintiff Jermano's Valentine's Day delivery of roses and a teddy bear lying outside near the curb of Defendant Magner's house when in fact flower shop receipts showed the delivery was not made until February 15, 2009.
- f) The false statements made by Defendants Officer Zarfl and Defendant Officer Pinkerton reveal their participation as chain-link conspirators in a scheme to maliciously prosecute the Plaintiff Jermano by falsely alleging a non-existent flower delivery caused a PPO violation. [Exh. 5]

70 X-REF-HIGHLIGHTS: On 20 February 2009 the Plaintiff Jermano was arrested on charge of a misdemeanor ex-parte PPO violation and felony aggravated stalking charges. [Exh. 6]

71 X-REF-HIGHLIGHTS: On 25 February 2009 the Plaintiff Jermano was arraigned on the aggravated stalking charge.

72. Arraignment was held FIVE days after arrest at Oak Park 45B District Court by Magistrate; no attorney present. There was no legal reason for the delay or reason why the Plaintiff Jermano was not arraigned by video arraignment, in accordance with timely arraignment guidelines. [Exh. 7]

73 X-REF-HIGHLIGHTS: Plaintiff Jermano was ordered \$500,000 bail for the stalking charge by Magistrate Sheldon Larkey.

74. Magistrate called Plaintiff Jermano "**Worse than a murderer!**" for her sending 9-dozen long-stemmed red roses and a 4.5' teddy bear to a woman for Valentine's Day.

75 X-REF-HIGHLIGHTS: On 06 March 2009 the Plaintiff Jermano was arraigned on the PPO charge [13] days after her arrest. [Exh. 8]

76 X-REF-HIGHLIGHTS: Plaintiff Jermano was ordered \$100,000 "CASH-ONLY" bail for the PPO charge by retired visiting Judge Fred Mester.

77. Defendant Attorney Elden was present to stand-in at PPO arraignment on March 06, 2009.

78. Judge Mester was the third judge to be assigned to the Plaintiff Jernano's PPO violation case, contrary to procedural requirements governing PPO cases [ref.: MCR 3.703D(1)(a)] which states a PPO case should be assigned to the same judge who issued it, if there are subsequent proceedings.

~~79. X-REF-HIGHLIGHTS: Plaintiff Jernano was held on a combined bail of \$600,000.00 (Six Hundred Thousand Dollars) for over 4.5 months.~~

~~80. X-REF-HIGHLIGHTS: By June 10, 2010 the PPO violation charge was dismissed in a 4.5 month delayed show cause hearing held at the 6th Judicial Circuit Court-Family Division 1 [Exh. 9]~~

~~81. X-REF-HIGHLIGHTS: On 05 October 2010 the stalking charge was dismissed by the 45B District Court. [Exh. 10]~~

82. Plaintiff Jernano was held 228 days in the Oakland County Jail as a result of excessive bail ordered on the false charges alleged by Defendants Magner, D'Angelo and Common Ground representatives – Defendants Force and Felice and supporting accusations from YWCA Interim House Defendant Mc Cormick and fabricated police reports compiled by Oak Park Police Defendants. [Exh. 11]

~~83. X-REF-HIGHLIGHTS: The warrant that was issued for the stalking arrest of the Plaintiff Jernano, from Oak Park Police Department dated February 20, 2009 was NOT signed by the Assistant Prosecutor or a Judge. [Exh. 12, A, p. 2]~~

~~84. X-REF-HIGHLIGHTS: The Warrant issued and executed for the stalking arrest of the Plaintiff Jernano was not signed upon return as required by law, pursuant to MCR 5.102(A), (B), (C), (4), (E), and MCR 6.104(A), MCR 6.006(A) [Exh. 13, p. 2]~~

~~85. X-REF-HIGHLIGHTS: As of November 18, 2009 a copy of the felony warrant retrieved from the County Clerk's Office was now signed by the Prosecutor and a judge. [Exh. 13-B, p. 2; & Exh. 25, p. 2]~~

86. On February 20, 2009 at 6:27PM Plaintiff Jernano departed from Hazel Park, MI by way of I-75 expressway, to attend Jewish Synagogue services in Troy, Michigan.

87. Upon leaving Plaintiff Jernano noticed she was being followed. Defendant D'Angelo is believed to have been following /stalking the Plaintiff Jernano.

88. Defendant D'Angelo had previously made threatening phone calls to the Plaintiff Jernano, days earlier: threatening to have her arrested for alleged PPO violation.

89. Immediately upon exiting the I-75, although Plaintiff Jernano was not speeding and had not violated any traffic laws, Plaintiff Jernano was signaled to pull out of traffic by the police.

90. After stopping, Plaintiff Jermano called landlord / friend Dixon at 6:47PM to inform him the police had stopped her. [Exh. 15]

91. At about 6:49PM Defendant Officer La Mitza approached and asked Plaintiff Jermano for her driving documentation while another officer approached the car as a third police car approached.

92. When Defendant Officer La Mitza returned with Plaintiff Jermano's documentation, he told Plaintiff Jermano she was under arrest. [Exh. 16]

93. When asked what she was being arrested for Defendant Officer La Mitza mockingly replied;

"You like flowers, don't you?"

94. Plaintiff Jermano immediately requested the representation of an attorney.

95. When asked again what she was being arrested for, the officer informed her she was a stalker and had violated an ex-parte PPO.

96. During the arrest the assisting Officers began to search the Plaintiff Jermano's car. One Officer rummaged through the car and opened the locked trunk from a locked glove compartment while the other Officer began searching through bags in the front seat and the trunk, containing folders of the Plaintiff Jermano's sales reports and other work documents.

97. When the Plaintiff Jermano asked the officers what they were looking for and if they had a warrant, Defendant Officer La Mitza replied, ***"You'll find out when you get to the station"***.

98. Defendant Officer La Mitza then handcuffed the Plaintiff Jermano and did a pat-down search while the other officers continued rummaging through the contents of the Plaintiff Jermano's car.

99. The arresting Defendant Officers then put Plaintiff Jermano in the patrol car and took went on a 15+minute "joy ride" before finally entering the Troy Police station which was only a 3 minute drive from the place where Plaintiff Jermano had been stopped / arrested.

100. Plaintiff Jermano again asked the officers to show her the warrants for her arrest and search and to inform her about how she had violated a PPO that she never knew existed, but was ignored.

101. Plaintiff Jermano's requests to see any warrants or get information were met with homophobic mockery only.

102. Troy police station officers harassed Plaintiff Jermano, mocking her about "liking roses" and being "a stalker," and threaten her with *electrical shock treatment* stating;

"You'll be stripped naked, handcuffed" and sit on a chair with a dunce cap on if you don't cooperate!"

103. Troy Police officers performed illegal investigatory stop and executed an illegal search and seizure of the Plaintiff Jermano's vehicle.

104. Around March 5, 2009 Plaintiff Jermano met with Defendant Krohner and discovered a dozen police reports created over nine months which had no supporting evidence or witnesses. Defendants Officer Taylor (A.K.A. Ginopolis), Officer Meyers, Officer Zarfl, Officer Pinkerton prepared the last of the fictitious reports that instigated criminal proceedings.

105. Arrest report by Defendant Officer La Mitza's statements defy facts and logic of circumstance, to wit,

- (1) Defendant Officer La Mitza states the Plaintiff Jermano's car was in front of his car and he could identify the subject driving the vehicle;
- (2) YET the Plaintiff Jermano remained in front of the patrol car, making the ID of a driver impossible;
- (3) Defendant Officer La Mitza states he noticed an object hanging from the rearview mirror;
- (4) YET the "object hanging" was fastened to the rearview mirror as an adjustment lever, the size of a car key, and was not visible unless viewer was sitting in the driver's seat;
- (5) Defendant Officer La Mitza states the adjoining officers were "in the area to assist with the stop";
- (6) YET the assisting officers were already travelling with Officer La Mitza , in ambush-formation;
- (7) Defendant Officer La Mitza states he picked up the Plaintiff Jermano on "her valid felony warrant";
- (8) YET when asked to show the warrant, he refused;

106. Defendant Officer La Mitza's arrest report states the Plaintiff Jermano was arrested at 7:00PM and he was "cleared" at 7:16PM, yet phone records show four (4) phone calls were made between 6:58 to 7:04PM proving Defendant Officer La Mitza's statements false.

107. Plaintiff Jermano later discovered Troy Police Department impounded her car to Coleman's Auto, and after holding it for 5.5 months, sold it to a scrap dealer who destroyed the car and Plaintiff Jermano's personal property that Defendant Troy Police had left inside; contrary to rules and procedures.

108. Plaintiff Jermano's personal property, in the car and evidence of alibi for locations and work accountability were destroyed as a result, contrary to policy, procedure and law. [Exh. 17]

109. The arresting Troy Police Officers took Plaintiff Jermano on a 15 minute "joy ride" before going to the police station which was only a 3 minute drive from the arrest stop, while Plaintiff Jermano called Dixon to pick-up her car. Plaintiff Jermano's phone records show (4) calls were placed to Dixon. [Exh. 18]

110. Troy PD Arrest Report shows homophobic prejudice in entry of physical description of Plaintiff Jermano as:

"Clean Shaven". [Exh. 19]

111. A comparison of Police reports made by Oak Park PD show no obvious sexual-orientation bias recorded in initial reports; but in reports after the Valentine's Day delivery their homophobic bias is evident. After the bogus Valentine's Day report, entries for the physical description began reading,

"Clean Shaven." [Exh. 20 & Exh. 21]

112. The Plaintiff Jermano was later transported to Oak Park lock-up until, February 21, 2009. The Plaintiff Jermano was offered a sugar roll for breakfast but no lunch or dinner before being transported to the Oakland County Jail.

113. On 21 February 2009 at about 5:00PM the Plaintiff Jermano was transported to the Oakland County Jail.

114. The Plaintiff Jermano was placed in a small cold dirty over-crowded cell with three other inmates and given a cracked dirty mat, to sleep on the floor with, until being classified.

115. On February 22, 2009 the Plaintiff Jermano was classified into MAXIMUM SECURITY, under pretense of "Special Override Clearance" and housed with the most violent felons in the jail, although there was no legitimate reason to classify Plaintiff Jermano in "MAX". [Exh. 22]

116. The 1st week the Plaintiff Jermano was housed with a criminally and violently insane inmate who viciously attacked a deputy while Plaintiff Jermano was being arraigned (5 days after her arrest). The deputy was so bloodily beaten that she was hospitalized for over a month and off work for several months.

117. In the course of the **TWO-HUNDRED AND TWENTY-EIGHT DAYS (228)** duration of illegitimate incarceration, the Plaintiff Jermano was locked-up -with the most violent female felons in the Oakland County Jail, many of whom had lifetime histories of violence and mental instability and threatened Plaintiff Jermano's life.

118. When the jail was over-crowded Defendant Sheriff Bouchard consistently released the violent, mentally unstable, repeat offenders and kept Plaintiff Jermano incarcerated with the most hostile, violent felons.

119. "Special Override Clearance" for Plaintiff Jermano's classification into MAX security was attributed to a faxed report from Common Ground Sanctuary that falsely alleged Plaintiff Jermano was violent and that she threatened to kill her counselor – a statement that was later redacted in the same document and deemed non-credible by two police departments. [Exh. 23]

120. Judge Mester and Defendant Sheriff Bouchard would be discovered to be active members on the Advisory Board of Directors of Common Ground Sanctuary, a key complaining party in the case. [Exh. 24]

121. Judge Mester should have recused himself from presiding over Plaintiff Jermano's case, but did not.

122. Defendant Sheriff Bouchard prejudiced the Plaintiff Jermano by discriminatory over-ride in classification of Plaintiff Jermano to be held in MAX security for 4.5 months while the jail was experiencing over-crowding.

123. The Oakland County Summary Record - Case Number 2009-225771-FH, referencing the stalking charge, shows anomalies in court activity on the Plaintiff Jermano's case. Entries in the Court Summary are clumped together at points covering-up omissions of factual references to specific dates of when court rules, policies and procedures were not followed and/or which are missing, to wit, [Exh. 25, pp.1 & 2]

(a) There is NO reference to the Plaintiff Jermano's arrest by Troy PD on 20 February 2009; only a vague reference to the arresting agency, Oak Park Police Department with dates "3/19/2009" but NOT the ACTUAL arrest date of 2/20/2009.

(b) There is NO reference to the Plaintiff Jermano being booked into the Oakland County Jail on 21 February 2009.

(c) There is NO reference to initial Order for a court appointed attorney for the felony stalking Charge, yet a Court Counsel Assignment Document shows retired attorney Defendant Krohner was assigned to the Plaintiff Jermano by Circuit Court Judge Daniel Patrick O'Brien on 25 February 2009, the same date that the arraignment was finally held. [Exh. 26]

(d) The Counsel Assignment Document shows Judge O'Brien was already assigned to the felony stalking case even though it could NOT had been predicted that the Plaintiff Jermano's stalking case would had been bound-over into Circuit Court.

(e) The Counsel Assignment document shows a fax imprint in upper left-hand corner, reading: "02/22/2003 10:59" and in the far right corner, "NO. 486 P01" and is partially overwritten by another fax imprint reading: "02/24/09. 09:54:04 26183". These conflicting fax imprints show tampering with Plaintiff Jermamo's criminal court documents; and reflect obstruction of justice.

(f) There is NO reference to the date/ time of Plaintiff Jermamo's Arraignment in 45/B District Court held on 25 February 2009 and the unconstitutional / excessive \$500,000 bail ordered at that time.

(g) There is NO reference to a Writ of Habeas Corpus submitted by the Plaintiff Jermamo, challenging her illegal detention, yet a letter from Circuit Court on 06/18/2009 from Chief Justice Wendy Pott's office acknowledged the Writ was received and passed-onto Judge O'Brien. [Exh. 27]

(h) A "VOP" (Violation of Probation) hearing was scheduled then canceled; in reference to the 41A District Court misdemeanor conviction that the Plaintiff Jermamo was appealing and had only received transcripts for weeks before her arrest.

124. A VOP hearing would have exposed a systematic pattern of denial of due process, and reveal a link between the two courts showing Fraud-on-the-Court by means of a Chain-Link Conspiracy. Incidents of deviation from procedure and denial of due process in the 41A District Court mirror almost identical deviation from procedure and denial of due process in the 45B District Court, to wit,

(a) At the time of Plaintiff Jermamo's arrest On 20 February 2009 the Plaintiff Jermamo had acquired transcripts and had submitted them for appeal of the September 2008 (misdemeanor) conviction in the 41A District Court (in Shelby Twp.) [Exh.28]

(b) On 27 March 2007 the Plaintiff Jermamo was subject to a warrantless felony arrest on the grounds she could not show adequate government issued identification to the Macomb County detective who came to her house to interview her about a diner event that was canceled due to lack of public interest. [Exh.29]

(c) Six patrol cars reported to the Plaintiff Jermamo's residence before the Macomb County detective made spontaneous, warrantless felony arrest of both the Plaintiff Jermamo and her daughter.

(d) A search without a warrant was done of Plaintiff Jermamo's property immediately after making the Warrantless felony arrest, consistent with unconstitutional denial of due process. [Exh. 30]

(e) On 2 April 2007 the Plaintiff Jermano was arraigned before a Magistrate, four (4) days after her arrest, with no legal or reasonable cause for the delay, which resulted in \$300,000 loss of Plaintiff Jermano's personal property, which resulted from an eviction (strategically-delayed) executed immediately after the Plaintiff Jermano's baseless, warrantless felony arrest. [Exh.31]

(f) Plaintiff Jermano's Bail for 41A District Court case was also excessive at "\$100,000/ Cash-Only".

(g) Plaintiff Jermano's Judges in 41A District Court case were NOT impartial; they had presided over two landlord/tenant grievances and two groundless employee lawsuits only weeks prior.

(h) Plaintiff Jermano's Assigned counsel failed to challenge obvious violations of denial of Due Process, and Constitutional Rights violations and insisted only on Plaintiff Jermano, "taking a plea".

(i) Plaintiff Jermano was unconstitutionally detained in jail (40 days) and sustained loss of her web design company; \$300,000 in personal property; made homeless and discredited in community.

(j) Plaintiff Jermano was the target of a stalker – an accuser who was one of the complainants in the case.

125. Plaintiff Jermano reported civil rights violations and evidence of fraud to Oakland County Prosecutor through Defendant Krohner in a letter dated May 6, 2009, citing evidence of contradictory statements of Defendants Magner and D'Angelo which proved no PPO was ever served on the Plaintiff Jermano and received no response as to corrective action. [Exh.32]

126. Plaintiff Jermano reported civil rights violations court to Governor Jennifer Grandholm in June 2009 and received response that just gave referrals to other grievance agencies. [Exh.33]

127. Plaintiff Jermano reported civil rights violations to the FBI Headquarters in downtown Metro Detroit in January 2010. After a 2.5 hour meeting with an FBI agent, Plaintiff Jermano was informed someone would get back to her. No one did, and all follow-up attempts were to no avail.

128. Plaintiff Jermano reported civil rights violations to the American Civil Liberties Union in February 2010, to no avail. [Exh.34]

129. The reports began with fraudulent reports of grounds for counselor's termination of Plaintiff Jermano, including fabricated names created by Defendant Magner of the Plaintiff Jermano and conclude

with falsified reports of PPO service and false report of its violation. **An index of comparisons of the Oak Park Police Reports shows consistent irregularities and contradictions in Defendant Magner's statements. [Exh.35]**

130. **Defendants Common Ground, Shawn Force and Melissa Felice** supported the fictitious criminal claims alleged by Defendant Magner in aforementioned report through invasion of privacy of Plaintiff Jermano as a confidential caller. In addition to presenting the Plaintiff Jermano in false light by maligning Plaintiff Jermano's good character and maliciously making false assertions, Defendant Shawn Force personally accompanied Defendant Magner to two police stations in attempt to instigate an arrest of the Plaintiff Jermano.

131. Plaintiff Jermano was the victim of about a dozen fabricated police reports made-up of fictitious narratives from Defendants Magner and the Oak Park Police, to wit:

132. Defendant **Officers Wickham and Bergman** create a first in a series of contradictory and unsubstantiated Oak Park PD "reports" [Ref Rpt. #08-3315.1 – June 02, 2009]: to wit,

- (a) Defendant Magner provides no tangible evidence to substantiate the "phone call harassment" or "stalking" claims she made;
- (b) Defendant Magner provides police with a falsified name of the Plaintiff Jermano for this Crime Report;
- (c) Defendant Officers Wickham and Bergman have address and driver's license contact information for the "#1 Suspect" in this CRIME report yet, deliberately did NOT make any contact with their "#1 Criminal Suspect".

133. Defendant **Officers Barker and Martinelli** create the second in a series of contradictory and unsubstantiated Oak Park PD "reports" [Ref Rpt. #08-4190.1 – July 22, 2009]: to wit,

- (a) Defendant Magner is accompanied by Defendant Common Ground representative, Shawn Force to make a hearsay claim of a "life-threat" by an Anonymous & Confidential crisis line caller which Common Ground alleged to have been Plaintiff Jermano;
- (b) Defendant Magner gives no tangible evidence to the criminal claims she reports;
- (c) Defendant Magner merges two falsely created names of the Plaintiff Jermano as the #1 Suspect;
- (d) Officers Barker and Martinelli report no successful contact with "suspect" yet Plaintiff Jermano's phone records prove police DID make successful contact;

- (e) Plaintiff Jermamo was informed that the case matter was deemed "non-credible" and "case closed";
- (f) Police officer who made follow-up call asserted that the reported incident sounded like a "lesbian-lover's spat" and that the information they provided was Not Credible.
- (g) Defendants Officers Barker and Martinelli refused or neglect to charge Defendants Force for breach of confidentiality of a caller, in violation of The Michigan Consumer Protection Act - MCL 45.61 – which protects a broad range of personal identifying information and includes the fraudulent use or attempted use of personal identifying information of another person for the purposes of committing an illegal act.
- (h) Plaintiff Jermamo purchased a copy of the crime report the next day and was told,
"Case Closed."

134. Defendant **Officers Hermans and mystery officer "SK"** create the third in a series of contradictory and unsubstantiated Oak Park PD "reports" [Ref CFS Rpt. #08-10967 – August 07, 2009] to wit,

- (a) Officers take report from Defendant Magner who gave no evidence to support her claims.
- (b) Defendant **Officers Hermans and mystery officer "SK"** report states their #1 Suspect has the SAME name and telephone number as in the previous report – which was picked-up at the police station by the Plaintiff Jermamo, the day before, yet no contact is made.

135. Defendant **Officers Myers and Rourke** create the fourth in a series of contradictory and unsubstantiated "reports" [Ref Rpt. #08-5612.1 – October 01, 2009] to wit,

- (a) The report states police informed Defendant Magner, a volunteer social worker who is falsely identifying herself as a "therapist", of the procedures for obtaining a PPO, although she routinely provides this exact same information in her job to clients as an abuse counselor.
- (b) Defendant Officers Myers and Rourke report to have driver's license and phone number of "criminal suspect" in what is the fourth report made by (alleged victim) Defendant Magner in four months yet ironically, police make NO follow-up on "Criminal Suspect #1", with the information they have.

136. Defendant **Officers Hermans and Officer "SK"** create the fifth in a series of contradictory and unsubstantiated Oak Park PD "reports" [Ref CFS Rpt. #09-0684 – January 16, 2009], to wit,

- (a) Incident is reported by Julie Growe who gave no evidence to substantiate her claims.

(b) This report cites Plaintiff Jermano's name as "Neal" although Defendant Growe knew Plaintiff Jermano by her mother's maiden name, "Jermano", which Plaintiff Jermano legally went by and was registered to work as a Communications Specialist and sold Grow AT&T U-Verse services under.

(c) Officers note Defendant Growe's '91 Blue Dodge parked in the driveway.

137. Defendant Officers Stanson and Officer "SK" create the sixth in a series of contradictory and unsubstantiated Oak Park PD "reports" [Ref CFS Rpt. #09-0867- January 20, 2009], to wit,

(a) Defendant Magner reported she noticed a "Blue Dodge" drive by her home which she thought belonged to her alleged stalker.

(b) The follow-up by officer shows the "Blue Dodge Chrysler" is parked in Defendant Growe's driveway and is registered to Growe.

(c) Officer does not investigate any further with owner of the Blue Dodge, but instead officer enters notes that implicate the Plaintiff Jermano as the stalker suspect involved.

(d) Case Report [Ref Rpt. #09-0390- January 25, 2009] sheds light on motives, to wit,

(1) Defendant Magner was informed on January 20, 2009 that Defendant Julie Growe" had reported to the Oak Park Police Officer Taylor (A.K.A. Ginopolis) that the Plaintiff Jermano was allegedly stalking Magner.

(2) Plaintiff Jermano had moved-out of Defendant Growe's house, on January 19, 2009 after being assaulted by Defendant Growe on January 10, 2009, in an unprovoked attack.

(3) Defendant Growe was fearful that Plaintiff Jermano was going to file criminal charges against her for the assault after she moved out of Growe's house

(4) Defendant Grow also held Plaintiff Jermano hostage in-her-house for 3 days: from January 10-13, 2009.

(5) Defendant Growe made a phone call confession to and expressed her apprehension about Plaintiff Jermano pressing criminal charges against her the next day to Plaintiff Jermano's friend.

138. Defendant **Officers Carignan, Teller, Matthew and Taylor** (A.K.A. Ginopolis) create the seventh in a series of contradictory and unsubstantiated Oak Park PD "reports" [Ref Rpt. #08-5612.2], by reporting, to wit:

- (a) The report of the PPO service by Defendant D'Angelo (boyfriend of Defendant Magner) took place on January 21, 2009 -- YET-- the date reads "October 1, 2008";
- (b) The report lists three officers as being involved; when the report reveals that the fourth: Defendant Taylor (A.K.A. Ginopolis) was part of the Follow-Up Investigation on the falsified PPO service report, and was personally present when it was determined that the PPO was NOT served;
- (c) The report reveals cooperative conspiracy between Defendants Magner and D'Angelo and Oak Park Police by the act of the police officers refusing or neglecting to prevent or sanction the Defendants Magner and D'Angelo for making a false claim against the Plaintiff Jermano;
- (d) After refusing or neglecting to enforce legal action against the defendants for the false report of PPO service, Officer Taylor (A.K.A. Ginopolis) and Oak Park Police Department cooperated in notarizing what they knew to be a NON-SERVED PPO Proof of Service legal document presented by Defendants Magner and D'Angelo.
- (e) The report reveals deliberate intention of Defendant Officer Taylor (A.K.A. Ginopolis) to defraud the Plaintiff Jermano and cooperate in a conspiracy [Ref Rpt. #09-732.2]:
 - (1) Defendant Officer Taylor (A.K.A. Ginopolis) reports Defendant Magner successfully served the PPO on the Plaintiff Jermano on 1/21/09 when in fact, Defendant Officer Taylor (A.K.A. Ginopolis) was personally present at the follow-up investigation and KNEW the PPO was NOT successfully served.
 - (2) Defendant Officer Taylor (A.K.A. Ginopolis) assisted in the chain link conspiracy to maliciously prosecute the Plaintiff Jermano when she assisted Defendant D'Angelo in preparing a falsified affidavit of his alleged Proof of PPO Service of the night of 1/21/09. The affidavit was written on 5/11/0: four and a half months AFTER the alleged act of the falsely claimed PPO service, (contrary to court rules and procedures for the filing of proof of PPO service).

(3) Defendant Officer Taylor (A.K.A. Ginopolis) perpetuated fictitious claims in Case Report [Ref Rpt. #09-0390 - dated 1/25/09] in order to further approval of a fraudulent felony stalking charge against the Plaintiff Jermano.

(4) Officer sites report [Ref Rpt. #08-5612.2] which substantiates the fact that Plaintiff Jermano had moved-out of Defendant Growe's house on 1/19/09 and was not at the residence at the time that Defendants Magner and D'Angelo falsely alleged that they had served the Plaintiff Jermano at with a PPO.

139. Defendant Officers Zarfl and Pinkerton create the eighth in a series of contradictory and unsubstantiated Oak Park PD "reports" [Ref Rpt. #09-732.1 – February 14, 2009], to wit,

- (a) The "PPO Violation Report" shows these Oak Park police officers participating in the chain-link conspiracy by creation of a fictitious crime report in which they state they saw 9-dozen long-stemmed roses and the 4.5' teddy bear thrown to the curb at Defendant Magner's house;
- (b) Flower shop receipts collected by their co-worker Defendant Officer Taylor (A.K.A. Ginopolis) show / prove the flowers were NOT delivered until February 15th 2009;
- (c) The aforementioned Defendant Officers were deliberately LYING in order to pursue a case of malicious prosecution against the Plaintiff Jermano because Plaintiff Jermano was perceived to be "GAY" on Valentine's Day;
- (d) Defendant Magner perpetuated the fraud by presenting a copy of the (known non-served) PPO to police, alleging it was violated by the delivery of an (obviously NON-delivered) Valentine's Day order of roses, etc. from the Plaintiff Jermano.

140. Defendant Officer Taylor (A.K.A. Ginopolis) creates the ninth in a series of contradictory and unsubstantiated Oak Park PD "reports" [Ref Rpt. #09-732.2 – on February 16, 2009 –dated February 14, 2009], to wit,

- (a) Royal Oak Police Detective Duncan reportedly accompanied Defendant Officer Taylor (A.K.A. Ginopolis) to investigate the flower shop in Royal Oak, whose delivery caused the Plaintiff Jermano's PPO violation, yet investigation of Royal Oak PD revealed Duncan was retired;

- (b) The Follow-up Investigation shows that flower shop sales and delivery receipts proved that **NO delivery** was made on 14 February 2009 and **could not** have violated the PPO;
- (c) Officer Taylor (A.K.A. Ginopolis) and Detective Duncan continue asserting the baseless charges of a PPO violation and stalking charges against the Plaintiff Jermano anyway.
- (d) Defendant Officer Taylor (A.K.A. Ginopolis) reveals her homophobic-hate bias toward the Plaintiff Jermano now, by defining physical description of Plaintiff Jermano's "Facial Hair" as being:

"Clean Shaven"

- (e) Defendants Detective Duncan and Officer Taylor (A.K.A. Ginopolis) would find the only crime committed was the defrauding of Plaintiff Jermano of **THREE HUNDRED AND FIFTY-SIX DOLLARS AND FOURTY-SEVEN CENTS (\$356.47)** by Defendant 1-800-FLOWERS for the non-delivery of a Valentine's Day order purchased, yet they pursued baseless criminal charges against the Plaintiff Jermano instead based in part, by homophobic bias.
- (f) Defendant Krauthofer made false statements to police in follow-up report about delivery of the flowers and made defamatory remarks about Plaintiff Jermano whom she defrauded a Valentine's Day delivery on February 14, 2009.

141. Defendants Officer Myers, Officer Rourke and Officer Taylor (A.K.A. Ginopolis) cooperated in the creation of the tenth in a series of contradictory and unsubstantiated Oak Park PD "reports" [Ref Rpt. #09-0390 – beginning on January 25, 2009 – through February 16, 2009], to wit,

- (a) the report fraudulently portrays Defendant Magner as a "psychologist" vs. the reality that she was a volunteer counselor with but a bachelor's degree in psychology;
- (b) the report states false and reputationally injurious comments (libel) about the Plaintiff Jermano's mental state, stating, "suffered from personality disorders", which she does/did not and never did;
- (c) the report states false and reputationally injurious comments (libel) about the behavior of Plaintiff Jermano toward Defendant Magner as being "very aggressive and abusive"; to the contrary, Plaintiff Jermano has months of receipts of flower gifts brought for Defendant Magner;

- (d) the report states false and reputationally injurious comments (libel) about the Plaintiff Jermano making yelling and verbally abusive phone calls to Defendant Magner;
- (e) the report states false and reputationally injurious comments (libel) about the Plaintiff Jermano regarding a breach of privacy crisis call to Defendant Common Ground Sanctuary Crisis Line which states unfounded psychological assessments of Plaintiff Jermano - portraying Plaintiff Jermano in false light as violent, etc.;
- (f) Plaintiff Jermano's phone records show that Defendants from YWCA Interim House also cooperated in supplementing falsified reports about the Plaintiff Jermano in inter-office memos in support of co-worker / Defendant Magner;
- (g) the report states false and reputationally injurious comments (libel) by Defendant Growe, stating the Plaintiff Jermano was stalking Defendant Magner;
- (h) the report states the Plaintiff Jermano's identity cannot be discovered, yet police had access to data base information which revealed (Shelby Police department's creation of) "multiple aliases" from arrest was in Shelby Township, in 2007 -- which was under appeal at the time of the arrest; and interrupted as a result of the false imprisonment of the Plaintiff Jermano.

142. Defendant Officers La Mitza, Julian and Garcher cooperate in the creation of the eleventh in the series of contradictory "reports" [Ref Rpt. #09-1686.1 – the arrest report made on February 20, 2009]: to wit,

- (a) Defendant Officer La Mitza states that he could identify the suspect driving the car yet never passed or drove next to the Plaintiff Jermano's vehicle for an opportunity to identify a driver at that time of night;
- (b) Defendant Officer La Mitza states he noticed an object hanging from the rear-view mirror, which was a fastener attached to the mirror as an adjustment lever, which measured the length of a car key and impossible to notice unless the observer was actually sitting in the driver's seat of the car;
- (c) Defendant Officer La Mitza's illegal restraint of Plaintiff Jermano after signaling her to pull-over, lasted about 20 minutes NOT "a few" as stated by Defendant Officer La Mitza;

(d) Troy police surveillance video of the stop proves the police made an illegal investigatory stop and illegal search of the Plaintiff Jermano.

143. On January 21, 2009 Plaintiff Jermano's former volunteer Sexual Assault Counselor / Defendant Magner and her boyfriend / Defendant D'Angelo filed a falsified application for an Ex-Parte PPO without evidence to support the claims, in the 6th Judicial Circuit Court-Family Division. [Exh.36]

144. Defendant Magner was granted her unsubstantiated request for the ex-Parte PPO virtually, immediately at 3:33PM by the Court - the same day that she applied and filed for it -- without providing any evidence to prove her claims. [Exh.37]

145. On January 21, 2009 at 8:15 PM Defendants Magner and D'Angelo falsely reported to Oak Park Police that they had served the Plaintiff Jermano notice of their ex-parte PPO.at the house that Plaintiff Jermano had moved out of on January 19, 2009. [Exh.38 & Exh. 39]

146. Plaintiff Jermano repeatedly filed requests to 6th Judicial Circuit Court for a court appointed attorney for the PPO charge, via petitions, inmate grievance correspondence and motions to the court, to no avail. [Exh.40, Exh. 41]

147. From February 20 to June 5, 2009 the Plaintiff Jermano was deprived defense counsel on the PPO charge.

148. Plaintiff Jermano was deliberately and strategically denied defense counsel for the PPO charge for 4 months.

149. **After 4.5 months, attorney Defendant Elden made a jail visit to the Plaintiff Jermano and informed her he was assigned to represent her as defense. (See Proof: attorney reimbursement form filed by Elden).** [Exh.42]

150. **Plaintiff Jermano later discovered a court Order showing Judge Mester did not submit a court order to assign Defendant Elden until ONE MONTH AFTER the PPO charge was dismissed.** [Exh.43]

151. Plaintiff Jermano was denied right to defend herself on felony stalking charge when newly assigned counsel Defendant McCarthy conferred with Assistant Prosecutor Joanne Pray and motioned the court that the Plaintiff Jermano needed to "have her head examined."

152. At the same time that Plaintiff Jermano submitted a 19-page Writ of Habeas Corpus to the Circuit Court challenging her detention, Defendant McCarthy submitted a motion to the court stating the Plaintiff Jermano wanted to plead "temporary insanity" to the stalking charge; all unbeknownst to the Plaintiff Jermano and indirect contradiction of Plaintiff Jermano's motion to the court to hear The Great Writ. [Exh.44]

153. As a result of Defendant McCarthy's motion to have Plaintiff Jermano "have her head examined" Plaintiff Jermano languished for 4 MORE months in the Oakland County Jail before results came back confirming her sanity and she was, begrudgingly released, on a personal bond by Circuit Court Judge O'Brien.

154. After 8.5 months of illegal detention by Defendant Oakland County Jail, Plaintiff Jermano's case was remanded BACK to District Court, [Exh.45] contrary to court rules and procedures.

155. As a result of the arrest, Plaintiff Jermano was unable to reply to a time-sensitive Court Order in response to her Defendant Magner's re-served PPO because Plaintiff Jermano never received the letter while she was in the Oakland County Jail. Plaintiff Jermano would not discover the Order until a year after her release! [Exh.46]

156. As a result of the arrest, Plaintiff Jermano was unable to reply to a time-sensitive Court Order in response to her Appeal of the Shelby fraud case because Plaintiff Jermano never received the letter as she was in the Oakland County Jail. Plaintiff Jermano would not discover the Order until a year after her release! [Exh.47]

157. As a result of the arrest and incarceration, Plaintiff Jermano suffered a loss of \$75,000 in uninsured personal property and irreplaceable life possessions that were put in storage before arrest on February 20, 2009.

158. As a result of the arrest and incarceration Plaintiff Jermano suffered a loss of her two 6-month old pedigree Shih Tzu puppies, *Alfie* and *Ellie*.

159. As a result of the arrest and incarceration Plaintiff Jermano suffered a loss of credibility within her field of employment as a Communications / Marketing Specialist and became estranged from her business associates and cut-off from steady, gainful employment.

160. As a result of the arrest and incarceration Plaintiff Jermano was forced to resume residing with Dixon, who consistently subjected Plaintiff Jermano to sexual harassment and invasion of privacy.

161. Defendants Felice and Force and Common Ground Sanctuary, jointly breached the confidentiality of caller, Plaintiff Jermano in violation of the **Michigan Consumer Protection Act 133 of 1976 - 445.903 (bb), (cc) and (jj)** which prohibits unfair, unconscionable or deceptive methods, acts or practices in conduct of trade or commerce. [Exh.48]

162. Defendants Felice and Force and Common Ground Sanctuary, jointly **aided and abetted in the obstruction of justice** when they submitted a falsified fax phone report alleging unsubstantiated "life threats" were made by the Plaintiff Jermano to Defendant Magner.

163. Defendants Felice and Force and Common Ground Sanctuary, jointly **cast Plaintiff Jermano's character in FALSE LIGHT** by creating the falsified fax report that defamed the good character and reputation of the Plaintiff Jermano and led to the malicious prosecution and maximum security classification of the Plaintiff Jermano.

164. Defendants Felice and Force and Common Ground Sanctuary, jointly **conspired to falsely accuse another [Plaintiff Jermano] of a crime [contrary to MCL 750.157]** based on perceived homophobic prejudices.

165. Defendants France, Karim, McCormick and Magner and YWCA Interim House of Metro Detroit, jointly **aided and abetted in the obstruction of justice** when they condoned the creation and assertion of a falsified inter-office memos that reported false claims of the Plaintiff Jermano making harassing phone calls to Defendant Magner at her place of work – YWCA Interim House, that they knew to be false at the time.

166. Defendants McCormick and Magner and YWCA Interim House of Metro Detroit, jointly **aided and abetted in the obstruction of justice** when they condoned the creation and assertion of a falsified inter-office memos that reported false claims of the Plaintiff Jermano making harassing phone calls to Defendant Magner at her place of work – YWCA Interim House that they knew to be false at the time.

167. France, Karim, McCormick and YWCA Interim House of Metro Detroit, jointly **conspired to falsely accuse another of a crime (the Plaintiff Jermano) [contrary to MCL 750.157]** by creating false inter-office memos for use in the malicious prosecution of the Plaintiff Jermano that they knew to be false at the time.

168. Defendants McCormick and Magner and YWCA Interim House of Metro Detroit , jointly Breached the Confidentiality of Plaintiff Jermano, in violation of the **Michigan Consumer Protection Act 133 of 1976 - 445.903 (bb), (cc) and (jj)** which prohibits unfair, unconscionable or deceptive methods, acts or practices in conduct of trade or commerce.

169. Defendants Magner, D'Angelo, Growe and Krauthofer, jointly conspired to falsely accuse another of a crime (the Plaintiff Jermano) [contrary to MCL 750.157] by making verbal and written false reports to the police in order to maliciously prosecute the Plaintiff Jermano.

170. Defendants D'Angelo and Magner made false report of PPO service to the police.

171. Defendant D'Angelo deliberately and illegally had the falsified Proof of Service of PPO notarized and entered into the L.E.I.N. system in order to induce malicious prosecution of the Plaintiff Jermano.

172. Defendants D'Angelo and Magner got engaged on the anniversary date of the Plaintiff Jermano's arrest, February 20, 2010.

173. Defendants D'Angelo and Magner got married ten days before the Plaintiff Jermano's case was dismissed. [Exh. 14]

174. Defendants D'Angelo and Magner are suspected to have absconded to Kalamazoo, after their marriage, in effort to evade prosecution for the legal wrongs they committed against the Plaintiff Jermano.

175. Defendants Pray and Cooper deliberately and prejudicially proceeded to criminally prosecute Plaintiff Jermano in light of prima facie evidence which showed the criminal charges were fraudulent.

176. Defendants Pray and Cooper deliberately and prejudicially cooperated in keeping the Plaintiff Jermano incarcerated, on excessive, unconstitutional bail, in light of prima facie evidence which proved the case against the Plaintiff Jermano was fraudulent.

177. Defendants Bouchard and Oakland County Jail cooperated in prejudicial treatment of the Plaintiff Jermano, to wit,

g) ~~X-REF—COUNT 5:~~ The Plaintiff Jermano was confined with criminally insane inmates, one who constantly terrorized the Plaintiff Jermano, and within the first week of the 228 incarceration, viciously attacked a jail guard, which resulted in the guard being hospitalized for several months.

(h) ~~X-REF—COUNT 5:~~ The Plaintiff Jermano was deprived running water in her sink cell for over a month, despite repeated requests for maintenance to repair, which resulted in the Plaintiff Jermano painfully losing several teeth.

(i) ~~X-REF—COUNT 5:~~ The Plaintiff Jermano was deprived saline solution to care for her contacts, for weeks, resulting in Plaintiff Jermano to suffer eye infections, great pain, undue suffering and damage to the Plaintiff Jermano's eyesight.

(j) ~~X-REF—COUNT 5~~: The defendants deliberately and illegally held the Plaintiff Jermano hostage in MAX security, on charges they KNEW to be false, as evidenced by the defendants re-serving the PPO which was the cause for the Plaintiff Jermano's arrest in the first place.

(k) ~~X-REF—COUNT 5~~: Days after re-service of the same PPO that caused the arrest, the PPO charge was dismissed, yet the Plaintiff Jermano REMAINED HELD ILLEGALLY, as the violation of a PPO was the necessary prerequisite to a felony stalking accusation.

(l) ~~X-REF—COUNT 5~~: Defendant McCarthy falsely motioned a "Plea of Temporary Insanity" to the felony stalking charge two weeks after the Plaintiff Jermano had submitted a 19 page Writ of Habeas Corpus to the court, challenging her illegal detention and cruel treatment of 4.5 months.

(m) ~~X-REF—COUNT 5~~: The Writ was ignored by the courts, causing the Plaintiff Jermano remain illegally incarcerated.

(n) ~~X-REF—COUNT 5~~: Defendant McCarthy maliciously forced the Plaintiff Jermano to be subjected to an unnecessary forensics examination, after asserting Plaintiff Jermano was "insane" (because of her sexual orientation) causing the Plaintiff Jermano more undue mental distress and suffering.

(o) ~~X-REF—COUNT 5~~: Plaintiff Jermano was subjected to an additional 4 months of torture in the county jail, waiting on the maliciously ordered forensics exam, and deprived of a speedy trial as a result of the malicious conduct of her assigned counsel.

(p) ~~X-REF—COUNT 5~~: Plaintiff Jermano was forced to endure 228 days in cold, dirty, infectious, over-crowded jail cell environment and given tasteless, sodium-enriched, starchy and basically unhealthy food to eat for the duration of her confinement.

(q) ~~X-REF—COUNT 5~~: Plaintiff Jermano was routinely harassed by jail guards who frequently attempted to deny her access to the jail library facility, effectively hampering her efforts to defend herself, causing undue anguish and mental suffering.

(r) ~~X-REF—COUNT 5~~: Plaintiff Jermano's deliberately malfunctioning assigned counsel contributed greatly to the mental suffering and anguish of the Plaintiff Jermano by allowing her to remain incarcerated and compound her torment by allowing her to remain held in MAXIMUM security for as long as possible, over 5.5 months.

(s) ~~X-REF—COUNT 5~~: Plaintiff Jermano was routinely subjected to strip-searches; pat-downs by male guards; and mocked by guards; transported in shackles and chains to court appearances; held in freezing-cold, over-crowded, filthy-dirty jail holding cells for court appearances – often held in the cells for up to 8 hours – and often finding her court-appearances being canceled, after being subjected to the torment of waiting in these conditions for a court hearing.

(t) ~~X-REF—COUNT 8~~ Plaintiff Jermano was forced to endure undue suffering by being kept detained in MAX SEC while the jail was experiencing over-crowding and was releasing repeat-offenders and violent criminals while keeping the Plaintiff Jermano contained with the worst of the ones who remained.

(u) ~~X-REF—COUNT 5~~ Plaintiff Jermano was forced to be confined with violent felons, some of which were criminally insane, some of which who were murderers and most all of which routinely terrorized the Plaintiff Jermano on a 24/7 basis.

178. Plaintiff Jermano sent Defendant Magner a total of four (4) distinct pieces of written correspondence: (1) a letter of grievance for abrupt termination, (2) closure letter, (3) request for records and (4) a "Happy Valentine's Day" card.

V. CAUSE OF ACTION:

COUNT1:

VIOLATION OF 42 U.S.C. 1983 and 1986: INFRINGEMENT OF FREEDOM OF SPEECH

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1 thru 178 above with the same force and effect as if herein set forth.

2. As a result of the jointly concerted efforts which resulted in the unlawful and malicious detention and confinement of the Plaintiff Jermano, the Defendants deprived the Plaintiff Jermano of her right to freedom of speech and association, which rights are guaranteed by the First and Fourteenth Amendments of the United States Constitution.

3. Defendant's actions violated Plaintiff Jermano's First Amendment rights to speak out legally. Such concerted conduct by defendants in connection with the Plaintiff Jermano's arrest and prolonged detention was intended to and did wrongfully disrupt, chill, punish, "neutralize" and otherwise infringe upon the lawful, protected activities of the Plaintiff Jermano. The Defendants are liable because their misconduct and activities amounted to an unconstitutional, tacit policy or harassment and suppression of Freedom of Speech and assembly.

4. The unreasonable arresting and prosecutorial defendants was motivated and in part, by homophobic bias the defendants had toward Plaintiff Jermano for prosaic written correspondence sent to Defendant Magner.

5. The unreasonable arresting and prosecutorial defendants interfered with the Plaintiff Jermano's follow-through on an application for appeal on a conviction in the Shelby Township court in Macomb County.

6. The unreasonable arresting and prosecutorial defendants interfered with the Plaintiff Jermano's application for appeal of the re-service of Defendant Magner's ex-parte PPO [re-served on June 8, 2009].

7. The unreasonable arresting and prosecutorial defendants interfered with the Plaintiff Jermano's right to have the court hear a Writ of Habeas Corpus, submitted to the court on June 11, 2009.

8. At all times relevant herein, the conduct of all Defendants were subject to 42 U.S.C. sec.1983, 1985, 1986, and 1988.

9. Acting under the color of law and conspiring against the Plaintiff Jermano, Defendants worked a denial of Plaintiff Jermano's right, privileges or immunities secured by the United States Constitution or by Federal law or state law², to wit,

² Soto v. Flores, 103 F.3d 1056 (1st Cir. 1997); McNamara v. Honeyman, 406 Mass. 43, 52 (1989).

(a) by depriving Plaintiff Jermano of her freedom of speech,

(b) by interfering with the Plaintiff Jermano's freedom of association;

(c) by conspiring for the purpose of censorship of the Plaintiff Jermano exposing U.S. Government corruption and a cover-up, with intent to deny Plaintiff Jermano equal protection of laws;

(d) by refusing or neglecting to prevent such deprivations and denials to the Plaintiff Jermano, thereby depriving the Plaintiff Jermano of her rights, privileges, and immunities as guaranteed by the First, and Fourteenth Amendments to the Constitution of the United States.

WHEREFORE, Plaintiff Jermano demands judgment for the violation of the Plaintiff Jermano's freedom of speech and association against all the defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$500,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermamo's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Tator, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355

COUNT2:

VIOLATION OF 42 U.S.C. 1983 and 1986:
CONSPIRACY TO INFRINGE ON OF FREEDOM OF SPEECH

1. Plaintiff Jermamo repeats and realleges and incorporates by reference the allegations in paragraphs 1 thru 178 above with the same force and effect as if herein set forth.
2. Defendants conspired to violate Plaintiff Jermamo's First Amendment rights to speak out legally - her freedom of speech and association, which rights are guaranteed by the First and Fourteenth Amendments of the United States Constitution. Such concerted conduct by defendants in connection with the arrest and prolonged detainment, was intended to and did wrongfully disrupt, chill, punish, "neutralize" and otherwise infringe upon the lawful, protected activities of the Plaintiff Jermamo, in violation of the First Amendment. The Defendants are liable because their misconduct and activities amounted to an unconstitutional, tacit policy or harassment and suppression of Free Speech.
3. At all times relevant herein, the conduct of all defendants were subject to 42 U.S.C. secs. 1983.
4. Acting under the color of law, the law enforcement Defendants worked a denial of Plaintiff Jermamo's rights, privileges or immunities secured by the United States Constitution, or by Federal law, to wit,
 - (a) by conspiring to deprive Plaintiff Jermamo of her freedom of speech,
 - (b) by conspiring to interfere with the Plaintiff Jermamo's freedom of association,
 - (c) by conspiring for the purpose of censorship of the Plaintiff Jermamo exposing U.S. Government Corruption and Cover-ups, with intent to deny Plaintiff Jermamo equal protection of laws,
 - (d) by refusing or neglecting to prevent such deprivations and denials to the Plaintiff Jermamo, thereby depriving the Plaintiff Jermamo of her rights, privileges, and immunities as guaranteed by the First, Fourth, Fifth, Eighth and Fourteenth Amendments to the Constitution of the United States.

5. As a result of the concerted unlawful and malicious arrest by defendants, Plaintiff Jermano was deprived of both her freedom of speech and freedom of association and her right to equal protection under the laws, and the due course of justice was impeded, in violation of the First, Fourth, Fifth and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983 and 1985.

WHEREFORE, Plaintiff Jermano demands judgment for the conspiracy to interfere with Plaintiff Jermano's freedom of speech and interference with her association against all the defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$500,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Tabor, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355

COUNT 3:

VIOLATION OF 42 U.S.C. 1983: UNLAWFUL SEARCH and FALSE ARREST

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1 thru 178 above with the same force and effect as if herein set forth.

2. As a result of their concerted unlawful and malicious arrest, detention and confinement of Plaintiff Jermano, Defendants Officers La Mitza, Garcher, and Julian caused Plaintiff Jermano to be subjected to an illegal investigatory traffic stop and a warrantless search and seizure of Plaintiff Jermano's vehicle in a situation where there was no reason to. The subsequent confinement of the Plaintiff Jermano in the Oakland County Jail deprived Plaintiff Jermano of both her right to *liberty without due process of law* and her right to due process of law and her right to equal protection of the laws and the due course of justice was impeded - in violation of the Fourth, Ninth, and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983.

3. At all times relevant herein, the conduct of all defendants were subject to 42 U.S.C. secs. 1983, 1985, 1986 and 1988.

4. Acting under the color of law, defendants worked a denial of Plaintiff Jermano's rights, privileges or immunities secured by the United States Constitution, or by Federal law, ³ to wit,

³ Soto v. Flores, 103 F.3d 1056 (1st Cir. 1997); McNamara v. Honeyman, 406 Mass. 43, 52 (1989).

(a) by depriving Plaintiff Jermano of her liberty without due process of law, by taking her into custody and holding her against her will, ³

³ County of Sacramento v. Lewis, 523 U.S. 833 (1998) Youngberg v. Romeo, 457 U.S. 307, 315 (1982); Williams v. Hartman, 413 Mass. 398, 403 (1992).

(b) by making an unreasonable search, seizure and unlawful destruction of Plaintiff Jermano's property without due process of law;

(c) by conspiring for the purposes of impeding and hindering the due course of justice, with intent to deny Plaintiff Jermano equal protection of laws,

(d) by refusing or neglecting to prevent such deprivations and denials to Plaintiff Jermano, thereby depriving Plaintiff Jermano of her rights, privileges, and immunities as guaranteed by the Fourth, Fifth and Fourteenth Amendments to the Constitution of the United States.⁴

⁴ Miga v. Holyoke, 398 Mass. 33,349, 350 (1986) (deprivation of pretrial detainee's substantive due process rights where state seeks to impose punishment without constitutional adjudication of guilt). Bell v Wolfish, 441 U.S. 520, 535 n. 16 (1979).

WHEREFORE, Plaintiff Jermano demands judgment for the false arrest against all the Defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$500,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Talor, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355

COUNT 4:

VIOLATIONS OF 42 U.S.C. 1983: DETENTION AND CONFINEMENT

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1 thru 178 above with the same force and effect as if herein set forth.

2. As a result of their concerted unlawful, malicious detention and confinement of the Plaintiff Jermamo, the Defendants Officer Taylor (A.K.A. Ginopolis), Meyers, Zarfl, Pinkerton, La Mitza, Garcher, Julian, Defendants Cooper, Pray, Bouchard, Krohner, Elden, Mc Carthy, Hock, Cannon, Jahnke and Growe deprived the Plaintiff Jermamo of both her right to her liberty without due process of law and her right to equal protection under the laws, and the due course of justice was impeded, in violation of the Fifth and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983.

3. As a result of the unlawful detention and confinement of the Plaintiff Jermamo, by Defendants the Plaintiff Jermamo was deprived of her right to her liberty, in violation of the Fifth and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983.

4. Defendant Growe is liable pursuant to MCL section 600.5805 which states:

"(3) The period of limitations is 5 years for an action charging assault or battery brought by a person who has been assaulted by ... a person with whom he or she resides or formerly resided."

WHEREFORE, Plaintiff Jermamo demands judgment for the false detention and confinement against the Defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$50,000,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermamo's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Talor, 710 F. 2d 4, (1st Cir. 1983). Miga, *supra* at 355

COUNT 5:

VIOLATION OF 42 U.S.C. 1983: CRUEL AND UNUSUAL PUNISHMENT

1. Plaintiff Jermamo repeats and realleges and incorporates by reference the allegations in paragraphs 1 thru 178 above with the same force and effect as if herein set forth.

2. 'A penalty offends the proscription against cruel and unusual punishment when it is so disproportionate to the crime for which it is inflicted that it shocks the conscience and offends the fundamental notions of human dignity.' (In re Lynch (1972) 8Cal, 3d 410, 424; In re De Beque (1989) 212 Cal. App. 3d 241, 248.)

3. Defendant's actions were in violation of the Eighth Amendment of the Constitution of the United States and 42 U.S.C. sec. 1983 that the Plaintiff Jermano is guaranteed the protections of, which states: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." To wit,

(a) The Plaintiff Jermano was arrested without a warrant on a felony charge; mocked by police as being "gay"; pulled-over while driving in traffic while obeying all traffic laws; tormented by being handcuffed and unlawfully searched; repeatedly strip-searched; confined in MAXIMUM security; shackled and chained; locked in over-crowded jail cells; forced to endure freezing cold; denied medical attention for eye infections; deprived running water in her cell; suffered loss of teeth; forced to eat innutritious food for 228 days; denied access to law-library; harassed housed with criminally insane inmates; subjected to frivolous examinations; denied counsel for 4.5 months; assigned defense counsels that were malicious, and dysfunctional; etc., etc., etc.;

(b) Plaintiff Jermano was denied due process⁵ subjected to undue suffering and distress waiting on delayed arraignment of 5 and 14 days, respectively on the two charges.

⁵ Police authorities may only hold an arrestee for more than 48 hours before arraignment if they can "demonstrate the existence of a bonafide emergency or other extraordinary circumstance" that would justify the delay. *People v Whitehead*, 238 Mich App 1, 2 (1999), quoting *Riverside*, 500 US at 57.

(c) The Plaintiff Jermano was humiliated before a homophobic Magistrate at arraignment, who exclaimed;

"You're worse than a murderer!"

in consideration of the fact that the Plaintiff Jermano had purchased 9 Dozen Long-stemmed red-roses and a 4.5 foot teddy bear, to be sent, as a Valentine's Day gift, to her former Volunteer Sexual Assault/Domestic Abuse Counselor: a female

(d) The unconstitutional \$500,000 bail ordered resulted in 228 days of detainment in jail.

(e) The Plaintiff Jermano was confined in the worst environment in the facility: MAXIMUM security for nearly six months of her nearly eight months of confinement in the Oakland County Jail.

(f) The Plaintiff Jermano was arraigned 14 days after her arrest on the PPO violation charge and subjected to more shock and humiliation when the judge ordered an unconstitutional \$100,000 bail "cash-only" bail.

g) The Plaintiff Jermano was confined with criminally insane inmates, one who constantly terrorized the Plaintiff Jermano, and within the first week of the 228 incarceration, viciously attacked a jail guard, which resulted in the guard being hospitalized for several months.

(h) The Plaintiff Jermano was deprived running water in her sink cell for over a month, despite repeated requests for maintenance to repair, which resulted in the Plaintiff Jermano painfully losing several teeth.

(i) The Plaintiff Jermano was deprived saline solution to care for her contacts, for weeks, resulting in Plaintiff Jermano to suffer eye infections, great pain, undue suffering and damage to the Plaintiff Jermano's eyesight.

(j) The defendants deliberately and illegally held the Plaintiff Jermano "hostage" in MAXIMUM security on charges they KNEW to be false -- as evidenced by the defendants re-serving the PPO which was the cause for the Plaintiff Jermano's arrest in the first place.

(k) Days after re-service of the same PPO that caused the arrest, the PPO charge was dismissed, yet the Plaintiff Jermano REMAINED HELD ILLEGALLY: the violation of a PPO is the necessary prerequisite to a felony stalking accusation.

(l) Defendant McCarthy falsely motioned a "Plea of Temporary Insanity" to the felony stalking charge two weeks after the Plaintiff Jermano had submitted a 19 page Writ of Habeas Corpus to the court, challenging her illegal detention and cruel treatment of 4.5 months.

(m) The Writ was ignored by the courts, causing the Plaintiff Jermano remain illegally incarcerated for another 4 months.

(n) Defendant McCarthy's homophobic prejudice forced the Plaintiff Jermano to be subjected to an unnecessary forensics examination, after asserting Plaintiff Jermano was "insane" (because of her sexual orientation) causing the Plaintiff Jermano more undue mental distress and suffering.

(o) Plaintiff Jermano was subjected to an additional 4 months of torture in the county jail, waiting on the frivolous order for a forensics exam that was a completely unnecessary and malicious act.

(p) Plaintiff Jermano was forced to endure 228 days in cold, dirty, infectious, over-crowded jail cell environment and given tasteless, sodium-enriched, starchy and basically unhealthy food to eat for the duration of her confinement of two-hundred and twenty-eight (228) days.

(q) Plaintiff Jermano was routinely harassed by jail guards who frequently attempted to deny her access to the jail library facility, effectively hampering her efforts to defend herself, causing undue anguish and mental suffering and prolonged illegal detention in the county jail.

(r) Plaintiff Jermano's negligent assigned counsel contributed greatly to the mental suffering and anguish of the Plaintiff Jermano by allowing/forcing her to remain incarcerated and compound her torment by allowing her to remain held in MAXIMUM security for as long as possible, over 5.5 months, in attempt to force the Plaintiff to "take a plea" in order to get out of jail.

(s) Plaintiff Jermano was routinely subjected to strip-searches; pat-downs by male guards; and mocked by guards; transported in shackles and chains to court appearances; held in freezing-cold, over-crowded, filthy-dirty jail holding cells for court appearances – often held in the cells for up to 8 hours – and often finding her court-appearances being canceled, after being subjected to the torment of waiting in these conditions for a court hearing.

(t) Plaintiff Jermano was forced to endure undue suffering by being kept detained in MAXIMUM SECURITY while the jail was experiencing over-crowding and was releasing repeat-offenders and violent criminals while keeping the Plaintiff Jermano contained with the worst of the ones who remained.

(u) Plaintiff Jermano was forced to be confined with violent felons, some of which were criminally insane, some of which who were murderers and most all of which routinely terrorized the Plaintiff Jermano on a 24/7 basis.

(v) The Plaintiff Jermano's case matter was REMANDED BACK to District Court, contrary to court rules and procedures, after forensics results came back proving the Plaintiff Jermano was NOT insane, keeping the Plaintiff Jermano legally tied to court jurisdiction on charges that were illegitimate in a justice system that was performing its functions illegitimately, in the Plaintiff Jermano's case matter, all in violation of the Eighth Amendment of the Constitution of the United States and 42 U.S.C. sec. 1983.

WHEREFORE, Plaintiff Jermano demands judgment against all the defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$50,000,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Talor, 710 F. 2d 4, (1st Cir. 1983). Miga, supra at 355

COUNT 6:

VIOLATION OF 42 U.S.C. 1985:
DEPRIVING PERSON'S RIGHT OR PRIVILEGE

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above specifically in reference to the WRIT of HABEAS CORPUS with the same force and effect as if herein set forth.

2. The Plaintiff Jermano alleges that the activities of the defendant's actions amount to violation of 42 U.S.C. Section 1985 and comparable Michigan law as denial of equal rights under the law and with liability as actor and co-conspirators.

Section 1985 (3) of Title 42, U.S. Code, entitled "Conspiracy to interfere with civil rights" provides in relevant part:

Section 1985 (3) Depriving persons of rights or privileges

(3) Depriving persons of rights or privileges

If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators. The activities alleged are state and federal action, performed under color of law and/or individuals have conspired to injure, oppress, threaten, or intimidate the Plaintiff Jermano's free speech, and are an unlawful infringement of Plaintiff Jermano's rights to speak out without interference by defendants under color of law or by defendants not acting under color of law.

3. The activities of the defendants constitute a violation of 42 U.S.C. Section 1985 (3) by each of the defendants.

WHEREFORE, Plaintiff Jermano demands judgment against Defendant for injunctive relief and actual, special, and compensatory damages in the amount deemed at time of trial to be just, fair and appropriate.

COUNT 7:

VIOLATION OF 42 U.S.C. 1983 and 1986:
REFUSING or NEGLECTING TO PREVENT

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.

2. At all times relevant herein, relevant to this Complaint, Defendants Officer Taylor (A.K.A. Ginopolis), Officer Meyers, Officer Zarfl, Officer Pinkerton, Officer Martinelli, were acting under the direction and control of Defendant, Oak Park City Manager James Hock and Defendant City of Oak Park; Defendants Officer La Mitza, Officer Garcher, Officer Julian were acting under the direction and control of Commissioner David Cannon and Defendant the City of Troy; Defendant Detective Duncan, acting under the direction and control of Royal Oak Police Commissioner, Christopher Jahnke, and Defendant City of Royal Oak.

3. Acting under the color of law, and/or in conspiracy with Defendant Officer Taylor (A.K.A. Ginopolis), and pursuant to official policy or custom, Defendant, Oak Park City Manager James Hock, Troy Police Commissioner David Cannon, Royal Oak Police Commissioner, Christopher Jahnke and Oakland County Sheriff Michael Bouchard knowingly, recklessly, or with gross negligence failed to instruct, supervise, control, and discipline on a continuing basis Defendants Officer Taylor (A.K.A. Ginopolis), Officer Meyers, Officer Zarfl, Officer Pinkerton, Officer Martinelli, Officer Carnigan, Officer Bruce, Officer Tetler, Officer Stanson, Officer Foreman, Officer Hermans, Officer SK, Officer Rourke, Officer Martinelli, Officer Wickham, Officer La Mitza, Officer Garcher, Officer Julian, Detective Duncan and John Doe's 1-2 (Oakland County Jail Deputies), as yet unspecified jail deputy guards, in their duties to refrain from:

(a) unlawfully and maliciously harassing a citizen who was acting in accordance with her constitutional and statutory rights, privileges, and immunities,

(b) unlawfully and maliciously arresting, imprisoning and prosecuting a citizen who was acting in accordance with her constitutional and statutory rights, privileges, and immunities,

(c) conspiring to violate the rights, privileges, and immunities guaranteed to Plaintiff Jernano by the Constitution and laws of the United States and the laws of the Commonwealth of Michigan; and

(d) otherwise depriving the Plaintiff Jernano of her constitutional and statutory rights, privileges and immunities.

4. Defendants James Hock, David Cannon, Christopher Jahnke and Michael Bouchard had knowledge or had they diligently exercised those duties to instruct, supervise, control, and discipline on a continuing basis, should have had knowledge of that the wrongs conspired to be done, as heretofore alleged, were about to be committed. Defendants James Hock, David Cannon, Christopher Jahnke and Michael Bouchard had knowledge to prevent or aid in preventing the commission of said wrongs, could have done so by reasonable diligence, and knowingly, recklessly or with gross negligence failed or refused to do so.

5. Defendants James Hock, David Cannon, Christopher Jahnke and Michael Bouchard directly or indirectly approved or ratified the unlawful, deliberate, malicious, wanton conduct of defendant police officers heretofore described.

6. As a direct and proximate cause of the neglect and intentional acts of Defendants James Hock, David Cannon, Christopher Jahnke and Michael Bouchard as set forth in paragraphs 3-5 above, Plaintiff Jernano suffered physical injury, loss of income, and severe mental anguish in connection with the deprivation of her constitutional and statutory rights guaranteed by the First, Fourth, Fifth, Eighth and Fourteenth Amendments of the Constitution of the United States and protected by U.S.C. sec. 1983 and 1985.

WHEREFORE, Plaintiff Jernano demands judgment against all the defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$5,000,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jernano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Talor, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355

COUNT 8:

VIOLATION OF 18 U.S.C. Section 4:
MISPRISON OF FELONY

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.
2. The Plaintiff Jermano alleges that the activities of the defendants amount to a violation of 18 U.S.C. Section 4 and comparable Michigan law as denial of equal rights under the law, and with liability as actor and co-conspirators.
3. Section 4 of Title 18, U.S. Code, entitled "Misprison of felony", provided in relevant part:

Section 4 Misprison of felony

Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

4. The Plaintiff Jermano, contacting the Oakland County Prosecutor's office, while incarcerated, was communicating through assigned counsel Martin Krohner several times between May and June 2009 to report false statements and perjury, criminal civil rights violations, and obstruction of justice.
5. Between June 2009 and September 2010 the Plaintiff Jermano contacted Governor Jennifer Granholm, Senator Levin, the ACLU, Department of Civil Rights in Lansing, and the Department of Justice in Washington, D.C. and over 600 lawyers and others across the country to report these criminal civil rights violations, agent misconduct and obstruction of justice across the board. The Plaintiff Jermano spoke to staff, left messages and exchanged written correspondence about these crimes.
6. The Plaintiff Jermano, contacting the Detroit FBI offices several times between November 2009 and January 2010, via telephone and in personal meeting to report these criminal civil rights violations, other violations that occurred in other states, agent misconduct, and obstruction of justice. The Plaintiff Jermano spoke to unknown FBI Agents about these crimes. The Plaintiff Jermano requested local case work investigation.
7. The activities alleged are state and federal action, performed under color of law and/or individuals have conspired to injure, oppress, threaten, or intimidate the Plaintiff Jermano's right to free speech and

self-defense in asserting her Writ of Habeas Corpus without interference by defendants under color of law or by defendants not acting under color of law.

WHEREFORE, Plaintiff Jermamo demands judgment against Defendant for injunctive relief and actual, special, and compensatory damages in the amount deemed at time of trial to be just, fair and appropriate.

COUNT 9:

VIOLATION OF 18 U.S.C. Section 241:
CONSPIRACY AGAINST RIGHTS

1. Plaintiff Jermamo repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth and incorporates by reference the allegations in paragraphs 1-9 in count 13 with the same force and effect as if herein set forth and incorporates by reference the allegations in paragraphs 1-12 in count 19 with the same force and effect as if herein set forth.

2. The Defendants Officers Taylor (a.k.a. Ginopolis), Meyers, Zarfel, Pinkerton, Defendants Oak Park PD, OCJ, Magner, D'Angelo, Force, Felice, McCormick, Krauthofer, and Defendants Cooper, Pray, Bouchard, Krohner, Elden and McCarthy (a) had an object to be accomplished; (b) had an agreement on the object or course of action; (c) performed one or more unlawful overt acts; and (d) caused Plaintiff Jermamo damages that were a direct result of those acts.

3. In furtherance of their object, defendants did two or more overt acts against the Plaintiff Jermamo. Those unlawful acts include but are not limited to the following:

Defendants Officers Taylor (a.k.a. Ginopolis), Meyers, Zarfl and Pinkerton, and Cooper, Pray, Bouchard, Krohner, Elden and McCarthy knew or should have known that Magner and D'Angelo had *intentionally misrepresented the facts* about the service and violation of the ex-parte Personal Protection Order (PPO).

(a) Defendant Magner advised and strategized with Shawn Force of Common Ground Sanctuary Crisis Linea and Mc Cormick, Karim and France, about how to have Plaintiff Jermamo charged by means of an alleged telephone threats;

(a-1) Defendant Magner had aforementioned Defendants cooperate by writing false statements to be presented to authorities to present a case;

(a-1) Defendant Wagner had Force accompany her to two police stations to attempt to have Plaintiff Jermano arrested on false allegations of life threat over confidential caller line at Common Ground;

(a-2) Defendant Felice cooperated by writing and faxing a false phone report to be presented to authorities to present a case;

(b) Defendant Wagner advised and strategized with D'Angelo and Oak Park Police Department Officers about how to have Plaintiff Jermano arrested by means of an alleging a violation of a personal protection order that Plaintiff Jermano was never served;

(b-1) Defendant D'Angelo drove Wagner to Family Court to apply for a PPO on January 21, 2009 and they were granted the PPO @ 3:13PM the SAME DAY (within hours of applying);

(b2) Defendant Wagner presented a case of stalking to Family Court to apply for a PPO that looks as though it was modeled after the landmark case, PEOPLE V WHITE, 212 Mich. App. 298 563 N.W. 2d 876.

(b-3) Defendant Wagner intentionally misrepresented that she had received harassing phone calls and was being "stalked" by Plaintiff Jermano, as evidenced by her **not providing any evidence of the "50 or more calls per day"** from the Plaintiff Jermano to her home/work between March /April 2009 nor any witnesses to the alleged "stalking" incidents;

(b-4) Defendants Wagner and D'Angelo alleged to Defendant Oak Park Police Department that Plaintiff Jermano had been served notice of the PPO at 8:15PM January 21, 2009 but the follow-up police investigation proved that Plaintiff Jermano **had not been served**;

(b-5) Defendant Officer Taylor (a.k.a. Ginopolis) was one of the investigating officers confirming the PPO was not served on Plaintiff Jermano the night of January 21, 2009 yet Officer Taylor (a.k.a. Ginopolis) later assisted D'Angelo in preparing a fraudulent witness statement/affidavit confirming the PPO service was made – over 4 months LATER – and only after Plaintiff Jermano demanded evidence of the affidavit of service as required by law;

(b-6) Defendants Wagner's pre-trial testimony reaffirmed that Taylor assisted D'Angelo in having the PPO proof of service notarized at the Oak Park Police Station and entered on the record as being successfully served when she personally knew it had not been served;

(c) Defendant Krauthofer of **1-800-FLOWERS** advised and strategized with Defendant Officer Taylor (a.k.a. Ginopolis) about how to have Plaintiff Jermano arrested by means of a personal protection order that Plaintiff Jermano was never violated;

(c-1) Defendant Krauthofer of **1-800-FLOWERS** advised and strategized with Defendant Officer Taylor (a.k.a. Ginopolis) in falsely alleging Plaintiff Jermano's flower delivery order had been made February 14, 2009 when flower shop receipts show the delivery was not made until February 15th!

(c-2) Defendant Krauthofer of **1-800-FLOWERS** prepared a written witness statement affirming the false report of the flower delivery in furtherance of the object to have Plaintiff Jermano arrested by means of a personal protection order that Plaintiff Jermano Krauthofer knew had not been violated because no delivery was made as alleged;

(d) Defendants D'Angelo and Officer Taylor (a.k.a. Ginopolis) advised and strategized with Oak Park Police Officers/Defendants Zarfel and Pinkerton about how to have Plaintiff Jermano arrested by means of a personal protection order that Plaintiff Jermano was never served, nor violated;

(d-1) Defendant Officers Zarfel and Pinkerton prepared a false police report stating that they saw the flower delivery and teddy bear cast to the curb outside Defendant Magner's house, which had violated the PPO, on February 14, 2009 yet flower shop receipts prove they lied as no delivery was made until February 15th;

(d-2) Defendant Officers Zarfel and Pinkerton took a Valentine's Day card with telephone number of Plaintiff Jermano as evidence, **yet failed to call the "#1 Criminal Suspect"** -- as required to do so by law to (a) "serve and protect" the accused; and (b) to confirm that the PPO was served on the alleged violator before making an arrest; yet D'Angelo did call -- and threatened the Plaintiff Jermano -- bragging that Plaintiff Jermano would be **"arrested by the police for violating a PPO that he had served!"**;

(d-3) Defendants Oakland County Jail and Oak Park Police Department confiscated the cell phone of the Plaintiff Jermano that had preserved incriminating evidence of D'Angelo's threatening phone call/voice message and someone deleted it while Plaintiff Jermano was incarcerated;

(e) Defendant Officer Taylor (a.k.a. Ginopolis) advised and strategized with Defendant Officer Meyers about how to have Plaintiff Jermano arrested and charged with felony aggravated stalking

by means of the violation of a personal protection order that Plaintiff Jermano was never served, nor violated;

(e-1) Defendant Officer Meyers prepared an unsubstantiated report, dated 10/01/08 [Ref. # 08-5612.1] report is full of conflicting and unsubstantiated claims as to the name and dates of the allegedly conflicting parties (Magnier and Plaintiff Jermano), citing address and telephone number contact information on the "#1 Suspect", yet, AGAIN, suspiciously, no contact is made by the officer.

(e-2) Defendant Officer Meyers began creating a Case Report dated 1/25/09 [Ref. # 09-0390] full of conflicting and unsubstantiated statements about Plaintiff Jermano, which was later supplemented by Defendant Officer Taylor (a.k.a. Ginopolis) and used as the summarizing catalyzing report used to commence a case of malicious prosecution against the Plaintiff Jermano.

(f) Defendant Officer Taylor (a.k.a. Ginopolis) advised and strategized with Defendant Cooper about how to have Plaintiff Jermano prosecuted on charge of aggravated stalking and for violating a personal protection order that Plaintiff Jermano was never served, nor violated;

(f-1) Defendant Cooper authorized a criminal complaint requesting the arrest of Plaintiff Jermano on charges of felony stalking as a result of a fabricated PPO violation;

(f-2) Defendant Cooper delegated Plaintiff Jermano's case to Assistant Prosecutor, Karolyn Miller in District Court and Joanne Pray, in Circuit Court, to pursue a case of malicious prosecution against Plaintiff Jermano.

(f-3) Defendant Pray advised and strategized with Krohner, Elden and McCarthy about how to have Plaintiff Jermano prosecuted on charge of aggravated stalking and for violation of a personal protection order that Plaintiff Jermano was never served, nor violated;

(f-4) Defendant Pray upheld unconstitutional bond of \$500,000 on Plaintiff Jermano stating she was a "threat to society"...for ..."going to the extreme of sending 9-dozen roses and a teddy bear to (Magnier) on Valentine's Day", thus exhibiting homophobic prejudice toward Plaintiff Jermano.

(g) Defendants Krohner, Elden and McCarthy cooperatively mocked Plaintiff Jermano, stating she was "a criminal"...for ..."going to the extreme of sending 9-dozen roses and a teddy bear to (Magnier) on Valentine's Day", thus exhibiting homophobic prejudice toward Plaintiff Jermano;

(g-1) Defendants Krohner, Elden and McCarthy cooperatively did nothing to secure the Plaintiff Jermano's release from Maximum Security holding;

(g-2) Defendant McCarthy went to the extreme of forcing Plaintiff Jermano to be held 4months in limbo, waiting for a needless forensics exam and preparing a motion in advance of the testing or results of forensics, in stating Plaintiff Jermano wanted to "take a plea of temporary insanity to the stalking charge" exhibiting his homophobic prejudice toward Plaintiff Jermano;

(h) Defendants John Doe 1-2 (jail deputies) cooperatively denied Plaintiff Jermano's requests for medical attention for eye infections, relief from abusive cell mates, repair of broken water, requests to visit law library, and requests for court documents showing arraignments and booking information from Maximum Security holding;

(h-1) Defendants John Doe 1-2 (jail deputies) cooperatively denied Plaintiff Jermano's requests for medical attention for eye infections, relief from abusive cell mates, repair of broken water, requests to visit law library, and requests for court documents showing arraignments and booking information from Maximum Security holding;

4. The conspiracy against Plaintiff Jermano's rights are in violation of 18 U.S.C. section 241 and 242;

5. As a result of the concerted unlawful and malicious conspiracy of defendants, Plaintiff Jermano was deprived of both her liberty without due process of law and her right to equal protection under the laws, and the due course of justice was impeded, in violation of the Fifth and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983 and 1985.

WHEREFORE, Plaintiff Jermano demands judgment for the conspiracy against all the defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$5,000,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Talor, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355

COUNT 10:

VIOLATION OF 18 U.S.C. Section 242:

DEPRIVATION OF RIGHTS UNDER COLOR OF OFFICE

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.

2. The Defendants and unknown others have subjected Plaintiff Jermano to Oppression Under Color of Office in violation of MCR -- Oppression under color of Office. Such concerted conduct by Defendants in connection with the arrest, was intended to and did wrongly disrupt, chill, punish, "neutralize" and otherwise infringe upon the lawful, protected activities of Plaintiff Jermano in violation of the First Amendment. The Defendants, and as yet, unknown others subjected the Plaintiff Jermano to telephone harassment on a daily basis from about October 31 to December 30, 2009, and stalking from October 31, 2008 to February 20, 2009. The Defendants are liable because their misconduct and activities amounted to an unconstitutional, tacit policy of harassment and suppression of Free Speech after notice to stop the harassment. The continuous incidents and violations of the Plaintiff Jermano's rights are described in motions to the court, and motion drafts to the 45B District Court.

3. The Defendants and unknown others have subjected Plaintiff Jermano to Oppression Under Color of Office in violation of MCR -- Oppression under color of Office. Such concerted conduct by Defendants in connection with the arrest, was intended to and did wrongly disrupt, chill, punish, "neutralize" and otherwise infringe upon the lawful, protected activities of Plaintiff Jermano in violation of the Fourth, Fifth and Fourteenth Amendments. The Defendants, and as yet, unknown others subjected Plaintiff Jermano to **harassment and abuse on a daily basis from February 20, 2009 to October 5, 2009**. The Defendants are liable because their misconduct and activities amounted to an unconstitutional, tacit policy of harassment and deviation from due process of law after the false arrest and notice given to stop the harassment. The Defendants subjected Plaintiff Jermano to Oppression Under Color of Office in violation of MCR -- Oppression under color of Office in attempt to cover-up the false arrest and prolonged illegal incarceration of Plaintiff Jermano. The continuous incidents and violations of the Plaintiff Jermano's rights are described in motions to the court, and motion drafts to the 45B District Court.

4. MCR -- Oppression under color of office.

1. An officer, or a person pretending to be an officer, who unlawfully and maliciously, under pretense of official authority:
 - (a) Arrests another or detains her against his will;
 - (b) Seizes or levies upon another's property;
 - (c) Dispossesses another of any lands or tenements; or

- (d) Does any act whereby another person is injured in his person, property or rights, commits oppression.
- 2. An officer or person committing oppression shall be punished:
 - (a) Where physical force or the immediate threat of physical force is used, for a category D felony as provided by MCR – Oppression Under Color of Office.
 - (b) Where no physical force or immediate threat of physical force is used, for a misdemeanor.

5. As a result of their concerted unlawful and malicious conspiracy of Defendants Officer Taylor (A.K.A. Ginopolis), Officer Meyers, Officer Zarfl, Officer Pinkerton, Officer Carignan, Officer Bruce, Officer Tetter, Officer Stanson, "Officer CJM", Officer Hermans, "Officer SK", Officer Rourke, Officer Martinelli, Officer Wickham, Officer La Mitza, Officer Garcher, Officer Julian, Officer Duncan, Defendant Cooper, Defendant Pray, Defendant Bouchard, Defendant Krohner, Defendant Elden, Defendant McCarthy, under pretense of color of official authority arrests another or detained Plaintiff Jermano against her will and acted whereby the Plaintiff Jermano was injured in her person and rights (felony). Plaintiff Jermano was subjected to and suffered the infliction of terror, adverse public harassment, humiliation, social isolation, emotional, traumatic injury and other inflictions against Plaintiff Jermano and her right to equal protection under the laws and the due course of justice was impeded, in violation of the First, Fourth, Fifth, Eighth, Ninth, and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec 1983, 1985 and 1986 and the State of Michigan Constitution.

WHEREFORE, Plaintiff Jermano demands judgment for the Conspiracy and gang stalking against all the Defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$5,000,000 and further demands judgment against each of said Defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Talor, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355

COUNT 11:

VIOLATION OF 18 U.S.C. Section 1512 (d)(2):
TAMPERING WITH A VICTIM

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1- 178 above with the same force and effect as if herein set forth.
2. Plaintiff Jermano alleges that the activities of the defendants amount to a violation of 18 U.S.C. Section 1512 (d), (2) and comparable Michigan law as a violation of the Eighth Amendment cruel and unusual punishment, and with liability as actor and co-conspirator.
3. Section 1512 (d)(2) of Title 18, U.S. Code , Tampering with a victim, can be read in this link:

Section 1512 (d)(2) Tampering with a victim

http://www4law.cornell.edu/uscode/html/uscode18/usc_sec_18_00001512--000-.html

4. As a result of their concerted unlawful and malicious conspiracy of Defendants and tampering with the Plaintiff Jermano, freedom of speech and association was violated; subjected to false arrest, detention and confinement, gang stalking and harassment, assault and battery, cruel and unusual punishment and her right to equal protection of the laws, and the due course of justice was impeded, in violation of the First, Fourth, Fifth, Eighth, Ninth, and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983, 1985 and 1986.

WHEREFORE, Plaintiff Jermano demands judgment for the Conspiracy against all the Defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$5,000,000 and further demands judgment against each of said Defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Talor, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355

COUNT 12:

VIOLATION OF 18 U.S.C. Section 1513 AND 42 U.S.C. SECTION 1983 RETALIATION AGAINST WITH VICTIM

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1- 178 above with the same force and effect as if herein set forth.
2. Plaintiff Jermano alleges that the activities of the defendants amount to a violation of 18 U.S.C. Section 1513 and 42 U.S.C. Section 1983 as a violation of the Eighth Amendment cruel and unusual punishment, and with liability as actor and co-conspirator.

Section 1513 of Title 18, U.S. Code, Retaliation against a victim, can be read in this link:

<http://www4.law.cornell.edu/uscode/html/uscode18/uscode18.usc.sec.18.00001513-000.html>

3. As a result of their concerted unlawful and malicious conspiracy of Defendants and retaliation against the Plaintiff Jermano, the Plaintiff Jermano's freedom of speech and association was violated; subjected to false arrest, detention and confinement, gang stalking and harassment, assault and battery, cruel and unusual punishment and her right to equal protection of the laws, and the due course of justice was impeded, in violation of the First, Fourth, Fifth, Eighth, Ninth, and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983, 1985 and 1986.

WHEREFORE, Plaintiff Jermano demands judgment for the Conspiracy against all the Defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$5,000,000 and further demands judgment against each of said Defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Talor, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355

COUNT 13:

MALICIOUS ABUSE OF PROCESS

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.
2. Defendants maliciously used a 'legal process 'to accomplish some ulterior purpose for which it was not designed or intended ⁶, or which was not the legitimate purpose of the particular process employed."

⁶ Carroll v Gillespie, 14 Mass. App. Ct. 12, 26 (1982), quoting Jones v Brockton Pub. Mkts., Inc., 369 Mass. 387, 389 (1975), quoting from Quaranto v. Silverman, 345 Mass. [423,] 426 (1963).

3. Defendants Felice, Force, Magner and D'Angelo knew that the complaint initiated based on the Common Ground Crisis Center call was groundless and made misrepresentation to the Oak Park Police officers to instigate malicious criminal proceedings against Plaintiff Jermano.⁷

⁷ A person may be liable for false imprisonment not only when the person's own acts directly impose a restraint upon the liberty of another but also when that person, by providing false information, causes such restraint to be imposed. Kariavainen v. Buswell, 289 Mass. 419, 427 (1935) (questioned on other grounds by Mezullo v. Maletz, 331 Mass. 233, 239-240 [1954]). Restatement (Second) to Torts s 37 (1965) (If an act done with the intent to confine another, and such act is the legal cause of confinement to another, it is immaterial whether the act directly or indirectly causes the confinement").

⁸ Sarvis v. Boston Safe Deposit and Trust Co., 47 Mass. App. Ct. 86, 97-98 (1999)

4. Defendant Wagner knew that the application for an ex-parte PPO was groundless and made written and verbal misrepresentation to the court to have it granted.

5. Defendant D'Angelo knew that the PPO Proof of service he had notarized was groundless/ had not been served and made misrepresentation to have it entered into the L.E.I.N. System.

6. Defendants Officer Taylor (a.k.a. Ginopolis), Officer Zarfl and Officer Pinkerton and Defendants Wagner and D' Angelo knew that the Valentines' Day flower order was NOT delivered on February 14, 2009, but maliciously acted and reported as if it had been.

7. Defendants Officer Taylor (a.k.a. Ginopolis), Officer Zarfl and Officer Pinkerton and Defendants Wagner and D' Angelo knew that the PPO was NOT served, and that the Proof of Service had been fraudulently notarized, therefore, could not had been violated.

8. Defendant McCarthy maliciously motioned the court to order a needless Forensic Examination on the Plaintiff in order to keep the Plaintiff incarcerated for 4 additional months.

9. Defendants Cooper and Pray maliciously prosecuted Plaintiff on baseless charges of stalking and PPO violation.

8. As a result of the concerted unlawful and malicious conspiracy of Defendants and malicious abuse of process, the Plaintiff Jermano was subject to and suffered infringement on her freedom of speech, false arrest, detention and confinement, cruel and unusual punishment, oppression under color of office, the infliction of terror, adverse public harassment, humiliation, Plaintiff Jermano's ability to work had been substantially impaired, social isolation, emotional, traumatic injury and other inflictions against Plaintiff Jermano and her right to equal protection of the laws, and the due course of justice was impeded, in violation of the First, Fourth, Eighth, Ninth, and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec 1983, 1985, and 1986 and the State of Michigan Constitution.⁸

WHEREFORE, Plaintiff Jermano demands judgment for the Conspiracy and gang stalking against all the Defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$50,000,000 and further demands judgment against each of said Defendants, further demands judgment

against each of said Defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Tabor, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355

COUNT 14:

VIOLETION OF MICHIGAN STALKING LAW MCL 750.411(h).(i)

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.

2. Plaintiff Jermano and unknown others have subjected the Plaintiff Jermano to harassment-gang stalking in violation of Michigan State law MCL 750.411(h), (i). Such concerted conduct by defendants in connection with arrest, was intended to and did wrongfully disrupt, chill, punish, "neutralize" and otherwise infringe upon the lawful, protected activities of the Plaintiff Jermano in violation of the First Amendment. The Defendants Magner and D'Angelo, and as yet, unknown others, subjected Plaintiff Jermano to Telephone Harassment from about October 31, 2098 to February 20, 2009, and Stalking from October 31, 2008 to February 20, 2009. The Defendants are liable because their misconduct and activities amounted to an unconstitutional, tacit policy of harassment and suppression of Free Speech after notice to stop the harassment.

WHEREFORE, Plaintiff Jermano demands judgment against all the defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$5,000,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Tabor, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355

COUNT 15:

VIOLETION OF MICHIGAN ASSAULT LAW: MCL 750.81

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.
2. Plaintiff Jermano is a reasonable person; former Communications Solutions Specialist for AT&T U-Verse registered as an Independent Sales Representative: "M.A. Jermano – Agent # 16161".
3. Defendant Growe became an AT&T U-Verse customer in August 2008 and befriended Plaintiff Jermano: Independent Sales Representative, "M.A. Jermano – Agent # 16161".
4. On December 24, 2008 Plaintiff Jermano was forced to move from her apartment because the dogs were not allowed. Plaintiff Jermano: Independent Sales Representative, "M.A. Jermano – Agent # 16161" made arrangements with Defendant Growe for a temporary, emergency-housing to accommodate her pets.
5. On January 10, 2009, Defendant Growe intentionally created an apprehension of immediate physical harm by making an unprovoked attack on Plaintiff Jermano, who announced she was going to move-out immediately upon discovering that Julie Growe had shaved the hair off her two Shi Tzu puppies faces, defacing them.
6. In response to Plaintiff Jermano's intention to move out, Defendant Growe jumped Plaintiff Jermano from the back and began hitting her while pulling her hair, creating in the Plaintiff Jermano an apprehension of immediate physical harm⁹.

⁹Nolan & Sartorio, 37 M.P.S., *Torts*, sec. 12, p. 6 (2d ed. 1989 1993) Supp.); Restatement (Second) Torts, sec. 21.

7. Any reasonable person would also become apprehensive in the face of defendant's threatening conduct.
8. Defendant is liable under the doctrine of respondeat superior and MLC section 600.5805 (3) which states:

(3) The period of limitations is 5 years for an action charging assault or battery brought by a person who has been assaulted by ... a person with whom he or she resides or formerly resided.

WHEREFORE, Plaintiff Jermano demands judgment against Defendant for injunctive relief and actual, special, and compensatory damages in the amount deemed at time of trial to be just, fair and appropriate.

COUNT 16:

VIOLATION OF MICHIGAN BATTERY LAW: MCL 750.81d

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.
2. Without the consent of Plaintiff Jermano, Defendant Growe intentionally, harmfully and offensively touched the Plaintiff Jermano by jumping on her back from behind and hitting her.
3. Without the consent of Plaintiff Jermano, Defendant Growe intentionally, harmfully and offensively grabbed the Plaintiff Jermano by the hair after jumping her.
4. Defendant is liable under the doctrine of respondeat superior and MLC section 600.5805 (3) which states:

(3) "The period of limitations is 5 years for an action charging assault or battery brought by a person who has been assaulted by ...a person with whom he or she resides or formerly resided."

WHEREFORE, Plaintiff Jermano demands judgment against Defendant for injunctive relief and actual, special, and compensatory damages in the amount deemed at time of trial to be just, fair and appropriate.

COUNT 17:

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.
2. Defendants intentionally and deliberately inflicted emotional distress on the Plaintiff Jermano by maliciously prosecuting Plaintiff Jermano, or by abusing the lawful process or by unlawful purpose, or by violating Plaintiff Jermano's constitutional rights, or by falsely arresting and unlawful confinement of the Plaintiff Jermano, or by conspiring against Plaintiff Jermano, or by interfering with the Plaintiff Jermano's state and federal civil rights or by threats, coercion, intimidation.
3. Defendants knew or should have known that emotional distress was the likely result of their conduct.

4. Defendant's conduct was extreme and outrageous, beyond all possible bounds of decency and utterly intolerable in a civilized community.

5. The Defendants intentionally and deliberately inflicted emotional distress on Plaintiff Jermamo by maliciously prosecuting Plaintiff Jermamo, by using the lawful process by unlawful purpose, or by violating Plaintiff Jermamo's constitutional rights, by conspiring against Plaintiff Jermamo

6. The Plaintiff Jermamo is a reasonable woman.

7. The emotional distress sustained by the Plaintiff Jermamo was severe and of a nature that no reasonable woman (or man) could be expected to endure¹⁰.

¹⁰Agis v. Howard Johnson Co., 371 Mass. 140, 145 (1976).

8. As a result of the Defendant's extreme and outrageous conduct¹¹, Plaintiff Jermamo was, is, and, with a high degree of likelihood, will continue to be emotionally distressed due to the intentional exclusion.

¹¹*Extreme and outrages conduct is not required if the emotional distress resulted from the commission of another tort.*
American Velodur Metal, Inc. v. Schinabek 20 Mass App. Ct. 460, 470-471 (1985).

9. Defendants are liable under the doctrine of respondeat superior.

10. As a result of the Defendant's extreme and outrageous conduct, Plaintiff Jermamo has suffered and will continue to suffer mental pain and anguish, severe emotional trauma, embarrassment, and humiliation.

WHEREFORE, Plaintiff Jermamo demands judgment against Defendant for injunctive relief and actual, special, and compensatory damages in the amount deemed at time of trial to be just, fair and appropriate.

COUNT 18:

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

1. Plaintiff Jermamo repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.

2. Defendants Hock, Cannon, Jhanke and Bouchard owed a duty to supervise or train the officers and to take steps to prevent events such as occurred here, to wit, the false arrest and confinement and the swearing of the charges without probable cause.

3. Defendant Officer Taylor (A.K.A. Ginopolis), Officer Meyers, Officer Zarfl, Officer Pinkerton, Officer Martinelli, Officer Carnigan, Officer Bruce, Officer Tetter, Officer Stanson, Officer CJM, Officer Foreman, Officer Hermans, Officer SK, Officer Rourke, Officer Martinelli, Officer Wickham, Officer La Mitza, Officer Garcher, Officer Julian, Detective Duncan and John Doe's 1-12, as yet unspecified jail deputy guards owed a duty to act according to the standard of ordinary care of an officer of the law, to wit, to conduct a proper investigation, the failure of which was the proximate cause of Plaintiff Jernano's injuries.

4. Defendants had a continuing affirmative duty to perform their professional services in such a manner as not to inflict emotional distress on the Plaintiff Jernano.

5. Defendants breached that duty by failing to act as ordinary officers of the law would act, to wit, by failing to perform his duties and by failing adequately to control and to supervise his/her officers.

6. As a result of those breaches, which were the proximate causes of Plaintiff Jernano's injuries, the Plaintiff Jernano suffered harm and damages.

7. Defendants are also liable under the doctrine of respondeat superior.

WHEREFORE, Plaintiff Jernano demands judgment against Defendant for injunctive relief and actual, special, and compensatory damages in the amount deemed at time of trial to be just, fair and appropriate.

COUNT 19:

LEGAL MALPRACTICE:

NEGLIGENT ERRORS AND NEGLIGENCE IN PROFESSIONAL RELATIONSHIP

1. Plaintiff Jernano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.

2. Defendants Krohner, Elden and McCarthy's actions have violated Plaintiff Jernano's Fourth and Fourteenth Amendment by depriving her right to adequate defense counsel as guaranteed to an indigent person by the United States Constitution. The concerted acts and omissions of the defendants and others involved, in jointly depriving the Plaintiff Jernano due process of law and leaving her to languish for (228) two-hundred and twenty-eight days in jail, constituted negligent errors and negligence in professional relationships, in violation of the Fourth and Fourteenth Amendments entitling the Plaintiff Jernano to judgment against the responsible defendants for damages, and punitive damages.

3. At all times relevant herein, the conduct of all defendants were subject to 42 U.S.C. secs.1983,1985, 1986 and 1988.

4. The negligent errors and negligence in professional relationships, defendants caused a denial of Plaintiff Jermano's rights, privileges or immunities secured by the United States Constitution, or by Federal law, ¹² to wit,

¹²Section 1: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of their liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

5. Defendants Krohner, Elden and McCarthy, were assigned counsel attorneys who owed a duty to the Plaintiff Jermano to act with honesty, good faith, fairness, integrity, and fidelity, and to utilize their legal skills and knowledge to defend their client.

6. Professional attorneys, hired or assigned to an indigent, are bound to Rules of Ethics and Rules of Professional Conduct, and the Constitution of the State of Michigan, to wit,

- (a) Rule 1.1 Competence
- (b) Rule 1.3 Diligence
- (c) Rule 1.4 (a) Communication
- (d) Rule 41. Truthfulness in Statements to others
- (e) Rule 6.5 (a) Professional Conduct
- (f) Rule 8.3 (a) Reporting Professional Misconduct
- (g) Rule 8.4 (a), (b), (c), (d), (e) & (f)

7. Professional attorneys, hired or assigned to an indigent, are bound to uphold the Constitution of the State of Michigan of 1963, to wit,

(a) Section 20 RIGHTS OF ACCUSED IN CRIMINAL PROSECUTIONS

- Sec.20. In every criminal prosecution, the accused shall have right to a speedy and...to have the assistance of counsel for his or her defense...
History: Const. 1963, Art.1 sec. 20, Eff. Jan 1, 1964; -AM.H.J.R. M, approved Nov.8, 1994, Eff. Dec. 24, 1994. Former Constitution: see Const. 1908, Art. II sect. 19. Sec 21.

8. As a result of their negligence and contrary to official standard of conduct, Defendants Krohner, Elden and McCarthy knowingly and recklessly allowed abuse of process and malicious prosecution of the Plaintiff Jermano to prevail.

9. Defendant Krohner's negligent errors and negligence in professional relationship perpetuated undue hardship on the Plaintiff Jermamo, to wit,

(a) Pursuant to Rules 1.1, 1.3 and 8.4, Defendant Krohner first met Plaintiff Jermamo on 10 March 2009,

(b) Pursuant to Rule 6.5, when Plaintiff Jermamo asked Defendant Krohner why she was being held with the most violent felons in the jail, in MAXIMUM security, the defendant's reply was,

"Take a plea or you'll stay in jail!"

(c) Pursuant to Rule 6.5, when Plaintiff Jermamo asked Defendant Krohner to motion for reduction of the excessive \$500,000 bail, the defendant's response was,

"You're a criminal!"

(d) Pursuant to Rule 6.5 Defendant Krohner mockingly laughed at Plaintiff Jermamo, stating

"I have no prejudice"

when the Plaintiff Jermamo pointed out the defiling descriptions the police reports started citing of Plaintiff Jermamo, being "clean shaven" and "Jewish".

(e) Pursuant to Rule 6.5 Defendant Krohner mockingly made Plaintiff Jermamo butt of bad jokes, during the course of her prolonged pre-trial incarceration, stating he'd seen the Plaintiff Jermamo's other (non-functioning) PPO assigned counsel, and stated he felt like he was "being stalked in the courtroom."

(f) Pursuant to Rule 6.5, Defendant Krohner mockingly laughed at Plaintiff Jermamo over the Oak Park Valentine's Day police report, several times over the course of her pre-trial incarceration in MAX alleging how terrifying roses and a teddy bear would be, and how they would make anyone fear for their life.

(g) Pursuant to Rules 1.4, 6.5 and 8.4, Defendant Krohner refused to subpoena the phone records of the Plaintiff Jermamo's false accuser, Defendant Magner that would have exonerated the Plaintiff Jermamo.

(h) Pursuant to Rules 1.1, 1.4, 6.5 and 8.4, Defendant Krohner threatened to quit and insisted,

"Go represent yourself!"

to the Plaintiff Jermamo when asked if he would subpoena Defendant Magner's phone records for a trial that was set for April 2009.

(i) Pursuant to Rules 1.1, 1.3, 1.4, 6.5 and 8.4, Defendant Krohner refused to secure the most basic documents of discovery for the Plaintiff Jermano's new impending trial date, set for May 2009.

(j) Pursuant to Rules 1.1, 1.3, 1.4 and 8.4, Defendant Krohner began to advise Plaintiff Jermano of motions he was about to file, only to later delay doing so (for weeks) and then abruptly aborted them then replacing them with redundant motions; Defendant Krohner refused to make relevant motions challenging procedural violations, lack of sufficient evidence for the charges or proper jurisdiction that would have otherwise brought relief to the prolonged detention of the Plaintiff Jermano.

(k) Pursuant to Rules 1.1, 1.3, 1.4 and 8.4, Defendant Krohner refused to challenge the Plaintiff Jermano's prolonged detention, denial of due process, and cruel and unusual punishment the Plaintiff Jermano was being subjected to while being held in MAX, even after Plaintiff Jermano complained about being denied running water in her cell for over 34 days, losing teeth, and developing eye infections due to lack of emergency response to her requests for contact solution.

(l) Pursuant to Rules 1.1, 1.3, 1.4 and 8.3(b) and 8.4, on 20 May 2009, Defendant Krohner presented a motion to Circuit court of Judge Daniel P. O'Brien for bond reduction, while excluding the Plaintiff Jermano from the court proceedings. During the proceedings, Plaintiff Jermano was held in a cold, crowded holding cell for about 7 hours waiting to go to court only to be informed by the guard that her case had been adjourned, as the guard mocked the Plaintiff Jermano about roses and teddy bears.

(m) The Plaintiff Jermano had prepared her own motions to the court, requesting phone records and to go Pro Se which were never heard. Two days later, Defendant Krohner would inform the Plaintiff Jermano that the motion had been denied, to which the Plaintiff Jermano replied,

"What's next -- holding a trial WITHOUT me too?!"

To which Defendant Krohner responded,

"I didn't know where you were!"

[Plaintiff Jermano has witness statements verifying these felonious activities by the officers of the court].

(n) The actions of Defendant Krohner and other officers of the court on 20 May 2009 are in violation of MCLA 600.4373 – Concealment of a Prisoner, and constitute obstruction of justice in deliberate denial of due process.

(o) Under the representation of Defendant Krohner, the Plaintiff Jermano was held in MAXIMUM security for over 4 months while the Oakland County Jail was struggling with over-crowding and was routinely releasing prisoners early.

(p) Pursuant to Rules 1.1, 1.4, 4.1, 6.5 and 8.3, Defendant Krohner refused to present Plaintiff Jermano's repeated requests of motioning for an evidentiary hearing to show contradictions in the dozen falsified police reports; to challenge the faxed hearsay (non-credible) phone report from Common Ground that alleged false statements about the Plaintiff Jermano's character; to challenge the illegality of the Plaintiff Jermano's detention, and /or to protest the destruction of personal property/evidence of the Plaintiff Jermano - that was destroyed by the police.

(q) Pursuant to Rules 1.1, 1.3 and 8.4, Defendant Krohner failed to challenge authenticity of prosecutorial witnesses who were present in the courtroom at time of pre-trial, specifically, Defendant D'Angelo, who had never before seen the Plaintiff Jermano and had lied about service of the PPO on her.

(r) Pursuant to Rules 1.1, 1.3 and 8.4, Defendant Krohner deliberately did not challenge perjured testimony of Defendant Magner, later stating he did not have a police report, which he could have easily retrieved in a 10-foot walk to the police desk in the adjoining room during a break from the pre-trial held on 19 March 2009, as cited in a letter to the prosecutor, which he did not sign.

(s) Pursuant to Rules 1.4, 6.5 and 8.4, Defendant Krohner, by deliberate negligence, allowed police to destroy valuable evidence of phone call logs of Defendant Magner and voice recordings of threats from Defendant D'Angelo, on Plaintiff Jermano's Blackberry phone, while she was being held in custody.

(t) Pursuant to Rules 1.4, 6.5 and 8.4, Defendant Krohner, by deliberate negligence, allowed police to destroy valuable evidence of sales record evidence in Plaintiff Jermano's car which would have proved her whereabouts at all times of falsified "stalking" reports made up by Defendant Magner.

10. Defendant Elden's negligent errors and negligence in professional relationship perpetuated undue hardship on the Plaintiff Jermano, to wit,

(a) Pursuant to Rules 1.1, 1.3 and 8.4, Defendant Elden first met Plaintiff Jermano on March 6, 2009, while standing in for a PPO arraignment that was held fourteen (14) days AFTER the Plaintiff Jermano's arrest, and was a witness to the Plaintiff Jermano being discriminated against because of her alleged sexual orientation. At the arraignment, Defendant Elden informed the Plaintiff Jermano that he would be representing her case.

(b) When arraigning Judge Fred Mester ordered an unconstitutional \$100,000 "cash-only" bail on the Plaintiff Jermano, who was already being held on \$500,000 bail for the stalking charge (which was contingent on the PPO violation charge) Defendant Elden quietly said,

"I thought you'd say \$100 dollars, your honor",

thus implicating Defendant Elden with prior awareness of the case matter, affirming the planned delay of arraignment and deliberate denial of due process to the Plaintiff Jermano.

(c) Pursuant to Rules 1.1, 1.3 and 8.4, Defendant Elden did not meet Plaintiff Jermano again, until 4.5 months later on June 5, 2009, after receiving a grievance letter from Plaintiff Jermano who was demanding an explanation for lack of his representation on her PPO case.

(d) Defendant Elden 's response to the Plaintiff Jermano's letter of demand, by appearance affirms Defendant Elden was assigned to the Plaintiff Jermano's case but **deliberately neglected his duty** of legal service for over 4.5 months; denying the Plaintiff Jermano her guaranteed right to representation by counsel.¹³

¹³Over 40 years ago, in the landmark case Gideon v. Wainwright, the U.S. Supreme Court ruled that "the assistance of counsel is fundamental right to a fair trial."

(e) Pursuant to Rule 6.5 Defendant Elden mockingly laughed at Plaintiff Jermano, stating,

"I have no prejudice"

when the Plaintiff Jermano pointed out the defiling descriptions the police reports started citing of Plaintiff Jermano, being, "clean shaven" and "Jewish".

(f) Under the negligent representation of Defendant Elden, the Plaintiff Jermano was **illegitimately** held in MAXIMUM security for over 4 months while the Oakland County Jail was struggling with over-crowding and was routinely releasing prisoners.

(g) Pursuant to Rules 1.4, 6.5 and 8.4, Defendant Elden refused to subpoena the phone records of the Plaintiff Jermano's false accuser (Jane Doe 5), that would have exonerated the Plaintiff Jermano.

(h) Pursuant to Rules 1.1, 1.3, 1.4 and 8.3(b), 8.4 and contrary to professional ethics, court rules and obstruction of justice, on May 15, 2009 Defendant Elden was party to a court order that showed a hearing was held, which in fact, never happened. Defendant Krohner supplied Plaintiff Jermano of the falsified document on 22 May 2009.

(i) Pursuant to Rules 1.4, 6.5 and 8.4, Defendant Elden acted in ways to deliberately keep the Plaintiff Jermamo incarcerated in the most inhumane capacity allowable in order to assist in covering-up the false arrest and illegal imprisonment of the Plaintiff Jermamo.

11. Defendant McCarthy's negligent errors and negligence in professional relationship perpetuated undue hardship on the Plaintiff Jermamo, to wit,

a) On June 10, 2009 Defendant McCarthy was assigned as replacement counsel.

b) Pursuant to Rules 1.1, 1.3 and 8.4, Defendant McCarthy first met Plaintiff Jermamo on June 14, 2009 knowing that the Plaintiff Jermamo was being discriminated against because of her alleged sexual orientation and being held illegally on an aggravated stalking charge which required the violation of a PPO as one of the key elements of the crime.

c) When the PPO charge was dismissed on 10 June 2009, there were no legal grounds to continue to illegally hold the Plaintiff Jermamo on the aggravated stalking charge yet Defendant McCarthy made no motions to challenge the Plaintiff Jermamo's illegal detention as requested by Plaintiff Jermamo.

(d) On June 11, 2009 Plaintiff Jermamo submitted a 19-page **Writ of Habeas Corpus** to the court, citing all the violations of her illegal detainment. **A letter from the office of the Chief Justice of the court dated June 18, 2009 confirmed receipt of the Writ, but no hearing on the Writ was ever held.**

(e) In a letter to Defendant McCarthy dated June 22, 2009, Plaintiff Jermamo requested relief from violations of due process, abrupt cancellation of hearings and her illegal incarceration in MAX. Yet, pursuant to Rules 1.1 and 1.3, that Defendant McCarthy had evidence the Plaintiff Jermamo was being held for nearly 5 months on no legitimate grounds, he refused to make any motions for bail reduction, relief from unlawful imprisonment or re-classification of the Plaintiff Jermamo out of MAX.

(f) On 4 July 2009 Defendant McCarthy met Plaintiff Jermamo in Max and when Plaintiff Jermamo asked why she was still being held in jail, he replied,

"Take a plea or you'll stay in jail!"

Plaintiff Jermamo replied by firing counsel and asserted she wanted to represent herself.

(g) On 6 July 2009, pursuant to Rules 1.1 and 6.5, Defendant McCarthy baselessly, maliciously and negligently motioned the court requesting the Plaintiff Jermamo have a forensic examination.

"to see if she's fit to stand trial".

(h) Under the malicious and negligent representation of Defendant McCarthy the Plaintiff Jermano remained illegitimately held in jail for over 4 more months while the Oakland County Jail was struggling with over-crowding, waiting for a frivolous forensic examination.

(i) On 9 July 2009 pursuant to Rules 1.1 and 6.5, Defendant McCarthy maliciously and negligently motioned the court, without knowledge or consent of Plaintiff Jermano, asserting a defense of "temporary insanity" to the stalking charge in furtherance of a conspiracy to keep the Plaintiff Jermano in jail until she took a plea and to stop the Plaintiff Jermano from dismissing him as defense counsel and exposing the fraud-on-the-court.

(j) Pursuant to Rules 1.1, 1.3, 1.4, 4.1, 6.5, 8.3 and 8.4 Defendant McCarthy deliberately prejudiced the Plaintiff Jermano on the basis of personal bias and prejudicial attitude because of her alleged sexual orientation and through his cooperation as a link in the chain-link-conspiracy.

12. As a direct and proximate cause of their legal malpractice: neglect errors and negligence in professional relationship of Defendants Krohner, Elden and McCarthy, as set forth in this complaint, Plaintiff Jermano suffered physical injuries and severe mental anguish in connection with the deprivation of her constitutional and statutory rights Guaranteed by the First, Fourth, Fifth, Eighth and Fourteenth Amendments of the Constitution of the United States and protected by U.S.C. sec. 1983 and 1985.

WHEREFORE, Plaintiff Jermano demands judgment against Defendant Krohner, Defendant Elden and Defendant McCarthy, jointly and severally, for actual, general, special, compensatory damages in the amount of \$5,000,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Talor, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355.

COUNT 20:

VIOLATION OF 18 U.S.C. Section 1001

FALSE STATEMENTS

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.

2. Plaintiff Jermamo charges that the violations and injuries complained of herein were brought about by violation against the Plaintiff Jermamo's rights as guaranteed in the constitution, under 18 U.S.C. Section 1001.

3. The false statements made by Defendant Magner and D'Angelo, Defendants Officer Taylor (A.K.A. Ginopolis), Officer Meyers, Officer Zarfl, Officer Pinkerton, Officer Carignan, Officer Tetler, Officer Stanson, "Officer CJM", Officer Hermans, "Officer SK", Officer Rourke, Officer La Mitza, and Defendant Mc Cormick, furthered a conspiracy to offer false statements about the Plaintiff Jermamo, to wit,

(a) Defendant Magner made false statements in OPPD Police Report # 0732.2 on February 14, 2009, when she alleged a flower delivery had violated an ex-parte PPO she claimed to have served against the Plaintiff Jermamo, which contradicted flower shop receipts collected by the OPPD, which showed NO flower delivery was made on February 14, 2009 as alleged.

(b) Police Officers from the Oak Park Police Department made false statements in OPPD Police Report # 0732.2 on February 14, 2009, when they stated that flowers delivered were cast to the curb by Defendant Magner and had violated an ex-parte PPO she claimed to have served against the Plaintiff Jermamo. This contradicted flower shop receipts collected by the OPPD, which showed NO flower delivery was made on February 14, 2009 as alleged.

(c) Defendant Magner made false statements during sworn testimony in a pre-trial held in 45B District Court on 19 March 2009, when she alleged a flower delivery had violated an ex-parte PPO she claimed to have served against the Plaintiff Jermamo, which contradicted flower shop receipts collected by the OPPD, which showed NO flower delivery was made on February 14, 2009 as alleged.

(d) Police Officers from the Oak Park Police Department made false statements in OPPD Police Report # 0732.2 on February 14, 2009, when they stated that a delivery had violated an ex-parte PPO filed by Defendant Magner against the Plaintiff Jermamo. This contradicted their own Follow Up Police Report made previously, on 21 January 2009 which confirmed that NO PPO had been served as alleged by Defendant Magner and Defendant D'Angelo.

4. As a result of the concerted unlawful and malicious false statements of defendants, Plaintiff Jermamo was deprived of both her liberty without due process of law and her right to equal protection under the laws, and the due course of justice was impeded, in violation of the Fifth and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983 and 1985.

WHEREFORE, Plaintiff Jernano demands judgment for the false statements against Defendants Magner, Defendant D'Angelo, Defendants Officer Taylor (A.K.A. Ginopolis), Officer Meyers, Officer Zarfl, Officer Pinkerton, Officer Carignan, Officer Tetler, Officer Stanson, "Officer CJM", Officer Hermans, "Officer SK", Officer Rourke, , Officer La Mitza, Defendant McCormick, Defendant Krauthofer jointly and severally for actual, general, special, compensatory damages in the amount of \$500,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jernano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Talor, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355

COUNT 21:

VIOLATION OF 18 U.S.C. Section 1505

OBSTRUCTION OF PROCEEDINGS

1. Plaintiff Jernano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.
2. Plaintiff Jernano charges that the violations and injuries complained of herein were brought about by violation of against the Plaintiff Jernano's rights as guaranteed in the constitution, under 18 U.S.C. Section 1505, Obstruction of Proceedings.
3. The obstruction of proceedings made by the defendants furthered a conspiracy to falsely accuse, incriminate, deprive the liberty of and/or otherwise harm the Plaintiff Jernano, to wit,
 - (a) On 8 June 2009 two, as yet unidentified Defendant John Does re-served the Plaintiff Jernano a PPO that was the cause of her arrest on February 20, 2009;
 - (b) The "amended" PPO "alteration" consisted of the addition of the name of the accuser (Magner) as a "new alias" of the accused;
 - (c) On 15 May 2009 a show-cause hearing was allegedly held regarding the PPO case without Plaintiff Jernano's knowledge, and is also not on the court docket summary of actions;

(d) On 21 January 2009 Defendant Magner applied for an ex-parte PPO and was granted an immediate hearing and an ex-parte PPO, within hours of applying for it, without providing any evidence to support her accusations;

(e) The Plaintiff Jermano's PPO criminal case proceeding had three different judges involved in the case, in violation of PPO court rule MCR 3.703(D)(1)(a), which added to confusion of the case and was obstruction of proceedings;

(f) The Plaintiff Jermano's stalking arraignment court documents were altered to read fictitious dates of arrest;

(g) The Plaintiff Jermano was denied due process of law, as an act of obstruction of proceedings in the deliberate delay of her arraignment on both charges.

(h) The Plaintiff Jermano, on May 20, 2009 was held in a holding cell for 8 –hours, waiting on a hearing in front of Judge Daniel Patrick O'Brien, and then told the hearing was adjourned. Two days later, Defendant Krohner would inform Plaintiff that the hearing was held – without her – and his motion was denied. The Plaintiff was denied the right to be present at her own hearing; denied the right to argue her motion for Discovery and Dismissal of assigned counsel, Krohner.

4. As a result of the concerted unlawful obstruction of proceedings made by the of defendants, Plaintiff Jermano was deprived of both her liberty without due process of law and her right to equal protection under the laws, and the due course of justice was impeded, in violation of the Fifth and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983 and 1985.

WHEREFORE, Plaintiff Jermano demands judgment for the obstruction of proceedings against all the defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$500,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Tator, 710 F. 2d 4, (1st Cir. 1983). Miga,supre at 355

COUNT 22:

VIOLATION OF 18 U.S.C. Section 1506
THEFT or ALTERATION of RECORD or PROCESS

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.

2. Plaintiff Jermano charges that the violations and injuries complained of herein were brought about by violation of against the Plaintiff Jermano's rights as guaranteed in the constitution, under 18 U.S.C. Section 1506: theft or alteration of record of process.

3. The theft or alteration of record of process made by the defendants furthered a conspiracy to falsely accuse, incriminate, deprive the liberty of and/or otherwise harm the Plaintiff Jermano, to wit,

(a) **On 8 June 2009 two, as yet unidentified John Does re-served the Plaintiff Jermano a PPO that had allegedly been the cause of her arrest 4.5 months previously. Re-service of an "amended" PPO which has the only alteration on the document as being the addition of the name of the accuser as a "new alias" of the accused is an act of obstruction of proceedings in a criminal case matter.**

(b) **On 15 May 2009, an alleged show-cause hearing was held regarding the PPO case matter without the Plaintiff Jermano's knowledge, which is not on the court docket summary of actions and yet is signed by two different judges, is an act of obstruction of proceedings in the Plaintiff Jermano's criminal case matter.**

(c) **The date of the Plaintiff's arrest on the arraignment documents from the 45B District Court were altered by John Doe.**

(d) **A 19-page Writ of Habeas Corpus went missing, that was challenging the Plaintiff's false imprisonment; the document was never heard, never seen again, after acknowledged received from Chief Justice a week after it was mailed.**

(e) **On May 20, 2009 the Plaintiff was held in a holding cell for 8 hours waiting to see Judge Daniel Patrick O'Brien to present her motions for phone record discovery of Magner and relieve counsel Krohner. The Plaintiff was told the hearing was adjourned and would be rescheduled. The next day, Defendant Krohner informed Plaintiff the judge heard Krohner's motions and declined them. The Plaintiff was denied her right to be present at the hearing because of concealment of a prisoner (herself) by the jail deputies.**

4. As a result of the concerted unlawful theft or alteration of record of process made by the of defendants, Plaintiff Jermano was deprived of both her liberty without due process of law and her right to equal protection under the laws, and the due course of justice was impeded, in violation of the Fifth and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983 and 1985.

WHEREFORE, Plaintiff Jermano demands judgment for the theft or alteration of records or process against all the defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$500,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Tator, 710 F. 2d 4, (1st Cir. 1983). Migg,supra at 355

COUNT 23:

VIOLATION OF MATTHEW SHEPARD and JAMES BYRD JR.
HATE CRIMES PREVENTION ACT, 2009

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.
2. Defendant's actions have violated the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, 2009 which guarantees Plaintiff Jermano protection from crimes motivated by a victim's actual or perceived gender, sexual orientation, gender identity, or disability. The concerted conduct by all defendants in connection with the criminal investigation, arrest, incarceration and criminal procedure processing was intended to and did wrongfully disrupt, chill, punish, "neutralize" and otherwise infringe upon the lawful, protected activities of the Plaintiff Jermano.
3. At all times relevant herein, the conduct of all Defendants were subject to Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, 2009 which guarantees Plaintiff Jermano protection from crimes motivated by a victim's actual or perceived gender, sexual orientation, gender identity, or disability.
4. Acting under the color of law and/or conspiring against the Plaintiff Jermano, Defendants worked a denial of Plaintiff Jermano's right, privileges or immunities secured by the United States Constitution or by Federal law¹³ or state law, to wit,

¹³ Soto v. Flores, 103 F.3d 1056 (1st Cir. 1997); McNamara v. Honeyman, 406 Mass. 43, 52 (1989).

- (a) by depriving Plaintiff Jermano of her freedom of speech, because she ordered that 9 dozen roses and a teddy bear be sent to Defendant Magner for Valentine's Day 2009,
- (b) by interfering with the Plaintiff Jermano's freedom of association,
- (c) by conspiring for the purpose of expressing homophobic feelings toward Plaintiff Jermano,
- (d) by refusing or neglecting to prevent such deprivations and denials to the Plaintiff Jermano, thereby depriving the Plaintiff Jermano of her rights, privileges, and immunities as guaranteed by the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, 2009 and the First, Fourth, Fifth, Eighth and Fourteenth Amendments to the Constitution of the United States.

5. As a result of the concerted unlawful and homophobic actions by Defendants, the Plaintiff Jermano was deprived of all of her rights to equal protection under the laws, and the due course of justice was impeded, in violation of the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, 2009, and the First, Fourth, Fifth, Eighth and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983.

WHEREFORE, Plaintiff Jermano demands judgment for the violation of Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, 2009 against all the defendants jointly and severally, for actual, general, special, compensatory *damages* in the amount of \$500,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Tator, 710 F. 2d 4. (1st Cir. 1983). Miga, *supra* at 355

COUNT 24:

VIOLATION OF ELLIOTT-LARSEN CIVIL RIGHTS ACT 4530 of 1976 (MICHIGAN CIVIL RIGHTS ACT)

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.

2. Defendant's actions have violated the Elliott-Larson Civil Rights Act 4530 of 1976, which guarantees Plaintiff Jermano protection from crimes motivated by a victim's actual or perceived gender, sexual orientation, gender identity, or disability. The concerted conduct by all defendants in connection with the criminal investigation, arrest, incarceration and criminal procedure processing was intended to and did wrongfully disrupt, chill, punish, "neutralize" and otherwise infringe upon the lawful, protected activities of the Plaintiff Jermano.

3. At all times relevant herein, the conduct of all Defendants were subject to the Elliott-Larson Civil Rights Act 4530 of 1976, which guarantees Plaintiff Jermano protection from crimes motivated by a victim's actual or perceived gender, sexual orientation, gender identity, or disability.

4. Acting under the color of law and/or conspiring against the Plaintiff Jermano, Defendants worked a denial of Plaintiff Jermano's right, privileges or immunities secured by the United States Constitution or by Federal law¹⁵ or state law, to wit,

¹⁵ Soto v. Flores, 103 F.3d 1056 (1st Cir. 1997); McNamara v. Honeyman, 406 Mass. 43, 52 (1989),

- (a) by interfering with the Plaintiff Jermano's guaranteed civil rights,
- (b) by conspiring for the purpose of denying due process to the Plaintiff Jermano,
- (c) by refusing or neglecting to prevent such deprivations and denials to the Plaintiff Jermano, thereby depriving the Plaintiff Jermano of her rights, privileges, and immunities as guaranteed by the Elliott-Larson Civil Rights Act 4530 of 1976 and the First, Fourth, Fifth, Eighth and Fourteenth Amendments to the Constitution of the United States.

5. As a result of the concerted unlawful actions by Defendants, the Plaintiff Jermano was deprived of all of her rights to equal protection under the laws, and the due course of justice was impeded, in violation of the Elliott-Larson Civil Rights Act 4530 of 1976, the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, 2009, and the First, Fourth, Fifth, Eighth and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983.

WHEREFORE, Plaintiff Jermano demands judgment for the violation of Elliott-Larson Civil Rights Act 4530 of 1976 (Michigan Civil Rights Act) against all the defendants jointly and severally, for actual, general, special, compensatory damages in the amount of \$500,000 and further demands judgment against each of said defendants, jointly and severally, for punitive damages* in the amount of \$100,000, plus the costs of this action, including attorney's fees, and such other relief as to be deemed to be just and equitable.

*("Punitive damages are recoverable in sec. 1983 suit where defendant's conduct is motivated by an evil motive or intent, or where it involves reckless or callous indifference to Plaintiff Jermano's federally protected rights") Smith v Wade, 461 U.S. 30, 50-51 ((1983); Clark v Talor, 710 F. 2d 4, (1st Cir. 1983). Miga, supra at 355

COUNT 25:

MALICIOUS PROSECUTION

1. Plaintiff Jermano repeats and realleges and incorporates by reference the allegations in paragraphs 1-178 above with the same force and effect as if herein set forth.
2. Defendants instituted criminal process against the Plaintiff Jermano with malice:

Defendants Cooper, Pray, Bouchard, Officer Taylor (a.k.a. Ginopolis), Officer Meyers, Zarfel, Pinkerton, Hermans, "SK", Rourke, Stanson, "CJM", Carignan, Tetler, Matthew, Defendants Magner, D'Angelo, Felice, Force, Krauthofer, Growe played an active part in the initiation of the criminal proceedings;

- (a) Defendant Cooper played an active part in the initiation of the criminal proceedings by condoning the instigation of baseless criminal action against the Plaintiff;
- (b) Defendant Pray played an active part in the initiation of the criminal proceedings by refusing to concede on lowering of unconstitutional bail or dismissal of charges against Plaintiff;
- (c) Defendant Bouchard played an active part in the compounding of the criminal proceedings by allowing "special over-ride" classification to place Plaintiff in Maximum Security;
- (d) Defendant Taylor (a.k.a. Ginopolis), played an active part in the initiation of the criminal proceedings by orchestrating the creation of false police reports about the Plaintiff;
- (e) Defendant Meyers played an active part in the initiation of the criminal proceedings by assisting in creation of misleading and falsified police reports about the Plaintiff;
- (f) Defendant Magner played an active part in the initiation of the criminal proceedings; and signed the criminal complaint against the Plaintiff Jermano;
- (g) Defendant D'Angelo played an active part in the initiation of the criminal proceedings by falsifying notarized PPO service against the Plaintiff Jermano;
- (h) Defendants Felice, Force of the Common Ground Sanctuary Crisis Line played an active part in the initiation of the criminal proceedings by breaching confidentiality of Plaintiff Jermano as a confidential caller and fabricating a threatening report to instigate criminal proceedings;

(i) Krauthofer played an active part in the initiation of the criminal proceedings by falsely stating Plaintiff's Valentine's Day order delivery had been successfully delivered when it was not;

(j) Growe played an active part in the initiation of the criminal proceedings by falsely stating to police that Plaintiff was a stalker, in preemptive retaliation to assault charges she believed Plaintiff was going to bring upon her;

(k) Officer Zarfl played an active part in the initiation of the criminal proceedings by entering false statements in a police report stating a flower delivery had been made and that violated a PPO;

(l) Officer Pinkerton played an active part in the initiation of the criminal proceedings by approving a police report that falsely stated a flower delivery had been made and that violated Magner's PPO.

(k) Officers Hermans and "SK" played an active part in the instigation of the criminal proceedings by entering Red Log Note/statements in a 911 CALL report [Ref.#08-0967] implicating Plaintiff in a "suspicious circumstances" incident which had no credible evidence or association to Plaintiff, but was intended to be used to "build a case" against the Plaintiff;

(l) Officer Rourke played an active part in the instigation of the criminal proceedings by verifying BUT NOT VALIDATING contradictory and falsified information in report [Ref.#08-5612.1] made by Officer Meyers, which was used to "build a case" against the Plaintiff;

(m) Officers Stanson and "CJM" played an active part in the instigation of the criminal proceedings by entering Non-validated information in a Call for Service report [Ref.#09-0867] which was used to build a stalking case against the Plaintiff, and ignoring obvious evidence that proved Plaintiff was not involved in the reported "drive-by" incident;

(n) Officer Carignan played an active part in the instigation of the criminal proceedings by not charging Magner and D'Angelo for making false statements to the police about PPO service to the Plaintiff on the night of January 21, 2009;

(o) Officer Tetler played an active part in the instigation of the criminal proceedings by not verifying why there was no charging of Magner and D'Angelo for making false statements to the police about PPO service to the Plaintiff on the night of January 21, 2009; not verifying that Officer Troy Taylor (a.k.a. Ginopolis) was an assisting officer in the report and not verifying the proper date of the report taken on January 21, 2009 yet "dated 10/1/2008".

(p) Officer Matthew played an active part in the instigation of the criminal proceedings by not charging Magner and D'Angelo for making false statements to the police about PPO service to the Plaintiff on the night of January 21, 2009.

4. The charges were not based upon probable cause, that is, the state of the facts in the mind of the prosecutor would not lead a man of ordinary caution and prudence to believe or entertain an honest or strong suspicion that the Plaintiff Jermano was guilty.¹³

¹³ Carroll v Gillespie, 14 Mass. App. Ct. 12, 26 (1982), quoting Jones v Brockton Pub. Mkts., Inc., 369 Mass. 387, 389 (1975), quoting from Quaranto v. Silverman, 345 Mass. [423,] 426 (1963).

5. Defendants Cooper, Pray, Meyers and Taylor (a.k.a. Ginopolis) had a duty to ascertain whether there was reasonable and probable cause for a prosecution.¹⁴ To wit, to learn whether Plaintiff Jermano had actually been served the ex-parte PPO and whether 1-800-FLOWERS had actually made a delivery of flowers to Defendant Magner, if the PPO had been served. The Oak Park Police had a follow-up report on file that proved that the PPO was never served on the Plaintiff as alleged.

Carroll v Gillespie, 14 Mass. App. Ct. 12, 18 (1982)

¹⁴ [I]nformation known to be [] sufficiently unreliable or incomplete to support a finding that was unreasonable to rely upon it without additional information. See Griffin v Dearborn, 210 Mass. 308, 314 (1911)(where defendant knew that his horse was taken by G's minor son, and did not know whether the son did so, as the son claimed, on order from G (t)the defendant's immediate prosecution of the son without any precedent investigation" could be found to lack reasonable grounds); Smith v. Elliot Sav. Bank, 335 Mass. At 548, (where defendant bank failed to pursue information as to whereabouts of S, whose name unauthorized withdrawals were made, and teller identified the plaintiff as forger seven months after brief withdrawal transaction, jury could have found that identification was "so suspect that a 'man of ordinary caution and prudence' would not have relied upon it," quoting from Bacon v Towne, 4 Cush. At 239.)

Carroll v Gillespie, 14 Mass. App. Ct. 12, 18 (1982)

6. Defendant Officer Taylor (a.k.a. Ginopolis) had a duty to ascertain whether there was reasonable and probable cause for a prosecution.

7. Defendant Officer Taylor (a.k.a. Ginopolis) breached her duty.

8. Defendant Officer Taylor (a.k.a. Ginopolis) had a duty to ascertain the truth of the information she had been supplied and failed that duty.

9. Defendant Cooper had a duty to ascertain whether there was reasonable and probable cause for a prosecution.

10. Defendant Cooper breached her duty.

11. Defendant Cooper had a duty to ascertain the truth of the information she had been supplied and failed that duty.

12. Defendant Pray had a duty to ascertain whether there was reasonable and probable cause for a prosecution.

13. Defendant Pray breached her duty.

14. Defendant Pray had a duty to ascertain the truth of the information she had been supplied and failed that duty.

15. Defendant Officer Taylor (a.k.a. Ginopolis) instigated or participated in the prosecution by reporting as police, false information in a complaint for an improper purpose.

16. Defendant Magner, Defendant D'Angelo and 1-800-FLOWERS representatives Defendant Krauthofer submitted categorical statements to the police accusing the Plaintiff Jermano of violating a PPO court order and by falsifying statements about the non-delivery of flowers for Valentine's Day, resulted in the Plaintiff Jermano being charged.

17. Defendant Magner, Defendant D'Angelo instigated or participated in the prosecution by pressing police to apply for a complaint for an improper purpose.

18. Defendant Grove instigated or participated in the prosecution by reporting to police false information a complaint for an improper purpose.

19. Defendant Zarfl instigated or participated in the prosecution by reporting as a policeman, false information in a complaint for an improper purpose.

20. Defendant Pinkerton instigated or participated in the prosecution by reporting as a policeman, false information in a complaint for an improper purpose.

21. Defendants Felice, Force of the Common Ground Sanctuary Crisis Line instigated or participated in the prosecution by supplying police with false information to support a complaint for an improper purpose.

22. Defendant Officer Carignan had a duty to ascertain whether there was reasonable and probable cause for a prosecution.

23. Defendant Officer Carignan breached his duty.

24. Defendant Officer Tetler had a duty to ascertain whether there was reasonable and probable cause for a prosecution.

25. Defendant Officer Tetler breached his duty.

26. Defendant Officer Matthew had a duty to ascertain whether there was reasonable and probable cause for a prosecution.

27. Defendant Officer Matthew breached his duty.

28. The criminal proceedings terminated in favor of the Plaintiff Jermano when the courts dismissed the charges.

29. Defendants are liable under the doctrine of respondent superior or partnership by estoppel.

WHEREFORE, Plaintiff Jermano demands judgment against Defendant for injunctive relief and actual, special, and compensatory damages in the amount deemed at time of trial to be just, fair and appropriate.

RELIEF

1. Based upon the foregoing, Plaintiff Jermano respectfully prays that this Court will:

File the state and federal criminal charges against the defendant's pursuant to:

- 18 U. S. C section 4 - Misprison of felony
- 18 U.S.C. section 1512.(d)(2) Tampering with a victim
- 18 U.S.C. section 1513. Retaliating against a victim
- 18 U.S.C. section 1512.(d)(2) Tampering with evidence
- Obstruction of justice
- Sections MCL 750.411(h),(i) (stalking), under the Michigan governmental tort liability statutes
- under Michigan Common law for intentional and/or negligent infliction of emotional distress
- Conversion
- Assault
- Battery
- False arrest
- False imprisonment
- Obstruction of justice
- Perjury

- Civil conspiracy

2. Adjudging or decreeing that each of the defendants acted unlawfully as alleged respectively in above, and that the respective Plaintiff Jermano as to such Counts was injured as alleged;

The Plaintiff Jermano demand judgment against the defendants, jointly and severally, for compensatory damages for each Count, for violation of her Constitutional rights.

Plaintiff Jermano pray *in addition* for punitive damages in proper amounts found by the Jury against each of the individual defendants found to have participated in fabricating the false basis for the *arrest* and defaming her so she would be wrongfully arrested and unjustly imprisoned,

A. Declare the Defendant's actions and policies that led to the prolonged, illegal detention of the Plaintiff Jermano because of was in violation of the **First, Fourth, Fifth, Sixth, Eighth, Ninth and Fourteenth Amendments** of the Constitution of the United States and 42 U.S.C. sec. 1983 of the United States Constitution; and,

B. **Grant Plaintiff Jermano's damages for violations of her rights under the First, Fourth, Fifth, Sixth, Eighth, Ninth and Fourteenth Amendments** of the Constitution of the United States and 42 U.S.C. sec. 1983 of the United States Constitution; and,

C. Grant Plaintiff Jermano's damages for violations of her rights under the Eighth Amendment for the state and federal statutory violations, for the emotional and physical harm she suffered, as a result of 228 days of: malicious abuse of process, refusing or neglecting to prevent, conspiracy against rights, false arrest, deprivation of rights under color of law, legal malpractice, false statements, obstruction of proceedings, theft or alteration of court records or process, misprision of felony, negligent infliction of emotional distress intentional infliction of emotional distress, malicious prosecution, and homophobic prejudice and hate crime acts.

D. Report these crimes against the Plaintiff Jermano to the Department of Justice and ORDER an investigation and report to the Court.

E. Review the conduct of the Officers of the Court and sanction them according to their violations.

F. Declare that Defendants Officer Troy Taylor (A.K.A: Ginopolis), Officer Rachel Meyers, Officer Zarfl, Officer Pinkerton, Officer Martinelli, Officer Carnigan, Officer Bruce, Officer Tetter, Officer Stanson, Officer CJM, Officer Foreman, Officer Hermans, Officer SK, Officer Rourke, Officer Martinelli, Officer Wickham, Officer La Mitza, Officer Garcher, Officer Julian, Officer Duncan, Defendant Anna Wagner and Defendant Kevin D'Angelo committed perjury, and that Defendants Cooper, Pray, Bouchard, Krohner, Elden and McCarthy breached their oath and duty by refusing or failing to take appropriate action for the Plaintiff Jermano after she gave notice to them as stated in 5 U.S.C. section 3331 which states "well and faithfully

discharge the duties of the office on which I am about to enter. So help me God." and declare these defendants violated 18 U.S.C. section 1621 based on all the facts in this case.

http://www4law.cornell.edu/uscode/html/uscode05/usc_sec_05_00003331----000.html

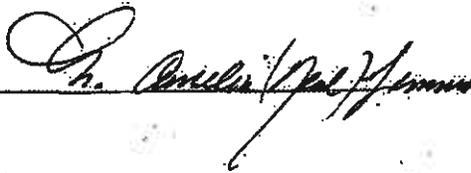
G. For each state or federal statute violation committed by the defendants toward the Plaintiff Jermeno damages for each violation and each count that shall be determined in Court.

H. For the Defendants to be responsible for all medical bills or any future medical bills relating to the injuries the Plaintiff Jermeno received or may experience in the future as a direct and proximate result of the defendant's misconduct.

I. Grant Plaintiff Jermeno such other relief as she may be entitled to, and

J. Award Plaintiff Jermeno's reasonable attorney's fees and costs.

M. AMELIA (NEAL) JERMANO



PO BOX 58

BIRMINGHAM, MICHIGAN 48012

248-238-8254

DEFENDANT NAME and ADDRESS LIST

TROY TAYLOR (A.K.A. GINOPLOIS)

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

RACHEL MEYERS

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

ERIC ZARFL

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

MICHAEL PINKERTON

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

ANTHONY CARIGNAN

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

SHAWN TETLER

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

JOHN STANSON

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

KEITH HERMANS

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

OFFICER "SK"

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

JIM ROURKE

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

CHRIS MARTINELLI

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

ROB WICKHAM

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

CITY OF OAK PARK POLICE DEPARTMENT

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

JAMES HOCK, CITY MANAGER, OAK PARK

13600 OAK PARK BOULEVARD

OAK PARK, MICHIGAN 48237

DETECTIVE DUNCAN

221 EAST 3RD STREET,

ROYAL OAK, MICHIGAN 48067

CHRISTOPHER JAHNKE,

POLICE COMMISSIONER,

CITY OF ROYAL OAK
221 EAST 3RD STREET,
ROYAL OAK, MICHIGAN 48067

CHRISTOPHER JAHNKE,
POLICE COMMISSIONER,
CITY OF ROYAL OAK

221 EAST 3RD STREET,
ROYAL OAK, MICHIGAN 48067

SCOTT LA MITZA
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084

OFFICER GARCHER
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084

OFFICER JULIAN
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084

DAVID CANNON,
POLICE COMMISSIONER,
CITY OF TROY

500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084

JESSICA COOPER
1200 N. TELEGRAPH ROAD
PONTIAC, MICHIGAN 48341

JOANNE PRAY
1200 N. TELEGRAPH ROAD
PONTIAC, MICHIGAN 48341

OAKLAND COUNTY JAIL
1200 N. TELEGRAPH ROAD
PONTIAC, MICHIGAN 48341

MICHAEL BOUCHARD
1200 N. TELEGRAPH ROAD
PONTIAC, MICHIGAN 48341

COMMON GROUND SANCTUARY
1410 TELEGRAPH ROAD
BLOOMFIELD TOWNSHIP, MICHIGAN 48302

SHAWN FORCE
1410 TELEGRAPH ROAD
BLOOMFIELD TOWNSHIP, MICHIGAN 48302

MELISSA FELICE
1410 TELEGRAPH ROAD
BLOOMFIELD TOWNSHIP, MICHIGAN 48302

YWCA INTERIM HOUSE OF METRO-DETROIT
P.O. BOX 21904
DETROIT, MICHIGAN 48221

ANNA KELLOG MAGNER
14051 KINGSTON STREET
OAK PARK, MICHIGAN 48237

PAMELA MC CORMICK
P.O. BOX 21904
DETROIT, MICHIGAN 48221
SANDRA JONES-KARIM
P.O. BOX 21904
DETROIT, MICHIGAN 48221
CURTIS FRANCE
P.O. BOX 21904
DETROIT, MICHIGAN 48221
DANIELLE KRAUTHOFER
21013 GREEN HILL RD.
FARMINGTON HILLS, MI 48335
JULIE GROWE
13691 KINGSTON STREET
OAK PARK, MICHIGAN 48237
KEVIN D'ANGELO
14051 KINGSTON STREET
OAK PARK, MICHIGAN 48237
MARTIN KROHNER
29966 MAYFAIR DRIVE
FARMINGTON HILLS, MICHIGAN 48331
DEAN ELDEN
1370 N. OAKLAND, SUITE 110
WATERFORD, MICHIGAN 48327
MICHAEL MC CARTHY
26001 FIVE MILE ROAD
REDFORD, MICHIGAN 48239
JOHN DOE 1-2 (OCJ DEPUTIES)
1200 N. TELEGRAPH ROAD
PONTIAC, MICHIGAN 48341
JOH DOE (1-800-FLOWERS – OWNER)

APPENDIX LIST OF CIVIL COMPLAINT EXHIBITS:

1. OPPD CRIMINAL CASE REPORT #09-0390: P 1-2

M. Amelia (Neal) Jermano's Second Section 1983 and
Malicious Prosecution Complaint & other Claims

Exhibits

APPENDIX LIST OF CIVIL COMPLAINT EXHIBITS:

- P 11: 1. OPPD CRIMINAL CASE REPORT #09-0390 > p1-2
- P 11: 2. OPPD FOLLOW-UP REPORT #08-5612.2 > p1
- P 12: 3. TRANSCRIPTS CITING POLICE NOTARIZING PPO >pp1-6
- P 12: 4. FLOWER SHOP RECEIPT SHOWING NO DELIVERY 14 FEBRUARY 2009
- P 12: 5. OPPD CRIME REPORT #09-072.1
- P 10: 6. TROY PD ARREST REPORT > p1
- P 10: 7. MOTION CITING ARRAIGNMENT DATE OF STALKING CHARGE
- P 10: 8. COURT ORDER ON HEARING FOR PPO ARRAIGNMENT
- P 10: 9. COURT ORDER OF DISMISSAL – PPO CHARGE
- P 10: 10. COURT ORDER OF STALKING CHARGE DISMISSAL
- P 13: 11. OCJ LETTER OF DETAINMENT
- P 10: 12. UNSIGNED WARRANT > p2
- P 10: 13. UNSIGNED RETURN ON WARRANT > p2
- P 30: 14. WEBPAGE OF WEDDING SHOWING ENGAGEMENT DATE
- P 14: 15. PLAINTIFF'S PHONE RECORDS NIGHT OF ARREST
- P 14: 16. (SEE #6) - TROY PD ARREST REPORT > p1
- P 17: 17. TROY PD LETTER RE: IMPOUND
- P 16: 18. (SEE#15) - PLAINTIFF'S PHONE RECORDS NIGHT OF ARREST
- P 16: 19. TROY ARREST REPORT > p2
- P 16: 20. OPPD REPORTS COMPARING HOMO-BIAS - NONE
- P 16: 21. OPPD REPORTS COMPARING HOMO-BIAS – NOW SHOWS BIASED: **"CLEAN SHAVEN"**
- P 16: 22. OCJ MED CLASSIFICATION: **"HIGH RISK; SPECIAL CONDITION; OVERRIDE" to "MAX SECURITY"**
- P 17: 23. COURT TRANSCRIPT COVER and COMMON GROUND FAX > pp1-4
- P 17: 24. COMMON GROUND BOARD MEMBERS: JUDGE MESTER/ SHERIFF BOUCHARD > pp24a & 24b
- P 17: 25. COURT SUMMARY – STALKING > pp1-2
- P 17: 26. ASSIGNMENT OF COUNSEL BY O'BRIEN
- P 18: 27. LETTER CONFIRMING RECEIPT OF WRIT and COVER OF WRIT > pp1-2
- P 18: 28. SHELBY CT TRANSCRIPTS RECEIPT LETTER

CIVIL RIGHTS: 42 U.S.C. 1983; ABUSE OF PROCESS; HATE CRIME and OTHER CLAIMS*

- P 18: 29. ARREST NARRATIVE –RE: NO ID/TAKE TO STATION/ARREST
- P 18: 30. SHELBY TRANS. OF IMMEDIATE SEARCH W/OUT WARRANT > pp1-2
- P 19: 31. SHELBY ARRAIGNMENT
- P 19: 32. KROHNER LETTER CITING FASLE FILING OF AFFDAVIT OF PPO SERVICE
- P 19: 33. CIVIL RIGHTS VIOLATIONS COMPLAINT LETTER TO GOVERNOR GRANHOLM > pp1-2
- P 19: 34. EMAIL CORRESPONDENCE TO ACLU > pp1-2
- P 20: 35. DEFENDANT ANNA MAGNER FALSE STATEMENTS INDEX > p1-6
- P 27: 36. APPLICATION FOR EX-PARTE PPO ON JANUARY 21, 2009 > pp1-4
- P 27: 37. GRANTING OF EXPARTE PPO ON JANUARY 21, 2009
- P 27: 38. FALSIFIED PROOF OF SERVICE OF PPO ON JANUARY 21, 2009
- P 27: 39. U-HAUL MOVING RECEIPT ON JANUARY 19, 2009
- P 27: 40. REQUEST FOR PPPO ATTORNEY DATED MARCH 23, 2009
- P 27: 41. INMATE GRIEVANCE /REQUEST FOR ATTORNEY > pp1-2
- P 27: 42. REQUEST FOR ATTORNEY REIMBURSEMENT FOR PPO FILED JUNE 12, 2009
- P 27: 43. ORDER APPOINTING PPO ATTORNEY DATED JULY 10, 2009
- P 28: 44. ORDER FOR EXAMINATION OF CRIMINAL RESPONSIBILITY (FRAUDLANT INSANITY PLEA) > pp1-2
- P 28: 45. ORDER REMANDING CASE BACK TO DISTIRICT COURT FROM CIRCUIT COURT > pp1-2
- P 28: 46. ORDER DISMISSING APPLICATION FOR APPEAL ON RE-SERVED PPO
- P 28: 47. ORDER DISMISSING APPLICATION FOR APPEAL ON SHELBY CASE
- P 29: 48. MICHIGAN CONSUMER PROTECTION ACT

H.B.

11-13-08 10:58:23 AM 23 3 3 4 0 7 4 6 2 7 7

Court Copy

09-755097-PH

ADDITIONAL REPORTING OFFICER: GERMAINE ANEL

13800 Oak Park Blvd
Oak Park, MI 48237

248 535-7530

12522009

PH

Oak Park PS Case Report

Case No. 090000390
Date Opened: 01/23/2009

Subject: 6109 - Harassing Communications

Case Status: 0 - Open

City/Followup: OAK PARK

Report Date: 1/23/2009

Location: 14051 Kingston Ave

CSZ: OAK PARK, MI 48237

Grid: 0

Call Source: 0 - Telephone

Vehicle:

Date Entered: 1/25/2009

CFS Disposition: N - No Report

Reporting Agency: Oak Park PS

Received: 1/25/2009

Assigned: 1/23/2009

Cleared: 1/24/2009

090000390.1

harassing communication

Case Report Status

Occurred On: 5/1/2008

(and Between): 1/20/2009

Location: 14051 Kingston Ave

CSZ: OAK PARK, MI 48237

Call Source: 0 - Telephone

Vehicle Activity: Vehicle Activity

Vehicle Traveling: Vehicle Traveling

Cross Street: Cross Street

Report Narrative: Report Narrative

Date Entered: 1/25/2009

Entered By: 01138 - OPHYERBR

Date Verified: 1/25/2009

Verified By: 04809 - OPAOURKEL

Reporting Office: 01138 - OPHYERBR

Division: 1745

Connecting Cases: 4 - Active

Disposition: 4 - Active

Clearance Reason: Oak Park PS

Date of Clearance: Date of Clearance

Reporting Agency: Oak Park PS

Sheets provided by common ground was poor quality. It did state that Germaine is displaying homicidal ideas and rates her sanity level at moderate/high.

On 09/18/08 Magner received a lengthy letter from Germaine. It notes that the letter is intelligently written, but very bizarre. Copy attached.

Germaine has been calling Magner's work regularly, but Magner's coworkers later the calls. RA CFS#09-866 - Uis was informed by Julie Growie that Germaine was living with her and was seeking an apartment. Uis made contact with Magner regarding that information. Magner stated she received a phone call from Germaine on 01/23/09. Germaine asked her if she could help her find her daughter. Magner stated she has been in Germaine's home. Uis advised Magner to bring all paperwork to station to file the report. Uis advised Magner on the PPO procedure. On 01/23/09 Uis

Uis met with victim/Magner in the lobby regarding an ongoing harassment problem. She has made approximately 12 reports last year regarding the same matter. Magner is a psychologist and works for YMYCA (youth center). She has had occasions with Julie Growie in mid 2007. Germaine suffered from personality disorders. Germaine began displaying very aggressive and abusive behavior. Magner terminated Germaine in May 2008. Germaine began calling Magner's work over 15 times per day asking to talk to Magner. The calls were often very threatening and would not connect the call to Magner. Germaine would yell and curse and threaten bodily harm. She would not talk to Magner. She was given referrals to other agencies and crisis lines.

On 7/22/09 common ground received a call from Germaine. It was a crisis intervention type call. The copy of the date sheet provided by common ground was poor quality. It did state that Germaine is displaying homicidal ideas and rates her sanity level at moderate/high.

On 09/18/08 Magner received a lengthy letter from Germaine. It notes that the letter is intelligently written, but very bizarre. Copy attached.

Germaine has been calling Magner's work regularly, but Magner's coworkers later the calls. RA CFS#09-866 - Uis was informed by Julie Growie that Germaine was living with her and was seeking an apartment. Uis made contact with Magner regarding that information. Magner stated she received a phone call from Germaine on 01/23/09. Germaine asked her if she could help her find her daughter. Magner stated she has been in Germaine's home. Uis advised Magner to bring all paperwork to station to file the report. Uis advised Magner on the PPO procedure. On 01/23/09 Uis

H. Complaint of Victim PPO filed

met with Magner at the station. Magner provided Uis with all paperwork she had. Magner also stated she got a PPO against Germaine and had it served and notarized. Uis faxed the proof of service.

Magner stated that she has been in contact with a company called "Security Solutions". It is a security company that checks up on her.

Germaine's true identity has not been verified. She has gone by several different names. Magner advised that she was not allowed to require an ID for the sessions. Uis searched in LEIN and Clemis for all vehicles of the names provided with out any positive results. Growe stated that Germaine moved out on 01/21/09. It is unknown where she moved to.

Uis advised Magner to make a record of Germaine attempts contact with her. Copy of PPO attached to the case.

Offense Detail: 5309 - Harassing Communications

Offense Description: 5309 - Harassing Communications

Location: 20 - Residence/Home

Offense Code: 90Z - All Other Offenses

Offense Completed: Yes

IBR Group: B

Hate/Bias: 88 - None (No Bias)

Domestic Violence: No

Crime Against: No. Prem. Entered

Offense File Class: 5300Z - PUBLIC PEACE - OTHER

Entry Method: Type Security

Investigative Follow-Up Report

Case Report Status: 2/11/2009

Occurred On: 5/1/2008

Date Entered: 01145 - 01145 - CPTAYLORT

(and Between): 1/20/2009

Date Verified: 2/16/2009

Location: [REDACTED]

Verified By: 01145 - CPTAYLORT

CSZ: [REDACTED]

Call Source: 0 - Telephone

Vehicle Activity: Vehicle Activity

Vehicle Traveling: Vehicle Traveling

Cross Street: Cross Street

Report Narrative: Report Narrative

2/6/09

Connecting Cases: 4 - Active

Disposition: 4 - Active

Clearance Reason: Oak Park PS

Date of Clearance: Date of Clearance

Reporting Agency: Oak Park PS

Report Narrative: Report Narrative

Undersigned was assigned and reviewed listed case. Reporting officer was unable to locate a true identity of the suspect. Undersigned, using a variety of law enforcement database searches, was able to find a true identity of the suspect. The suspect was located at [REDACTED] in [REDACTED] in which she used multiple aliases.

Undersigned contacted the victim/Magner (248-619-6957) and she advised undersigned that the suspect had not contacted her since the PPO was served. Undersigned advised the victim to obtain a copy of this report to amend the PPO with the suspect's true identity.

2/16/09

Undersigned was assigned case# 09-732, which involved a violation of the aforementioned PPO. See attached case report and follow-up investigation attached.

Oak Park PS Follow-Up Report

Case No. 0800003512
 Report No. 0800003612.2
 Report Date: 10/12/08

Oak Park PS
 13000 Oak Park Blvd
 Oak Park, MI 48237
 248 591 7520

Subject: 5309 - Follow up investigation

Approved By: A - Approved
 Date: 09 - Oakland

Officer: 53 - Oak Park
 Date: 10/12/08 12:20:00 AM

Address: 14051 Kingston Ave
 OAK PARK, MI 48237

Officer: 91214 - Carignea, Anthony
 Date: 1/23/2009 12:10:25 AM

Officer: 01137 - Teller, Shawn
 Date: 10/31/2008 3:27:45 AM

Officer: 01137 - Teller, Shawn
 Date: 10/31/2008 3:27:50 AM

Officer: 990033783
 Date: 10/31/2008

Officer: Oak Park PS
 Date: 10/31/2008

Officer: 0 - N/A
 Date: Telephone

1

STATE OF MICHIGAN

45-9 JUDICIAL DISTRICT COURT, COUNTY OF OAKLAND
 THE PEOPLE OF THE STATE OF MICHIGAN,

Case No. CR-09-225771-FH

WILLIE EBLEA REAL,

Defendant.

PRELIMINARY EXAMINATION

BEFORE THE HONORABLE MICHELLE FRIEDMAN APPEL, PJ2709

OAK PARK, MICHIGAN - Thursday, March 15, 2009

APPEARANCES:

FOR THE PEOPLE:

MS. KARDIAN MILLER, P68040
 Oakland County Prosecutor's Office
 1200 North Telegraph Road
 Pontiac, MI 48341
 (248) 850-0656

FOR THE DEFENDANT:

MS. MARTIN P. KROHNER, P16252
 P.O. Box 3343
 Farmington Hills, MI 48331
 (248) 464-0040

Debra R. Kicszner CER 1331
 Certified Electronic Reporter
 (248) 691-7442

RECORDED BY:

On Wednesday 01/21/2009 Officer Bruce was dispatched to the lobby to speak with subject Anna Wagner. Upon speaking with Wagner, Officer Bruce discovered that Wagner was attempting to provide information with a proof of service of a PPO that was served to subject Amanda Neil. Upon investigation of this case officer discovered that Amanda Neil was an alias name. Wagner was unable to determine the real name of the subject she was trying to serve the PPO to. Officer Bruce did observe subject "Neil" at 13891 Kingston approximately 10 mins prior to coming to the station while her boyfriend attempted to serve the PPO. Wagner stated that another possible name for "Neil" was Beth Dugan. Officer Bruce was able to provide a picture of Dugan and confirm that she was not the subject Wagner was trying to serve.

Officer and Officer Teller made the 13891 Kingston in attempt to verify "Neil's" identity. While at the location officer spoke with subject Julie Groves (ref/cr#09-684) who resides at the address. Groves stated that she spoke with Wagner's boyfriend and that "Neil" has not been at the location since Monday 01/19/2009. Groves stated that she has had problems with "Neil" also and is also attempting to file a PPO against her. Groves stated that she does not know where "Neil" is residing at, but has not had any contact with her. Officer Bruce checked the location and did not locate "Neil".

Writer advising Wagner that "Neil" was not at the location. Wagner stated that Groves was not the female they saw at the location nor was she the female that they spoke with. Wagner is admit that "Neil" was at the location.

Officer were not able to verify "Neil's" identity or able to serve her. Officer Bruce left the location without further incident.

5309 - Harassing Communications

5309 - Harassing Communications

902 - All Other Offenses

20 - Residence/Home

5-10001-1-2

10/12/08 12:20:00 AM

011040

TABLE OF CONTENTS

WITNESSES: PEOPLE

Anna Mallogh Moore
 Direct Examination by Mr. Miller
 Vol. 118 - Examination by Mr. Kramer
 Cross-Examination by Mr. Kramer

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 18
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DEFENSE: NEWS

EXHIBITS:

EX # 1 - Letter (09/18/83)
 EX # 2 - Letter (02/14/89)
 EX # 3 - Letter (02/14/89)

MARKED

26

ADMITTED

40
 47/50
 79

1 observed this defendant at the front door of that home?
 2 A She -- yes, she came to the door.
 3 Q On that -- let me finish the question. On -- on the --
 4 approximately 8:15 p.m. on January the 21st of 2003, is
 5 that your testimony today?
 6 A Yes.
 7 Q Okay. That's what I want to know. And -- but you don't
 8 remember what she was wearing.
 9 A No.
 10 Q Okay. Did you overhear any conversation?
 11 A I heard -- I didn't hear her speak at all because she's
 12 not speaking very loud. I heard my boyfriend speak.
 13 Q And what did Mr. D'Angelo say?
 14 A He --
 15 MS. MILLER: Objection, hearsay.
 16 THE COURT: Sustained.
 17 MR. KROMER: That's okay, your Honor, it will
 18 come out in a Circuit Court hearing.
 19 BY MR. KROMER:
 20 Q Where does Mr. D'Angelo currently live, ma'am?
 21 A He lives with me.
 22 Q Has Mr. D'Angelo ever talked to any of the police officers
 23 in regards to this investigation with Miss Deal?
 24 A Yes.
 25 Q He has?

1 Q And did both of you come back the next day?

2 A Yes.

3 Q And what happened when you came back the next day?

4 A We had to have it notarized, the PPO notarized, we had it

5 notarized the next day.

6 Q And that was at the police station?

7 A Yes.

8 Q And then they had a copy. Did the police officer ask you

9 any questions or -- of either you or Mr. D'Angelo at that

10 time?

11 A The next day or the night of the PPO?

12 Q Both.

13 A Yes.

14 Q Okay. Do you know who the -- was it the same officer or

15 different officer?

16 A I know the officer that asked me the questions the next

17 day. There were a few officers that -- we were there

18 for quite a few hours actually on the night of the PPO

19 signing.

20 Q This was the 21st which -- what day of the week was that?

21 A I don't know, it was a week day, I know that. If I had a

22 calendar --

23 THE COURT: What was the date it was served?

24 THE WITNESS: The 21st.

25 THE COURT: Of?

1 A DeJanna.

2 Q Is that -- you can't say DeJanna.

3 A Yes, I'm sorry.

4 Q Approximately how many times has he called the police?

5 A I'm going to say about four.

6 Q Four times.

7 A Maybe more, I'm going to say three times.

8 Q Three times.

9 A Yes.

10 Q Can you give me an approximate time sequence, frame with,

11 month, day, year, etc.

12 A Between January and February.

13 Q Okay. And did you and Mr. D'Angelo go to the police

14 department and inform them that you had served this

15 personal protection order on Miss Neely?

16 A Yes.

17 Q And he was present at that time?

18 A Yes.

19 Q And did he show a copy of this -- I mean he, Mr. D'Angelo

20 show a copy of the -- of the order and the service to the

21 police officer?

22 A Yes.

23 Q Did the police officer take and make a copy of that?

24 A Yeah, they said that the next day -- yes, and they said

25 we had to come back the next day.

APPENDIX LIST OF CIVIL COMPLAINT EXHIBITS:

1. OPPD CRIMINAL CASE REPORT #09-0390: P 1-2
2. OPPD FOLLOW-UP REPORT #08-5612.2: P1
3. TRANSCRIPTS CITING POLICE NOTARIZING PPO
4. FLOWER SHOP RECEIPT SHOWING NO DELIVERY 14 FEBRUARY 2009
5. OPPD CRIME REPORT #09-072.1
6. TROY PD ARREST REPORT: P1
7. MOTION CITING ARRAIGNMENT DATE OF STALKING CHARGE
8. COURT ORDER ON HEARING FOR PPO ARRAIGNMENT
9. COURT ORDER OF DISMISSAL – PPO CHARGE
10. COURT ORDER OF STALKING CHARGE DISMISSAL
11. OCJ LETTER OF DETAINMENT
12. UNSIGNED WARRANT: P2
13. UNSIGNED RETURN ON WARRANT: P2
14. WEBPAGE OF WEDDING SHOWING ENGAGEMENT DATE
15. PLAINTIFF JERMANO PHONE RECORDS NIGHT OF ARREST
16. (SEE #6)
17. TROY PD LETTER RE: IMPOUND
18. (SEE#15)
19. TROY ARREST REPORT P2
20. OPPD REPORTS COMPARING HOMO-BIAS - NONE
21. OPPD REPORTS COMPARING HOMO-BIAS – NOW BIASED
22. OCJ CLASSIFICATION
23. COMMON GROUND FAX P 1-2
24. COMMON GROUND BOD: MESTER/BOUCH
25. COURT SUMMARY – STALKING – P1-2
26. ASSIGNMENT OF COUNSEL BY O'BRIEN
27. LETTER CONFIRMING RECEIPT OF WRIT
28. SHELBY CT TRANSCRIPTS RECEIPT LETTER

~APPENDIX~

29. ARREST NARRATIVE --RE: NO ID/TAKE TO STATION/ARREST
30. SHELBY TRANS. OF IMMEDIATE SEARCH W/OUT WARRANT
31. SHELBY ARRAIGNMENT
32. KROHNER LETTER CITING FASLE FILING OF AFFDAVIT OF PPO SERVICE
33. CIVIL RIGHTS VIOLATIONS COMPLAINT LETTER TO GOVERNOR GRANHOLM
34. EMAIL CORRESPONDENCE TO ACLU
35. DEFENDANT ANNA MAGNER FALSE STATEMENTS INDEX
36. APPLICATION FOR EX-PARTE PPO ON JANUARY 21, 2009
37. GRANTING OF EXPARTE PPO ON JANUARY 21, 2009
38. FALSIFIED PROOF OF SERVICE OF PPO ON JANUARY 21, 2009
39. U-HAUL MOVING RECEIPT ON JANUARY 19, 2009
40. REQUEST FOR PPPO ATTORNEY DATED MARCH 23, 2009
41. INMATE GRIEVANCE /REQUEST FOR ATTORNEY
42. REQUEST FOR ATTORNEY REIMBURSEMENT FOR PPO FILED JUNE 12, 2009
43. ORDER APPOINTING PPO ATTORNEY DATED JULY 10, 2009
44. ORDER FOR EXAMINATION OF CRIMINAL RESPONSIBILITY (FRAUDLENT INSANITY PLEA)
45. ORDER REMANDING CASE BACK TO DISTIRCT COURT FROM CIRCUIT COURT
46. ORDER DISMISSING APPLICATION FOR APPEAL ON RE-SERVED PPO
47. ORDER DISMISSING APPLICATION FOR APPEAL ON SHELBY CASE
48. MICHIGAN CONSUMER PROTECTION ACT

~APPENDIX~

CIVIL RIGHTS: 42 U.S.C. 1983; ABUSE OF PROCESS, HATE CRIME and OTHER CLAIMS*

011040

with a valid license

PD Arrest Report

Case No. 000001886
 Report No. 000001886
 Print Date: 2/20/08

Troy PD
 500 W Big Beaver
 Troy, MI 48064
 248 892-3477

Subject

2702008 7:28:35 PM
 08018 - Lamitza, Scott
 2702008 5:45:00 PM

Appointed To

00018 - Lamitza, Scott
 Assigned By
 Timothy
 50034 - Jullian, Edwin

Offense

S - Submitted
 63 - Oakland
 81 - Troy

Offense Code

00006007

Offense Description

W BIG BEAVER RD &
 COULIDGE HWY
 TROY, MI 48064

Offense Date

08018 - Lamitza, Scott

Offense Status

Field Initialed

Offense Status

Troy PD
 Arrest Report
 Patrol

Incident: Felony Warrants arrest 09-0507

Arrest: Neal, Milie Amella w/it DOB

LEBANONIC: Felony warrant for aggravated sailing-45-S District Court (Oak Park)

Information: On listed date and time, I (Officer Latitza) was on patrol in vehicle 906 w/ps on Big Beaver near Lakeside in the right through lane. I observed a 2001 Ford Thunderbird in front of my vehicle also in the right through lane. I entered the license plate into LEINANCIC and ran the attached operator's number. The operator's number attached [redacted] came back to a Milie Amella Neal who was showing a felony warrant out of Oak Park for aggravated sailing. The subject driving the vehicle matched the physical description listed in LEINANCIC (female, blonde hair, approximately 45 yoa). I also noticed that the vehicle had an object hanging from the mirror.

I advise dispatch of my location and I advised of the PD's felony warrant. At this time Officer Garcher and Officer Jullian advised they were in the area to assist with the stop. I initiated a traffic stop on Coolidge & Big Beaver. Officer Garcher, Officer Jullian, and I approached the vehicle and I asked the driver for her license, registration, and proof of insurance. The driver provided me with a Michigan license identifying her as Milie Amella Neal along with the other documents. After several minutes dispatch advised that Oak Park would pick up Neal on her valid felony warrant. I asked Neal to step out of her vehicle. I handcuffed her (DULTC), searched her, and transported her to Troy lockup where she was booked by lockup personnel. Officer Garcher impounded Neal's vehicle to Coleman's. No further action taken.

Offense Detail: 00006 - Felony Arrest Warrant - Other Jurisdiction

Offense Description: 08018 - Felony Arrest Warrant - Other Jurisdiction

Location: 13 - Highway/Road/Street/Alley

Printed On: 2/20/08
 Print Date: 2/20/08 8:22 PM

Oak Park PS Crime Report

Case No 0900000737
 Report No 0900000737
 Report Date: 2/14/2009

Oak Park PS
 1800 Oak Park Blvd
 Oak Park MI 48237
 248 697-7520

Subject

2/14/2009 5:00:00 PM
 01155 - Zarl, Eric
 01128 - Pinkerton, Michael

Offense

01189 - Zarl, Eric
 01128 - Pinkerton, Michael

Offense Code

090001094

Offense Description

Oak Park PS
 Crime Report
 Patrol

Offense Status

Active

Offense Status

Oak Park PS
 Crime Report
 Patrol

Incident: PPO violation by mail or delivery.

Arrest: [redacted]

Officer dispatched to the listed address for a PPO violation. Officer arrived and spoke with Magner who stated that [redacted] she received a letter from the court regarding a PPO violation. Magner stated that along with the flowers and beer, there was a letter from the court. Magner stated that when she opened the letter, she realized that the letter was from a person known to her as Annelia Germaine. Magner stated that she was a PPO-violating woman which has been served. Magner stated that the letter was signed with the name "Annelia" and the handwriting is that of Germaine. Also, there was a signed written note stating "can you hear me now" with a telephone number. Magner added that Annelia Germaine was found to be on a list for the person whom the PPO is against, but that is how she knows and refers to her, and that is the name in the PPO. Magner stated that she made a few calls to the number and spoke to Annelia Germaine with a condition being that she would be made to call her at any other delivery. Magner stated that the PPO was occasionally served and had a proof of that. Magner stated that Oak Park PD is not a PPO-violating area. Germaine and [redacted] wished to make the PPO violation. Magner stated that she placed it into evidence (1098A). The PPO violation was identified by Magner photo officers, and it was identified as a PPO violation by saying outside near the curb of Magner's house.

Offense Detail: 5005 - Contempt of Court (PPO Violation, 618)

Offense Description: 5005 - Contempt of Court (PPO Violation, 618)

Offense Code: 907 - All Other Offenses

Offense Status: 20 - Residence/Home

Offense Status: 00 - Name (No Bias)

Offense Status: 50000 - OBSTRUCTING JUSTICE

Printed On: 2/14/09
 Print Date: 2/14/09 1:15:24 PM

Location: 1300 - Oak

Offense Code: 50000 - OBSTRUCTING JUSTICE

Offense Description: 50000 - OBSTRUCTING JUSTICE

Offense Status: 00 - Name (No Bias)

Offense Status: 20 - Residence/Home

Offense Status: 907 - All Other Offenses

Offense Status: 5005 - Contempt of Court (PPO Violation, 618)

Offense Description: 5005 - Contempt of Court (PPO Violation, 618)

Offense Code: 907 - All Other Offenses

Offense Status: 20 - Residence/Home

Offense Status: 00 - Name (No Bias)

Offense Status: 50000 - OBSTRUCTING JUSTICE

Offense Status: 00 - Name (No Bias)

Offense Status: 20 - Residence/Home

Offense Status: 907 - All Other Offenses

Offense Status: 5005 - Contempt of Court (PPO Violation, 618)

Offense Description: 5005 - Contempt of Court (PPO Violation, 618)

Offense Code: 907 - All Other Offenses

Offense Status: 20 - Residence/Home

Offense Status: 00 - Name (No Bias)

Offense Status: 50000 - OBSTRUCTING JUSTICE

Offense Status: 00 - Name (No Bias)

Offense Status: 20 - Residence/Home

Offense Status: 907 - All Other Offenses

Offense Status: 5005 - Contempt of Court (PPO Violation, 618)

Offense Description: 5005 - Contempt of Court (PPO Violation, 618)

4/23

RECEIVED

STATE OF MICHIGAN
JUDICIAL CIRCUIT-FAMILY DIVISION
OAKLAND COUNTY

ORDER AFTER HEARING ON VIOLATION OF VALID PERSONAL FOREIGN PROTECTION ORDER

Case No. 09-755087-PH

Case Address: 150 North Telegraph Road, Farmington, MI 48325

Defendant's Name: Millie Amelia Neal/AKA

Defendant's Address: Academy Drive, Farmington, MI 48325

Case No: 03-0197-D

Plaintiff's Name: Paula Wagner

Plaintiff's Address: 150 North Telegraph Road, Farmington, MI 48325

No. 2009-225771-FH
Hon. Daniel O'Brien

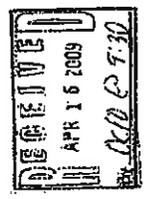
PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff,

MILLIE AMELIA NEAL
Defendant,

MOTION FOR BAIL REDUCTION

NOW COMES THE DEFENDANT, Millie Neal, by her attorney and moves the Honorable Court to reduce her bail. This motion is based on the Eighth Amendment to the United States Constitution, Article I, Section 15 of the Michigan Constitution, and the following reasons:

1. On February 25, 2009 Millie Neal was arraigned on the charge of Aggravated Stalking MCL 750.411.
2. Bail was set at \$500,000.00.
3. The Eighth Amendment to the United States Constitution and Article 1, Section 16 of the Michigan Constitution provide that excessive bail shall not be required. US Const, Am VIII; Const 1963, art 1, §16.



DATE OF HEARING: 4/23/09 Judge: K. Mestor

ORDER EXTENDED AFTER VIOLATION HEARING UNDER MCR 3.108(F) HOLD AS A RESULT OF: Arrangement for arrest under MCL 754.15b and MCR 3.708(C).

THE COURT FINDS:

1. The respondent was present at the hearing on violation of a valid personal/protection order and was advised of the right to present evidence and to examine and cross-examine witnesses.
2. Specific findings of fact are stated on the record.
3. By proof beyond a reasonable doubt, the respondent was found guilty of criminal contempt.
4. By proof and convincing evidence, the respondent was found guilty of civil contempt.
5. The respondent failed to appear as ordered and a bench warrant is issued.
6. Respondent is not in contempt.

IT IS ORDERED:

1. A bench warrant shall issue for respondent's arrest.
2. The hearing on the violation is adjourned to 3:30 PM on 4/23/09 at 1:30 PM.
3. The respondent shall pay a fine of \$ 100.00 to be paid as follows: CASH ONLY NO 1076.
4. The respondent shall remain on Order for Enforcement.
5. The respondent shall remain on Order for Enforcement.
6. The respondent shall remain on Order for Enforcement.
7. The respondent shall remain on Order for Enforcement.
8. The respondent shall remain on Order for Enforcement.
9. The respondent shall remain on Order for Enforcement.
10. The respondent shall remain on Order for Enforcement.
11. The respondent shall remain on Order for Enforcement.
12. The respondent shall remain on Order for Enforcement.
13. The respondent shall remain on Order for Enforcement.
14. Other conditions: Enforcement of Order for Enforcement.

3/16/09
[Signature]

TO THE CLERK OF THE COURT: When items to be filed are checked or when respondent paid duty to establish contempt, a 1500 number has been returned, and the order of the Michigan State Police.

MCL 20.2427, MCL 20.244-20.255a, MCL 754.15b, MCL 754.15c, MCL 754.15d, MCL 754.15e, MCL 754.15f, MCL 754.15g, MCL 754.15h, MCL 754.15i, MCL 754.15j, MCL 754.15k, MCL 754.15l, MCL 754.15m, MCL 754.15n, MCL 754.15o, MCL 754.15p, MCL 754.15q, MCL 754.15r, MCL 754.15s, MCL 754.15t, MCL 754.15u, MCL 754.15v, MCL 754.15w, MCL 754.15x, MCL 754.15y, MCL 754.15z, MCL 754.15aa, MCL 754.15ab, MCL 754.15ac, MCL 754.15ad, MCL 754.15ae, MCL 754.15af, MCL 754.15ag, MCL 754.15ah, MCL 754.15ai, MCL 754.15aj, MCL 754.15ak, MCL 754.15al, MCL 754.15am, MCL 754.15an, MCL 754.15ao, MCL 754.15ap, MCL 754.15aq, MCL 754.15ar, MCL 754.15as, MCL 754.15at, MCL 754.15au, MCL 754.15av, MCL 754.15aw, MCL 754.15ax, MCL 754.15ay, MCL 754.15az, MCL 754.15ba, MCL 754.15bb, MCL 754.15bc, MCL 754.15bd, MCL 754.15be, MCL 754.15bf, MCL 754.15bg, MCL 754.15bh, MCL 754.15bi, MCL 754.15bj, MCL 754.15bk, MCL 754.15bl, MCL 754.15bm, MCL 754.15bn, MCL 754.15bo, MCL 754.15bp, MCL 754.15bq, MCL 754.15br, MCL 754.15bs, MCL 754.15bt, MCL 754.15bu, MCL 754.15bv, MCL 754.15bw, MCL 754.15bx, MCL 754.15by, MCL 754.15bz, MCL 754.15ca, MCL 754.15cb, MCL 754.15cc, MCL 754.15cd, MCL 754.15ce, MCL 754.15cf, MCL 754.15cg, MCL 754.15ch, MCL 754.15ci, MCL 754.15cj, MCL 754.15ck, MCL 754.15cl, MCL 754.15cm, MCL 754.15cn, MCL 754.15co, MCL 754.15cp, MCL 754.15cq, MCL 754.15cr, MCL 754.15cs, MCL 754.15ct, MCL 754.15cu, MCL 754.15cv, MCL 754.15cw, MCL 754.15cx, MCL 754.15cy, MCL 754.15cz, MCL 754.15da, MCL 754.15db, MCL 754.15dc, MCL 754.15dd, MCL 754.15de, MCL 754.15df, MCL 754.15dg, MCL 754.15dh, MCL 754.15di, MCL 754.15dj, MCL 754.15dk, MCL 754.15dl, MCL 754.15dm, MCL 754.15dn, MCL 754.15do, MCL 754.15dp, MCL 754.15dq, MCL 754.15dr, MCL 754.15ds, MCL 754.15dt, MCL 754.15du, MCL 754.15dv, MCL 754.15dw, MCL 754.15dx, MCL 754.15dy, MCL 754.15dz, MCL 754.15ea, MCL 754.15eb, MCL 754.15ec, MCL 754.15ed, MCL 754.15ee, MCL 754.15ef, MCL 754.15eg, MCL 754.15eh, MCL 754.15ei, MCL 754.15ej, MCL 754.15ek, MCL 754.15el, MCL 754.15em, MCL 754.15en, MCL 754.15eo, MCL 754.15ep, MCL 754.15eq, MCL 754.15er, MCL 754.15es, MCL 754.15et, MCL 754.15eu, MCL 754.15ev, MCL 754.15ew, MCL 754.15ex, MCL 754.15ey, MCL 754.15ez, MCL 754.15fa, MCL 754.15fb, MCL 754.15fc, MCL 754.15fd, MCL 754.15fe, MCL 754.15ff, MCL 754.15fg, MCL 754.15fh, MCL 754.15fi, MCL 754.15fj, MCL 754.15fk, MCL 754.15fl, MCL 754.15fm, MCL 754.15fn, MCL 754.15fo, MCL 754.15fp, MCL 754.15fq, MCL 754.15fr, MCL 754.15fs, MCL 754.15ft, MCL 754.15fu, MCL 754.15fv, MCL 754.15fw, MCL 754.15fx, MCL 754.15fy, MCL 754.15fz, MCL 754.15ga, MCL 754.15gb, MCL 754.15gc, MCL 754.15gd, MCL 754.15ge, MCL 754.15gf, MCL 754.15gg, MCL 754.15gh, MCL 754.15gi, MCL 754.15gj, MCL 754.15gk, MCL 754.15gl, MCL 754.15gm, MCL 754.15gn, MCL 754.15go, MCL 754.15gp, MCL 754.15gq, MCL 754.15gr, MCL 754.15gs, MCL 754.15gt, MCL 754.15gu, MCL 754.15gv, MCL 754.15gw, MCL 754.15gx, MCL 754.15gy, MCL 754.15gz, MCL 754.15ha, MCL 754.15hb, MCL 754.15hc, MCL 754.15hd, MCL 754.15he, MCL 754.15hf, MCL 754.15hg, MCL 754.15hh, MCL 754.15hi, MCL 754.15hj, MCL 754.15hk, MCL 754.15hl, MCL 754.15hm, MCL 754.15hn, MCL 754.15ho, MCL 754.15hp, MCL 754.15hq, MCL 754.15hr, MCL 754.15hs, MCL 754.15ht, MCL 754.15hu, MCL 754.15hv, MCL 754.15hw, MCL 754.15hx, MCL 754.15hy, MCL 754.15hz, MCL 754.15ia, MCL 754.15ib, MCL 754.15ic, MCL 754.15id, MCL 754.15ie, MCL 754.15if, MCL 754.15ig, MCL 754.15ih, MCL 754.15ii, MCL 754.15ij, MCL 754.15ik, MCL 754.15il, MCL 754.15im, MCL 754.15in, MCL 754.15io, MCL 754.15ip, MCL 754.15iq, MCL 754.15ir, MCL 754.15is, MCL 754.15it, MCL 754.15iu, MCL 754.15iv, MCL 754.15iw, MCL 754.15ix, MCL 754.15iy, MCL 754.15iz, MCL 754.15ja, MCL 754.15jb, MCL 754.15jc, MCL 754.15jd, MCL 754.15je, MCL 754.15jf, MCL 754.15jg, MCL 754.15jh, MCL 754.15ji, MCL 754.15jj, MCL 754.15jk, MCL 754.15jl, MCL 754.15jm, MCL 754.15jn, MCL 754.15jo, MCL 754.15jp, MCL 754.15jq, MCL 754.15jr, MCL 754.15js, MCL 754.15jt, MCL 754.15ju, MCL 754.15jv, MCL 754.15jw, MCL 754.15jx, MCL 754.15jy, MCL 754.15jz, MCL 754.15ka, MCL 754.15kb, MCL 754.15kc, MCL 754.15kd, MCL 754.15ke, MCL 754.15kf, MCL 754.15kg, MCL 754.15kh, MCL 754.15ki, MCL 754.15kj, MCL 754.15kk, MCL 754.15kl, MCL 754.15km, MCL 754.15kn, MCL 754.15ko, MCL 754.15kp, MCL 754.15kq, MCL 754.15kr, MCL 754.15ks, MCL 754.15kt, MCL 754.15ku, MCL 754.15kv, MCL 754.15kw, MCL 754.15kx, MCL 754.15ky, MCL 754.15kz, MCL 754.15la, MCL 754.15lb, MCL 754.15lc, MCL 754.15ld, MCL 754.15le, MCL 754.15lf, MCL 754.15lg, MCL 754.15lh, MCL 754.15li, MCL 754.15lj, MCL 754.15lk, MCL 754.15ll, MCL 754.15lm, MCL 754.15ln, MCL 754.15lo, MCL 754.15lp, MCL 754.15lq, MCL 754.15lr, MCL 754.15ls, MCL 754.15lt, MCL 754.15lu, MCL 754.15lv, MCL 754.15lw, MCL 754.15lx, MCL 754.15ly, MCL 754.15lz, MCL 754.15ma, MCL 754.15mb, MCL 754.15mc, MCL 754.15md, MCL 754.15me, MCL 754.15mf, MCL 754.15mg, MCL 754.15mh, MCL 754.15mi, MCL 754.15mj, MCL 754.15mk, MCL 754.15ml, MCL 754.15mm, MCL 754.15mn, MCL 754.15mo, MCL 754.15mp, MCL 754.15mq, MCL 754.15mr, MCL 754.15ms, MCL 754.15mt, MCL 754.15mu, MCL 754.15mv, MCL 754.15mw, MCL 754.15mx, MCL 754.15my, MCL 754.15mz, MCL 754.15na, MCL 754.15nb, MCL 754.15nc, MCL 754.15nd, MCL 754.15ne, MCL 754.15nf, MCL 754.15ng, MCL 754.15nh, MCL 754.15ni, MCL 754.15nj, MCL 754.15nk, MCL 754.15nl, MCL 754.15nm, MCL 754.15nn, MCL 754.15no, MCL 754.15np, MCL 754.15nq, MCL 754.15nr, MCL 754.15ns, MCL 754.15nt, MCL 754.15nu, MCL 754.15nv, MCL 754.15nw, MCL 754.15nx, MCL 754.15ny, MCL 754.15nz, MCL 754.15oa, MCL 754.15ob, MCL 754.15oc, MCL 754.15od, MCL 754.15oe, MCL 754.15of, MCL 754.15og, MCL 754.15oh, MCL 754.15oi, MCL 754.15oj, MCL 754.15ok, MCL 754.15ol, MCL 754.15om, MCL 754.15on, MCL 754.15oo, MCL 754.15op, MCL 754.15oq, MCL 754.15or, MCL 754.15os, MCL 754.15ot, MCL 754.15ou, MCL 754.15ov, MCL 754.15ow, MCL 754.15ox, MCL 754.15oy, MCL 754.15oz, MCL 754.15pa, MCL 754.15pb, MCL 754.15pc, MCL 754.15pd, MCL 754.15pe, MCL 754.15pf, MCL 754.15pg, MCL 754.15ph, MCL 754.15pi, MCL 754.15pj, MCL 754.15pk, MCL 754.15pl, MCL 754.15pm, MCL 754.15pn, MCL 754.15po, MCL 754.15pp, MCL 754.15pq, MCL 754.15pr, MCL 754.15ps, MCL 754.15pt, MCL 754.15pu, MCL 754.15pv, MCL 754.15pw, MCL 754.15px, MCL 754.15py, MCL 754.15pz, MCL 754.15qa, MCL 754.15qb, MCL 754.15qc, MCL 754.15qd, MCL 754.15qe, MCL 754.15qf, MCL 754.15qg, MCL 754.15qh, MCL 754.15qi, MCL 754.15qj, MCL 754.15qk, MCL 754.15ql, MCL 754.15qm, MCL 754.15qn, MCL 754.15qo, MCL 754.15qp, MCL 754.15qq, MCL 754.15qr, MCL 754.15qs, MCL 754.15qt, MCL 754.15qu, MCL 754.15qv, MCL 754.15qw, MCL 754.15qx, MCL 754.15qy, MCL 754.15qz, MCL 754.15ra, MCL 754.15rb, MCL 754.15rc, MCL 754.15rd, MCL 754.15re, MCL 754.15rf, MCL 754.15rg, MCL 754.15rh, MCL 754.15ri, MCL 754.15rj, MCL 754.15rk, MCL 754.15rl, MCL 754.15rm, MCL 754.15rn, MCL 754.15ro, MCL 754.15rp, MCL 754.15rq, MCL 754.15rr, MCL 754.15rs, MCL 754.15rt, MCL 754.15ru, MCL 754.15rv, MCL 754.15rw, MCL 754.15rx, MCL 754.15ry, MCL 754.15rz, MCL 754.15sa, MCL 754.15sb, MCL 754.15sc, MCL 754.15sd, MCL 754.15se, MCL 754.15sf, MCL 754.15sg, MCL 754.15sh, MCL 754.15si, MCL 754.15sj, MCL 754.15sk, MCL 754.15sl, MCL 754.15sm, MCL 754.15sn, MCL 754.15so, MCL 754.15sp, MCL 754.15sq, MCL 754.15sr, MCL 754.15ss, MCL 754.15st, MCL 754.15su, MCL 754.15sv, MCL 754.15sw, MCL 754.15sx, MCL 754.15sy, MCL 754.15sz, MCL 754.15ta, MCL 754.15tb, MCL 754.15tc, MCL 754.15td, MCL 754.15te, MCL 754.15tf, MCL 754.15tg, MCL 754.15th, MCL 754.15ti, MCL 754.15tj, MCL 754.15tk, MCL 754.15tl, MCL 754.15tm, MCL 754.15tn, MCL 754.15to, MCL 754.15tp, MCL 754.15tq, MCL 754.15tr, MCL 754.15ts, MCL 754.15tt, MCL 754.15tu, MCL 754.15tv, MCL 754.15tw, MCL 754.15tx, MCL 754.15ty, MCL 754.15tz, MCL 754.15ua, MCL 754.15ub, MCL 754.15uc, MCL 754.15ud, MCL 754.15ue, MCL 754.15uf, MCL 754.15ug, MCL 754.15uh, MCL 754.15ui, MCL 754.15uj, MCL 754.15uk, MCL 754.15ul, MCL 754.15um, MCL 754.15un, MCL 754.15uo, MCL 754.15up, MCL 754.15uq, MCL 754.15ur, MCL 754.15us, MCL 754.15ut, MCL 754.15uu, MCL 754.15uv, MCL 754.15uw, MCL 754.15ux, MCL 754.15uy, MCL 754.15uz, MCL 754.15va, MCL 754.15vb, MCL 754.15vc, MCL 754.15vd, MCL 754.15ve, MCL 754.15vf, MCL 754.15vg, MCL 754.15vh, MCL 754.15vi, MCL 754.15vj, MCL 754.15vk, MCL 754.15vl, MCL 754.15vm, MCL 754.15vn, MCL 754.15vo, MCL 754.15vp, MCL 754.15vq, MCL 754.15vr, MCL 754.15vs, MCL 754.15vt, MCL 754.15vu, MCL 754.15vv, MCL 754.15vw, MCL 754.15vx, MCL 754.15vy, MCL 754.15vz, MCL 754.15wa, MCL 754.15wb, MCL 754.15wc, MCL 754.15wd, MCL 754.15we, MCL 754.15wf, MCL 754.15wg, MCL 754.15wh, MCL 754.15wi, MCL 754.15wj, MCL 754.15wk, MCL 754.15wl, MCL 754.15wm, MCL 754.15wn, MCL 754.15wo, MCL 754.15wp, MCL 754.15wq, MCL 754.15wr, MCL 754.15ws, MCL 754.15wt, MCL 754.15wu, MCL 754.15wv, MCL 754.15ww, MCL 754.15wx, MCL 754.15wy, MCL 754.15wz, MCL 754.15xa, MCL 754.15xb, MCL 754.15xc, MCL 754.15xd, MCL 754.15xe, MCL 754.15xf, MCL 754.15xg, MCL 754.15xh, MCL 754.15xi, MCL 754.15xj, MCL 754.15xk, MCL 754.15xl, MCL 754.15xm, MCL 754.15xn, MCL 754.15xo, MCL 754.15xp, MCL 754.15xq, MCL 754.15xr, MCL 754.15xs, MCL 754.15xt, MCL 754.15xu, MCL 754.15xv, MCL 754.15xw, MCL 754.15xx, MCL 754.15xy, MCL 754.15xz, MCL 754.15ya, MCL 754.15yb, MCL 754.15yc, MCL 754.15yd, MCL 754.15ye, MCL 754.15yf, MCL 754.15yg, MCL 754.15yh, MCL 754.15yi, MCL 754.15yj, MCL 754.15yk, MCL 754.15yl, MCL 754.15ym, MCL 754.15yn, MCL 754.15yo, MCL 754.15yp, MCL 754.15yq, MCL 754.15yr, MCL 754.15ys, MCL 754.15yt, MCL 754.15yu, MCL 754.15yv, MCL 754.15yw, MCL 754.15yx, MCL 754.15yy, MCL 754.15yz, MCL 754.15za, MCL 754.15zb, MCL 754.15zc, MCL 754.15zd, MCL 754.15ze, MCL 754.15zf, MCL 754.15zg, MCL 754.15zh, MCL 754.15zi, MCL 754.15zj, MCL 754.15zk, MCL 754.15zl, MCL 754.15zm, MCL 754.15zn, MCL 754.15zo, MCL 754.15zp, MCL 754.15zq, MCL 754.15zr, MCL 754.15zs, MCL 754.15zt, MCL 754.15zu, MCL 754.15zv, MCL 754.15zw, MCL 754.15zx, MCL 754.15zy, MCL 754.15zz.

PAH

10/23

T.T. 06/15/09 15:38:19 92083

STATE OF MICHIGAN
 6th JUDICIAL CIRCUIT
 COUNTY OF OAKLAND
 1200 N. TELEGRAPH RD. FENTON, MI 48835

PROOF OF SERVICE

CA 09-755097-PH

ADVERSE JUDG
 MICHIGAN STATE BAR

I SERVED A COPY OF []
 Personal Protection Order/Stalking
 Mental Statement
 Notice of Hearing
 Personal Protection Order/Personal Protection Order Stalking
 Judgment and Order to Show Cause for Violation of a Personal
 Protection Order
 Petition to Dissolve/Modify/Extend Personal Protection Order
 Petition/Order to Appoint Next Friend
 Order Modifying/Dissolving/Extending Personal Protection Order
 Order Dissolving Personal Protection Order
 Other CAH, M.T.C.E. 10/23/09

2. Wendy Collopy
 1200 N. Telegraph Road, Fenton, MI 48835
 COUNTY OF OAKLAND
 WHEREIN THE DEFENDANT PERSON WAS SERVED
Wendy Collopy
 AKA Amelia-Magnum

3. by Wendy Collopy
 Registered mail, restricted delivery (copy of return receipt attached).
 Respondent was verbally notified by [] her enforcement officer [] clerk of the court of
 the existence of the Personal Protection Order.
 The contact prohibited by the Personal Protection Order.
 The penalties for violating the Personal Protection Order.
 Where the respondent can obtain a copy of the Personal Protection Order.
 Being 18⁺ days, six weeks, 1 year.
 A legally competent adult who is not a party or an officer of a corporate party.
 PLEASE HAVE FORM NOTARIZED

Subscribed and sworn to before me at _____ County, Michigan
 My commission expires: _____
 Signature _____
 Title _____
 COMPLETE ONLY IF YOU CAN'T FIND THE PERSON
 After diligent search and inquiry, I have been unable to find and serve the respondent/positions. I have made
 the following efforts in attempting to serve process:
 I acknowledge that I received a copy of the documents checked off in Number 1 (above).
 Signature _____
 Printed Name _____

ORDER TO NOLLE PROSEQUI

STATE OF MICHIGAN
THE 45th DISTRICT COURT FOR THE COUNTY OF OAKLAND

PEOPLE OF THE STATE OF MICHIGAN
NO. CR 09-SJ0070
CTN 69-09-055898-01

vs.
Nollie Amelia Neal

At a session of said court held at the 45th District Court, in the City of Oak Park County
of Oakland,
this

0CT - 5, 2010 day of _____ A.D., 20

PRESENT: HONORABLE _____
Lynette Freedman Appel
District Court Judge
DISTRICT COURT JUDGE.

Upon reading and filing the attached petition and the Court being fully advised in the
premise, it is ordered that the above cause be and the same is hereby Nolle Prosequi.

Barbara J. Morrison
DISTRICT COURT JUDGE

Recommended and Drafted by: Barbara J. Morrison
Assistant Prosecuting Attorney

RECORDED
 IN DISTRICT COURT
 OAK PARK COUNTY MI 48237
 2010 OCT - 5 AM
 Michael J. McCarthy
 26001 S. Milla Rd.
 Redford, MI 48239

45th DISTRICT COURT
 COUNTY OF MICHIGAN
 TRULY COPY
 DATE OCT - 5 2010

COUNTY OF OAKLAND
OFFICE OF THE SHERIFF
MICHAEL J. BOUGHARD



October 5, 2009

To: **William E. May**, Councilman

This letter is to inform you that **Millie Amelia Neal #359117** has been incarcerated at the Oakland County Jail located in Pontiac, Michigan from 02/21/09 to the present date. Her current release date is unknown at this time, but is subject to change without notice.

Deputy Tisdler #1329
Deputy Sheriff
Oakland County Sheriff's Office

1201 N TELEGRAPH RD H PONTIAC MI 48341-1044 R 248/855-5008

77-53

6/11/09

27202009 D9IKJ Page 2 of 2
STATE OF MICHIGAN PROS. ORDER NO. 09-55936
THE DISTRICT COURT - JUDICIAL DISTRICT NO 45/B
OAKLAND

COMPLAINT/GENERAL INFORMATION

WARRANT AUTHORIZED BY
THE OAKLAND COUNTY PROSECUTING ATTORNEY

Assistant Prosecuting Attorney
(Signature)

The complaining witness exists and defendant be apprehended and dealt with according to law.

Subscribed and Sworn to on this day by

Dated: _____
No: _____
Complaining Witness

Before the above-named District Judge/Deputy Clerk/Magistrate

20090909 09:17:32
 Page 2 of 2
 PROS. ORDER NO. 09-55936
 WARRANT
 09-0070-SL

STATE OF MICHIGAN

JUDICIAL DISTRICT NO. 4818

County of OAKLAND

WHEREAS the arrestation of said person, **CECELIA J. WELCH**, by me, a coroner, in the past and others who have been committed and taken to jail, does so as to
 put said Defendant(s) in my custody. THEREFORE IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN, I do hereby certify and return to you and hereby
 warrant(s) forthwith to take the said Defendant(s) and bring them before me, to wit, at the court house, commencing on the

FEB 2 0 2009

[Signature]
 District Judge

To

RETURN ON WARRANT

IF VALUE OF THIS WARRANT, I HEREBY CERTIFY AND RETURN THAT I HAVE TAKEN THE SAID DEFENDANT BEFORE THE SAID DISTRICT COURT.
 RETURNED

By

BY *[Signature]* COURT OFFICER FOR SERVICE (OFFICER)

Anna Magner & Kevin D'Angelo

September 25, 2010

Headpieces for 140 seats



Viewed on
 Date
 Description
 Quantity
 Price per unit
 Total Price
 Tax
 Subtotal
 Date of event
 How we got engaged
 Is it your proposal day?



Print

Account Number 252724216

Bill Period Feb 05 - Mar 02 2005

Bill Date 11 of 12

Troy PD Arrest Report

Case No. 090001883
Arrest No. 090001883
Arrest Date 2/22/05

Troy PD
500 W Big Beaver
Troy, MI 48064
248-524-3477

all details

(248) 506-2282 (continued)

Date	Time	Phone Number	Call Destination	Rate Type	Minutes Used	Total Charges
7	02/19	09:00 PM	316-733-2059	WICHIAAS	12	
8	02/20	12:32 AM	316-733-2059	WICHIAAS	21	
9	02/20	12:28 AM	755-575-0335	WICHIAAS	7	
0	02/20	01:57 AM	809-871-2785	WICHIAAS	7	
1	02/20	05:53 AM	316-733-2059	WICHIAAS	4	
2	02/20	11:48 AM	316-733-2059	WICHIAAS	4	
3	02/20	06:47 PM	316-733-2059	WICHIAAS	13	
4	02/20	03:21 PM	316-733-2059	WICHIAAS	5	
5	02/20	03:31 PM	316-733-2059	WICHIAAS	7	
6	02/20	03:33 PM	316-527-1116	WICHIAAS	10	
7	02/20	05:58 PM	316-733-2059	WICHIAAS	18	
8	02/20	06:27 PM	316-733-2059	WICHIAAS	2	
9	02/20	06:47 PM	316-506-2282	ROYAL OAK MI	1	
0	02/20	06:51 PM	316-506-2282	ROYAL OAK MI	1	
1	02/20	06:57 PM	248-506-2282	ROYAL OAK MI	1	
2	02/20	06:59 PM	248-506-2282	ROYAL OAK MI	1	
3	02/20	07:00 PM	248-506-2282	ROYAL OAK MI	1	
4	02/20	07:31 PM	248-506-2282	ROYAL OAK MI	1	
5	02/20	07:31 PM	248-506-2282	ROYAL OAK MI	1	

Light and Wireless PU - Residential Usage

L307: TRAFFIC STOP

Officer: S. Substantis
Arrest Date: 02-22-05
Arrest Time: 6:44:00 PM

Arrested By: 00018 - Lamiza, Scott
Arrested On: 00018 - Lamiza, Scott
Arrested At: 500 W Big Beaver
Arrested For: 090001883

Arrested On: 00018 - Lamiza, Scott
Arrested At: 500 W Big Beaver
Arrested For: 090001883

W: BIG BEAVER PD & COOLIDGE HWY TROY, MI 48064

Arrest Report
Troy PD
Patrol

Incident: Felony Warrant arrest 09-6007

Arrest: Neal, Middle-Annisla wif DOB: [REDACTED]

LEINNCIC: Felony warrant for aggravated stalking-45-B-District Court (Oak Park)

Information: On listed date and time, I (Officer Lamiza) was on patrol in vehicle 506 with on Big Beaver near Lakotaview in the right through lane. I observed a teal Ford Thunderbird in front of my vehicle also in the right through lane. I entered the license plate into LEINNCIC and ran the attached operator's number. The operator's number attached to the vehicle was [REDACTED] - came back to a Middle Annisla Neal who was showing a felony warrant out of Oak Park for aggravated stalking. The subject driving the vehicle matched the physical description listed in LEINNCIC (female, blonde hair, approximately 45 years). I also noticed that the vehicle had an object hanging from the rearview mirror.

I advised dispatch of my location and I advised the RO's felony warrant. At this time Officer Garcher and Officer Julian advised they were in the area to assist with the stop. I initiated a traffic stop on Cadillac Big Beaver. Officer Garcher, Officer Julian, and I approached the vehicle and I asked the driver for her license, registration, and proof of insurance. The driver provided me with a MI operator's license identifying her as Middle Annisla Neal along with the other documents. After several minutes dispatch advised that Oak Park would pick up Neal on the valid felony warrant. I asked Neal to step out of her vehicle. I handcuffed her (D.U./I.C), searched her, and transported her to Troy lockup where she was booked by lockup personnel. Officer Garcher impounded Neal's vehicle to Coleman's. No further action taken.

Offense Detail: C3040 - Felony Arrest Warrant - Other Jurisdiction

Offense Code: C3040 - Felony Arrest Warrant - Other Jurisdiction

Location: 13 - Highway/Road/Street/Alley

Printed: 2/22/05 10:23 AM



Troy Police Department
500 West Bly Beaver Road
Troy, Michigan 48064

SECURITY * RESPECT * LAWS AND THE CONSTITUTION * ACCOUNTABILITY * PROBLEM SOLVING * PROFESSIONALISM

Michelle Amelia Neal
1012 E Granet
Hazel Park, MI 49030

Re: 1994 Ford Thunderbird 2 Door VIN: 1FALP62W7RH183382

Dear Miss Neal,

The Troy Police Department impounded the above listed vehicle on February 20, 2009. On March 9, 2009 the Michigan Secretary of State mailed a for TP-52 to the address the vehicle was currently registered to (2377 E Maple Rd Apt 104D Birmingham MI 46009).

On August 7, 2008 the vehicle was sold at public auction at Coleman's Towing 1871 Birchwood Troy MI 48063, after being unclaimed for more than 20 days after the mailed notification and pursuant to MCL 257.252. The vehicle was sold to Paul's Auto Parts in Detroit for the sum of \$225.00 to satisfy the towing and storage charges against the vehicle. Any further questions can be directed to me at (248) 524-3489.

R. Weibert
Police Services Aide
Aban Auto Unit
Patrol Division



Account Number 86277216
Bill Date Mar 09, 2009
Period Feb 05 - Feb 04

Call details

(248) 506-XXXX (continued)

Date	Time	Phone Number	Call Destination	Rate Type	Minutes Used	Total Charges
127	02:49	316-731-0989	WICHITA KS	NRPPU	177	
128	02:50	316-731-0989	WICHITA KS	NRPPU	2	
129	02:50	316-731-0989	WICHITA KS	NRPPU	1	
130	02:50	316-731-0989	WICHITA KS	NRPPU	1	
131	02:50	316-731-0989	WICHITA KS	NRPPU	1	
132	02:50	316-731-0989	WICHITA KS	NRPPU	1	
133	02:50	316-731-0989	WICHITA KS	NRPPU	1	
134	02:50	316-731-0989	WICHITA KS	NRPPU	1	
135	02:50	316-731-0989	WICHITA KS	NRPPU	1	
136	02:50	316-731-0989	WICHITA KS	NRPPU	1	
137	02:50	316-731-0989	WICHITA KS	NRPPU	1	
138	02:50	316-731-0989	WICHITA KS	NRPPU	1	
139	02:50	316-731-0989	WICHITA KS	NRPPU	1	
140	02:50	316-731-0989	WICHITA KS	NRPPU	1	
141	02:50	316-731-0989	WICHITA KS	NRPPU	1	
142	02:50	316-731-0989	WICHITA KS	NRPPU	1	
143	02:50	316-731-0989	WICHITA KS	NRPPU	1	
144	02:50	316-731-0989	WICHITA KS	NRPPU	1	
145	02:50	316-731-0989	WICHITA KS	NRPPU	1	

NR - Night and Weekends PU - Prepaid Unanswered Usage

011040

Exhibits

3 Park PS Follow-Up Report

File No: 6800007152
DOI No: 68000007572
Ser Date: 21-5-2009

Oak Park PS
13680 Oak Park Blvd
Oak Park, MI 48227
734-299-7523

3

1-74
 - Cell Phone #1
 7-48-506-6372
 1-74
 - Cell Phone #1
 7-48-506-6372
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 - Cell Phone #1
 7-48-506-6372

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 7-48-506-6372

Oakland County Jail
INMATE CLASSIFICATION NOTICE

Inmate # 399117 Name: NEAL, MILAIE ANELIA
booked in on 02/21/09 at 1729

ID #: 575673
D.O.B.: [REDACTED] Race: W Sex: F
Offense Charge: 946Z Crime Class: FEL Crime Category: ARSLT
Sentence: 90 Projected Outdate:

Classification: MED A/E Security Level: MED
High Risk: Special Condition:
Override: Reason:

You have been placed in the following classification: MED A/E by the Classification Department. This classification is determined by current/past convictions; current/past institutional behavior; pending charges or holds in other jurisdictions (if any); unsentenced/sentenced status, and/or any other information that may be deemed appropriate with regard to your personal security or the security of the facility.
NOTE: Your classification can change when charges are altered or reduced; you are sentenced, due to administrative hearings; due to regular periodic review; and/or other reasons recommended by the jail staff.

Appeal Process: Any inmate who so desires may appeal his/her classification (in writing) in any of the three basic areas (security level, housing assignment or programs) within ten (10) days of the primary classification or reclassification by addressing the appeal to:
CLASSIFICATION DEPARTMENT - APPEAL OF CLASSIFICATION

Classified by : 2097 Date: 02/22/09

011040



STATE OF MICHIGAN

43-B JUDICIAL DISTRICT CLERK, COUNTY OF OAKLAND
THE PEOPLE OF THE STATE OF MICHIGAN

Case No. CL-1987-0711-27

WILLIAM WELLS WELLS

Defendant

CRIMINARY EXAMINATION

REGARD THE HARBORABLE VEHICLE THEFT OF JAMES EARL RAY,
OAK PARK, MICHIGAN - Thursday, March 14, 1980

APPEARANCES:

FOR THE PROSECUTOR:

MR. EUGENE HILLER, Prosecutor
Oakland County Prosecutor's Office
1270 North Jackson Ave. Road
Farmington Hills, MI 48334
Phone: 856-0954

FOR THE DEFENDANT:

MR. MARTIN F. SPANIEL, PIENESS
P.O. Box 1048
Farmington Hills, MI 48334
Phone: 464-0810

RECORDED BY:

Debra A. Kizchner CRB 1331
Certified Electronic Reporter
(248) 661-7432

COMMON GROUND SANCTUARY 2484590149

2:24 (61 min 25 sec) Felice, Melissa started call 18A 14,
CALLER INFORMATION

City: Detroit
State: Michigan, MI 48009

09-390

CALL ACTIVITY
18-114325 Age 0 BIRMINGHAM, MICHIGAN 48009
REASON FOR CALL: CRISIS LINE call

CALL MARKERS

CALL REPORT

DATA SHEETS

CALL REPORT (Data Sheet Title)

1. CONTACT CLASSIFICATION

010 Client

2. DAY OF WEEK

1 Tuesday

3. TIME OF DAY

4:00 pm - 7:00 pm

4. LENGTH OF CALL

18 - 30 minutes

5. COUNTY

Oakland

6. WARD AND COUNTY CITY

Birmingham

7. GENDER

Female

8. CALLER AGE RANGE

45-64

9. NATURE OF CALL

Ongoing Problem

10. SERVICE PROVIDED

Crisis Intervention

11. REFERRED TO CRISIS LINE BY

Unknown

12. REFERRAL FOLLOW-UP OFFERED

136

13. PLAN OF ACTION

The Caller WAS able to verbalize a plan of action.

14. REDUCTION IN SYMPTOMS

the caller DID NOT report a reduction of symptoms

15. TOPICS DISCUSSED (select as many as needed)

Mental Health Treatment

Psychiatric Treatment

Financial/Basic Needs

Homeless

Legal Issue

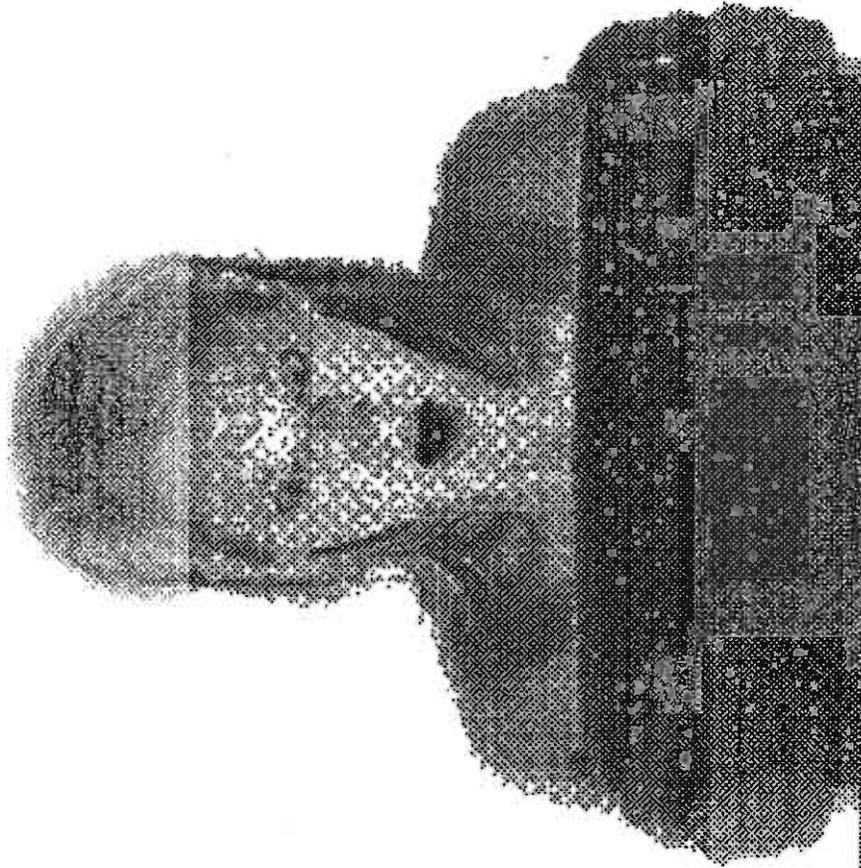
Homicide Idea (complete lethality assessment below)

16. INTERNAL REFERRAL (select as many as needed)

LONG AFTER ACCUSED ILLEGALLY HELD IN JAIL FOR ~ 8 MONTHS...

EXHIBIT

24-a



OAKLAND COUNTY SHERIFF MICHAEL BOUCHARD IS ALSO
DISCOVERED TO BE AN ADVISORY MEMBER OF THE BOARD OF
DIRECTORS OF A KEY ACCUSATORY PARTY:
COMMON GROUND SANCTUARY



Oakland County Michigan

CLASS LINE 800.231.1122

COMMING BACK

1 HOUR A DAY 7 DAYS A WEEK

WHO WE ARE

WHAT WE DO

HOW TO GIVE

EMPLOYERS

TRIPS HOME

EMPLOYERS

HOME

TELEPHONE CONTACT

ACTS IN THE PARK

PHONE LIST

RESOURCES

CONTACT US INFO

Express Contact Record

Common Ground to

Spencer Steve Detroit

Conference for the 11th

Annual National Survivors

of Suicide Day

Place Auditorium Hallway in

Ballroom at the Sheraton

November 21, 2009

See you there

Mr. Billas Left Behind

Provides links for those

in need of information

and the website for Common

Ground sheets

Event Info

Common Ground to

Spencer Steve Detroit

Conference for the 11th

Annual National Survivors

of Suicide Day

Place Auditorium Hallway in

Ballroom at the Sheraton

November 21, 2009

See you there

Mr. Billas Left Behind

Provides links for those

in need of information

and the website for Common

Ground sheets

Event Info

BOARD LEADERSHIP

Board of Directors

James A. ...

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Case Number 2009-223771-FH Back Print PEOPLE vs. NEAL MILLIE AMELIA

Judge Name DANIEL F. ORRLEN

Case Filed 03/19/2009

Case Disposed 10/05/2009

Case E-filed :00

Table with columns: Date, Code, Description. Contains legal case details including court administrator filings, arraignments, and motions.

011040

Circuit Court
County of Oakland
1200 N. TELEGRAPH RD DEPT 404
PONTIAC MI 48341-0404

WENDY POTTS
CHIEF CIRCUIT JUDGE

June 18, 2009

Millie Neal #358117
Oakland County Jail
P.O. Box 436107
E-1-10
Pontiac, Michigan 48343

Re: People v Millie Neal
Case No. 09-225771-FH
Judge Daniel P. O'Brien
Case No. 09-755097-PH
Visiting Judge

Dear Ms. Neal,

I have forwarded your documents entitled "Petition For Writ of Habeas Corpus to Judge Daniel P. O'Brien. As indicated previously Judge Potts does not review another judges proceedings. She is not able to give you "advice" on a civil case regarding an alleged PPO violation. The Canons of Judicial Ethics prohibit Judge Potts from engaging in ex parte communications with litigants and/or their attorneys or others acting on their behalf.

Sincerely,
Wendy Potts
Wendy Potts
Chief Judge Circuit Court

WP:shc

STATE OF MICHIGAN
IN THE CIVIL COURT FOR THE COUNTY OF OAKLAND
PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff
vs.
MILIE NEAL, Defendant
Case No. 09-225771-FH
FILED

Writ of Habeas Corpus
Motion to file Petition to leave for
MILIE NEAL AD FACIENDUM ET RECEIPIENDUM

NO W. COMES Millie Neal, Defendant, indigent, by and through
and moves this Court for a writ of Habeas Corpus to be taken to the
Supreme and Federal Court of Michigan

A. The defendant has been and remains the victim of serious
violations to her inalienable guaranteed rights as a United States Citizen,
with numerous violations of her statutory and Constitutional Rights
as guaranteed under the United States Constitution under U.S.C.A.
§§ 42, 53, 67, 77, 82 and 141 Amendments. As such,

1. The defendant is being deprived of her liberty in the
Oakland County Jail, being held on a \$100,000.00 bond for
an alleged misdemeanor Personal Protection Order (PPO) violation (see K)
and accompanying felony aggravated stalking allegation (see L for
allegedly sending innocent long distance roses with nasty

Encl
87 p.2

011040

SHELBY TOWNSHIP DIVISION
 SHELBY TWP, MICHIGAN 48118
 (566) 739-7300
 FACSIMILE (566) 778-4555

LAURA PORTER
 COURT ADMINISTRATOR

The District Court
 of Michigan
 The Cities of SHELBY, WARREN
 AND UTICA, AND TOWNSHIPS OF
 SHELBY AND MACOMB

MICHAEL R. OSAER
 DISTRICT JUDGE

January 6, 2009

Amelia Jernamo
 16241 Evergreen Avenue
 Eastpointe, Michigan 48021

RE: People of the State of Michigan -vs- Amelia Jernamo
 Shelby District Court Case No: 07-854-FY

ORIGINAL TRANSCRIPTS

141 pages @ \$1.75 per page.....\$246.75
 (09/18/08 Jury Trial Volume I Transcript - Filed w/Trial Court)

44 pages @ \$1.75 per page.....\$ 77.00
 (09/19/08 Jury Trial Volume II Transcript - Filed w/Trial Court)

COPY OF TRANSCRIPTS

141 pages @ \$.30 per page.....\$ 42.30
 (09/18/08 Jury Trial Volume I Transcript - Enclosed)

44 pages @ \$.30 per page.....\$ 13.20
 (09/19/08 Jury Trial Volume II Transcript - Enclosed)

TOTAL.....\$379.25

AMOUNT OF DEPOSIT.....\$425.00

AMOUNT DUE FROM DEPOSIT AND AMOUNT OF ENCLOSED MONEY ORDER #01 0900710204.....\$ 45.75

AMOUNT DUE AND OWING.....\$600.00

I BELIEVED THAT SHE WAS PROVIDING ME WITH A FALSE NAME. SHE TOLD ME THAT HER MAIDEN NAME WAS EVANS. I WAS NOT ABLE TO LOCATE AN AMELIA EVANS THROUGH LEIN EITHER. I CONFRONTED HER ABOUT MY BELIEF. SHE JUST REPLIED, "THIS IS ALL MUST A MISUNDERSTANDING." SHE NEVER DENIED MY ACCUSATION. SHE STATED THAT SHE WOULD MEET WITH ME AND PROVIDE DOCUMENTS THAT WOULD PROVE THIS WAS ALL JUST A MISUNDERSTANDING. SHE STATED THAT SHE WOULD COME TO THE POLICE STATION LATER. I REQUESTED THAT SHE BRIEFLY ALLOW TO ME TO COME TO HER HOME, AND THAT IF SHE WANTED WE COULD WHEN CO SOMEWHERE ELSE TO TALK. EVENTUALLY SHE TOLD ME THAT SHE WAS AT HER HOME, WHICH IS LOCATED AT 5075 25 MILE IN SHELBY TWP. THIS TELEPHONE CONVERSATION LASTED APPROX 15 MINUTES BEFORE SHE TOLD ME WHERE SHE LIVED.

OFFICERS FROM THIS DEPARTMENT WERE SENT TO HER HOME WHILE I WAS STILL ON THE PHONE WITH HER. I ASKED HER IF SHE WANTED TO COME TO THE STATION OF IF SHE WANTED ME TO COME TO HER HOME. SHE STATED THAT I COULD COME TO HER HOME. SHE ASKED ME WHAT DOCUMENTS I WOULD WANT TO SEE. I TOLD HER THAT I WOULD LOOK AT WHATEVER DOCUMENTS SHE HAD EARLIER MENTIONED. SINCE CONTACT WAS MADE BY THE UNIFORM OFFICERS, MYSELF AND OFFICER B. WALSH RESPONDED TO THE LOCATION.

I ARRIVED AT 5075 25 MILE RD AT APPROX 1:15 PM. JERMANO INVITED ME AND OFFICER WALSH INSIDE HER HOME. SHE REQUESTED THAT ONLY I AND OFFICER WALSH COME INSIDE. I ASKED HER FOR ID. SHE PROVIDED ME WITH A COMPUTER GENERATED EMPLOYEE IDENTIFICATION CARD THAT APPEARED TO HAVE BEEN MADE FROM A HOME COMPUTER. I REQUESTED THAT SHE PROVIDE ADDITIONAL ID. SHE CLAIMED NOT TO HAVE ANY. AGAIN I TOLD AMELIA THAT I THOUGHT SHE WAS NOT BEING TRUTHFUL ABOUT HER NAME. AMELIA JUST SHRUGGED. I ASKED HER NAME. SHE STATED "AMELIA." I ASKED HER WHAT HER REAL LAST NAME WAS. SHE JUST STARED. I REQUESTED TO LOOK AT THE DOCUMENTS THAT SHE INDICATED WOULD PROVE THAT THIS INCIDENT WAS JUST A MISUNDERSTANDING. SHE COULD NOT PROVIDE THESE DOCUMENTS, HANGING FROM THE CEILING SURFAY. I NOTICED THE 2 INTERSTATE AD PRICIONS THE DEARBORN EVENT. I THEN ADVISED AMELIA THAT IF SHE HAD NO OTHER FORM OF IDENTIFICATION, AND SINCE SHE DID NOT HAVE THE DOCUMENTS SHE MENTIONED, THAT YOU MUST HAVE SOME ID AROUND HERE SOMEPLACE. OFFICER WALSH STATED, ADVISED HER THAT I WOULD ARREST HER ON A FRAUD CHARGE. OFFICER WALSH STATED, YOU MUST HAVE SOME ID AROUND HERE SOMEPLACE. ALTHOUGH WE WERE STANDING IN HER OFFICE, AMELIA JUST STARED AT OFFICER WALSH. SHE QUICKLY OPENED AND CLOSED A DESK DRAWER, BUT MADE NO REAL ATTEMPT TO LOOK FOR ID AT THIS POINT AMELIA STARTED REACHING UNDER THE COMPUTER DESK SHE WAS STANDING IN FRONT OF. OFFICER WALSH ADVISED HER NOT TO REACH UNDER THE DESK, BUT SHE CONTINUED. FEARING FOR OUR SAFETY, OFFICER WALSH AND I BOTH GRABBED AMELIA'S ARM. SHE STARTED TO STRUGGLE. AMELIA WAS MOVED FROM BEHIND THE DESK AND HANDCUFFED. ANOTHER WOMAN APPEARED IN THE OFFICE AREA. THIS WOMAN IDENTIFIED HERSELF AS ROSEMARY JERMANO, THE DAUGHTER OF AMELIA. AMELIA WAS WALKED OUT OF THE HOME, WHILE I SPOKE WITH ROSEMARY.

RECEIVED BY: 133
 ASSIGNED TO: 133
 NUMBER 19
 DET. TERRANCE ROGAN #87

10-15-58

1 Q How Amelia Jermano or Rosemary Donovan there?

2 A Yes, I did.

3 Q And specifically do you recall these names?

4 A Most were in the name of Bobh Dougan and I

5 believe she wore the sader a Millicent Dougan.

6 Now following the execution of that search

7 warrant at that address was Miss Jermano placed

8 under arrest? *X-117*

9 Yes, she was. *(117)*

10 Q Was Miss Donovan placed under arrest?

11 A Yes, she was.

12 Q And where were they transported following their

13 arrest?

14 A The Shelby Township Police Department.

15 Q As part of the investigation in this matter did

16 you have occasion to take a statement from

17 Amelia Jermano?

18 A Yes, I did.

19 Q And where was that statement taken?

20 A That was in the interview room at the police

21 department.

22 Q And prior to taking the statement from Miss

23 Jermano, what, if anything, did you advise her

24 of?

25 A I advised her of her rights.

10-15-58

1 THE COURT: Anything further?

2 MR. WILLIAMS: Nothing further, your Honor.

3 MR. HARDING: Nothing on behalf of the

4 People.

5 THE COURT: Thank you, ma'am, you may stop

6 down.

7 THE WITNESS: Thank you.

8 MR. HARDING: Judge, People will call the

9 next witness, Beth Walsh, Officer Beth Walsh.

10 THE COURT: Good afternoon. Please stop

11 forward. Swear you in. Raise your right hand.

12 Do you solemnly swear or affirm the

13 testimony you give will be the truth, whole

14 truth, and nothing but the truth?

15 THE WITNESS: I will.

16 THE COURT: Thank you. Please be seated.

17 And, for the record, if you would state your full

18 name and spell your last name.

19 THE WITNESS: Beth Walsh, W-a-l-s-h.

20 THE COURT: Thank you. You may proceed. **Key*

21 OFFICER BETH WALSH

22 being first duly sworn, at or about 4:08 P.M., was

23 examined and testified on her oath as follows:

24 DIRECT EXAMINATION

25 BY MR. HARDING:

011040

9/16/05

Electronically filed with the Court Clerk's Office



STATE OF MICHIGAN IN THE DISTRICT COURT FOR THE 41-A JUDICIAL DISTRICT TOWNSHIP OF SHELBY
51660 VAN DYKE, SHELBY TOWNSHIP MICHIGAN 48316

ARRAIGNMENT - Defendant In-Custody

Case Number: 07-8547-P Complainant: SHARON M. ORGANIS Signature: [Signature]

Defendant's Full Name: MICHELLE A. SHELTON DOB: 6-13-67

Address: 5075 25 MILE RD City: Shelby Township State: MI Zip: 48316

Charge: Attempted False Imprisonment 100% Person

Amount of Bond: 100,000 Person

Plea: Not Guilty Court: Adjudicated Attorney Status: Granted Denied

Exam / Pre-Trial Date: 4/16/07 Time: 1:30

TERMS AND CONDITIONS

Defendant shall not assault, beat, molest, or in any way verbally harass, intimidate or threaten the victim (name): _____ or anyone else.

Defendant may have contact with complainant provided there are no threats, harassment, intimidation or violent contact.

Defendant may not have contact with (name): Sharon

Exception: _____

No further arrests, criminal acts, felonies or misdemeanors.

Defendant shall not use or possess alcohol or illegal drugs.

Defendant shall not have possession of any firearms, ammunition, or other dangerous weapons.

Defendant shall not go to specific location: _____

Random Drug and/or Alcohol testing _____ times per week/month

Interlock within 48 hours _____

DISPOSITION OF ARRAIGNMENT

\$100,000 cash bond not posted, committed to Macomb County Jail until date of 4-16-07

Released on: _____ bond of \$ _____ until trial date of _____

Fine \$ _____ and _____ days or _____ days in Macomb County Jail.

Additional _____ days if not paid.

Fine not paid to court. _____ Hearing Waived. Bond Over to Circuit Court.

JUDGE (MAGISTRATE SIGNATURE) [Signature] DATE: 4-20-07

CLERK _____

Court copy (white), Defendant copy (yellow), Sheriff copy (pink), Police copy (gold) Revised May 2005

LAW OFFICE OF MARTIN KROHNER

OFFICE
PO BOX 3248
FARMINGTON HILLS, MI
48335-3248

PHONE
FAX
EMAIL

RE: People v Miller Neal CR 2009-225771-54

Dear APD Pray,

I am requesting from you written police reports from the Troy Police Department. They were the arresting agency and I have not yet been provided with them. I am also requesting any police reports by any Police Department that your victim claims to have contacted as it pertains to the stalking charge. I am requesting any written statements by any of your witnesses as well the real names of those witnesses. I am also requesting an opportunity to interview your witnesses both police and civilian at a location mutually agreeable to all parties. I would want the interviews to be completed no later than June 16, 2009.

I have not been furnished nor afforded an opportunity to listen to the 911 tape listed on the witness list. I would like to listen or be provided a copy of the tape and any other 911 tapes or any taped conversations pertaining to this case with the Oak Park Police Department or any other police agency contacted by the victim.

I am also interested to know what if anything you or your office intend to do about the possible filing of the affidavit of probable cause or the Personal Protection Order. The police report from the Oak Park Police Department dated January 23, 2009 seems to prove that the Personal Protection Order was never served on the defendant. The report shows that the defendant had moved from the Oak Park address on January 19, 2009. This is in direct contradiction to the PPO filed with the Oakland County Circuit Court from the victim's attorney given by your victim at the preliminary examination on March 19, 2008. I would appreciate a quick written response as time is of the essence.

If you have any questions or concerns regarding the contents of this letter or of my concerning discovery requests, please contact me.

Sincerely yours,
Martin Krohner

PO was never served. I did not see the PO. I am in Oakland County courts & trying to figure out what to do about this.

11/10/00

ROBERT V. CASPERMAN
GOVERNOR



STATE OF MICHIGAN
DEPARTMENT OF CIVIL RIGHTS
LANSING, MI

August 3, 2000

Ms. Millie A. Neal #150117-111-10
Oakland County Jail
P.O. Box 430017
Pontiac, MI 48343

Re: MD; EC contact # 483492

Dear Ms. Neal:

Thank you for your inquiry to the Michigan Department of Civil Rights. Believe that the following agency or agencies may be better able to assist you with some of the issues you raised:

American Civil Liberties Union
206 Woodward Ave.
Detroit, MI 48201
Telephone: 313-996-1183

Ann Arbor Intergovernmental Commission
243 West Congress
Suburban Building Suite 406
Detroit, MI 48226
Telephone: 313-961-6593

Judicial Tenure Commission
3034 West Grand Blvd
Detroit, MI 48202
Telephone: 313-875-5110

Ex-117
Michigan Department of Civil Rights
Contact # 483492

August 3, 2000
Page 2 of 2

Sincerely,

Sreeta Hursey
Administrative Assistant
Phone: 313-335-3795
fax: 313-241-0346
email: HurseyS@mdcr.michigan.gov

2000 Rev. 04/01

110 WEST MICHIGAN AVENUE CAPITAL TOWER BLDG, SUITE 800 LANSING, MI 48213
www.mdcr.state.mi.us

110 WEST MICHIGAN AVENUE CAPITAL TOWER BLDG, SUITE 800 LANSING, MI 48213
www.mdcr.state.mi.us

011040

ELI
3/8/2

arrested without a warrant; by means of an illegal investigatory stop; was not
arrested on the 2 bogus charges until 5 and 14 days later; was held on an
Unconstitutional bond of a total of \$600,000 - and held in MAX SEC - on
special reasons" over rate (there were NO reasons); denied legal
representation; not allocated assigned counsel for over 34 days; once
assigned, the assigned counsel NEVER came to see me for over 4.5 months; the
jail staff altered my court documents - altering the actual date of my actual
arrest (in hopes to deter any alert to the outrageous denial of my due
process rights); the judges who over saw my case matters were biased; one was
on the advisory board of one of a key supporting witness for the (false)
accuser; the assigned counsel who DID show-up assisted my accuser in a
pre-trial talk of perjury... need I go on... or would you rather read about
the details not yet spoken in the newspapers or better yet, watch the movie
that's being made about it? I'm still being dragged-through the courts, and
am still being denied all due process of law. I was referred to your
organization. Let me know if you actually care about a serious collection of
gross violation of a person's civil rights or if this is just another
"ghimnick" sign posted-up to pacify the phycasants of society. Thanks.



From: Brenda Bove (bbove@acumich.org)
To: info@acumich.org; bbove@acumich.org
Date: Tue, February 2, 2010 2:17:27 PM
Subject: RE: [website feedback] Denial of Due Process

Dear Ms. Neal

Please accept my apology for the delay of this response to your request for assistance. The ACLU has been
overwhelmed by a very high volume of requests for assistance, and it is difficult to respond to all of them in a
timelier way.

To explain a little about the ACLU, we are a private, non-profit, membership organization with limited resources.
Our mission is to preserve and extend constitutional rights through participation in legislation, litigation, and
community education. We usually become involved in cases either by representing a party or submitting a "friend
of the court" brief) only when we believe that we can advance civil liberties through a change in law or policy. If
possible, we encourage you to visit our state and national websites (www.aclumich.org and www.aclu.org) for more
information about the scope of the ACLU's work.

We cannot provide you with legal assistance at this time. You may have a legitimate complaint, but due to
extremely limited resources, the ACLU must be selective about the cases in which it chooses to become involved,
and we do not provide legal assistance in criminal cases.

You indicated that you had assigned counsel, but that it wasn't effective. What was the outcome of your case? If it
was not favorable, have you considered filing an appeal? If so, you will receive an appellate lawyer and you might
be able to raise ineffective assistance of counsel in your appeal.

Thank you for taking the time to write to the ACLU about your concerns, and good luck.

Sincerely,

Brenda Bove
Paralegal
ACLU Fund of Michigan
2966 Woodward Avenue
Detroit, MI 48201
313-578-6802 (direct)
313-578-6611 (fax)
bbove@acumich.org (e-mail)

Celebrate the ACLU of Michigan's 50th Anniversary Year! Become a member at <http://www.aclumich.org>

-----Original Message-----
From: info@acumich.org; bbove@acumich.org; bbove@acumich.org [mailto:info@acumich.org]
Sent: Thursday, January 21, 2010 7:52 PM
To: Brenda Bove
Subject: [website feedback] Denial of Due Process

Att:le Ahelia Neal sent a message using the contact form at
<http://www.aclumich.org/contact>.

I was referred to your organization by the Governor's Office, in Lansing for
help with a criminal matter which was initial denial of due process. I was

EXHIBIT

ANNA KELLOGG MAGNER'S FALSE STATEMENTS - INDEX:

DATE	SOURCE:	CONTRADICTS:	DATE:
5/29/08	YWCA Termination Ltr. She calls and unapologetically terminates her "client" over phone.....	OP Pol. Rpt #08-3315: Yet states she doesn't have phone # for "client" in Police Crime Report	06/02/08
5/29/08	YWCA Termination Ltr. She refers to "client" (terminated over phone) as "Germaine".....	OP Pol. Rpt #08-3315: Yet refers to the SAME person/ "client" in Police Crime Report only as "Dugan" (no first name mentioned)	06/02/08
6/02/08	OP POL RPT #08-3315 She calls client "Dugan" in police crime report and says has no address or telephone number.....	TERMINATION LETTER: Yet she ADDRESSED letter to terminated "client" as "Germaine" (only 4 days earlier)	05/29/08
7/22/08	OP POL RPT #08-4190 She doesn't know where "client" lives.....	PRE-PRÉ TRIAL: Yet TESTIFIED she MAILED termination letter to "client" on May 29, 2008 (but does not specify address)	03/19/08
8/07/08	OP CFS #08-0952 ... refers to suspect as "Germaine".....	OP POL RPT #08-5162: Yet NOW refers to suspect as "Dugan" (no reason why)	10/01/08

1/20/09	OP POL RPT #09-0867 Says she's NOT aware she's being "stalked".....	TWO Above Reports: Yet Contradicts above rpts.	08/07/08 10/01/08
1/21/09	OP POL RPT #08-5162.2 She now refers to suspect as "Dugan".....	PPO PROOF OF SERVICE: Yet addressed PPO to "Germaine"	01/21/09
1/21/09	OP POL RPT #08-5162.2 She states in police report, "did observe subject NEAR ".....	PPO PROOF OF SERVICE: Yet "subject" is named " Germaine " in PPO Proof of service (allegedly "served" only 10 minutes prior to making THS police report statement)	01/21/09
1/25/09	OP POL RPT #09-3090 Says she terminated. "Germaine" in May '08.....	OP POL RPT #08-4190: Yet in "Phone Threats" police Crime Report she states client was - "terminated in JUNE '08 SEVERAL SESSIONS " and - TERMINATION LETTER: 05/29/08	07/22/08 05/29/08
1/25/09	OP POL RPT #09-3090 Says she is not allowed to require ID for sessions (so did not have info.).....	PRE-PRÉ TRIAL TESTIMY: Yet kept extensive case file notes on an "anonymous" drop-in?	03/19/08
2/14/09	OP POL RPT #08-0732.1 Says she had a PPO served against "Annelis" - any that a delivery of codes had just "violated it".....	PPO PROOF OF SERVICE: Yet Op P5 Follow-Up Report re: Investigation on Proof of PPO Service confirmed that PPO was NEVER served	01/21/09
2/14/09	OP POL RPT #08-0732.1 Says flower delivery arrived on February 14, 2009.....	OP POL RPT #09-0732.2: Yet flower shop receipts show delivery was not made until February 15, 2009	02/15/09

Police Report's Version

Magner's Version

OP Pol Rpt #08-3315: Report states client was "terminated" in June 08 after a session the counselor's statements made in termination letter stating sessions ended over his phone in May 08.

OP Pol Rpt #08-5162: Magner makes report she thinks she is being "stalked" but refers to "client" as "Dugan."

OP Pol Rpt # 08-4182: Magner states she does not know where "client" lives.

OP Pol Rpt # 08-3315: Magner says she does not have phone # or address for "client" (yet wanted letter about termination sent to SAME client & says stop).

OP Pol Rpt #08-0887: Magner states she is not aware she is being "stalked."

OP Pol Rpt # 08-0887: Magner makes police report, she thinks she is being "stalked" - refers to "client" as "Germaine."

Police Report's Version

Magner's Version

Magner refers to "client" in police report as "Dugan"

Magner addresses the termination letter to "client" named "Germaine."

Magner's termination letter, recaps her call on 4/22/2008, to terminate client over the phone and her intention of mailing follow-up letter of that call.

Police Report's Version

Magner's Version

Police Report's Version

OP Pol Rpt # 00-0732-2: Police Follow-Up Report gathers evidence of
never delivery records showing attempted delivery on Feb 14, 2009, but
NO actual delivery until Feb 16, 2009.

Jan 18, 2009
Magner certifies that she mailed
transmission letter to "Client" ("Germaine")
on May 29, 2008 - this contradicts what
Magner stated in police report on Jan 21, 2009.

Police Report's Version

Jan 27, 2009
OP Pol Rpt #00-3009: Magner states
in police report that "terminally-
"Client" Germaine in 824 368"

Jan 21, 2009
OP Pol Rpt #08-1562-2: Police Follow-Up
Investigation determines PPO NOT served
on "Client" on Jan. 21, 2009 as stated.

Jan 21, 2009

OP Pol Rpt #08-1562-2: Magner reports to
police that her boyfriend served PPO on
"client" Jan. 21, 2009.

Police Report's Version

OP Pol Rpt # 00-0732-1: Magner states she
received a delivery of flowers on Valentine's Day
which violated a PPO she had served Jan 21, 2009.

OP Pol Rpt # 00-0732-1: Magner makes report of
violation of the very same PPO that was proven by
police 1901 to have been served on Jan 21, 2009.

Magner's Version

Magner's Version

VERIFIED STATEMENT
 RE: PPO ACTION

COUNTY OF OAKLAND
 1520 N. TELEGRAPH RD. PORTLAND, MI 48241

PETITIONER: Anna K. Wagner, 28
 RESPONDENT: v. Amelia Germain, about 40

Case No: 09-340
 PETITION FOR PERSONAL PROTECTION ORDER AGAINST STALKING (NON DOMESTIC)
 Respondent's name, address and telephone to: Amelia Germain, Green Springs, Michigan St, Oak Park MI 48237

Have you or respondent ever used any other names (now or in the past)? Yes No If yes, please list them: _____

What county do you live in? Oakland
 Respondent lives in: _____ County: _____
 Do you or have you lived together? Yes No
 What is your relationship? Acquaintance, dated used to be married in May 08

Do you and respondent have child(ren) together? Yes No If yes, list the children you have together: _____

NAME OF CHILD: _____ DATE OF BIRTH: _____ CURRENT ADDRESS: _____

1. Yes No
 2. Yes No
 3. Yes No

ATTACH EXTRA SHEETS IF NECESSARY
 Were you married to respondent when the child(ren) were born? Yes No If no, check one:
 A. paternity case has been filed and is pending. Case number: _____
 B. The father legally acknowledged paternity.
 C. There has been no legal acknowledgment of paternity.
 If you are a custodian or parenting time order in effect regarding child(ren) that you and respondent have together, fill out the attached worksheet.
 Have you or respondent ever asked for a Personal Protection Order in another county? Yes No
 What county: _____
 Why: _____
 Have you or respondent ever been in another county? Yes No
 What county: _____
 Why: _____

Does the respondent have a license to carry a firearm? Yes No
 Is the respondent employed or in training for a position which will require him/her to carry a firearm? Yes No
 Is the respondent an employee of a law enforcement agency? Yes No
 Is the respondent an employee of the Department of Corrections? Yes No If yes, which facility? _____

VERIFICATION UNDER MCR 2.114(2)(b): I declare that the statements above are true to the best of my information, knowledge and belief.
 01/21/09
 Signature of petitioner: Anna K. Wagner

VERIFIED STATEMENT (101008)

STATE OF MICHIGAN
 6th JUDICIAL CIRCUIT-FAMILY DIVISION
 OAKLAND COUNTY
 Court address: 1200 N. Telegraph Rd., Pontiac, MI 48241

Case No: 09-340
 PETITION FOR PERSONAL PROTECTION ORDER AGAINST STALKING (NON DOMESTIC)
 Respondent's name, address and telephone to: Amelia Germain, Green Springs, Michigan St, Oak Park MI 48237

1. The petitioner and respondent have never been husband and wife, resided in the same household together, had a child in common, or had a dating relationship with one another.
 2. The respondent is required to carry a firearm in the course of his/her employment.
 3. a. There are are no other pending actions in this or any other court regarding the parties.
 b. There are are no orders/judgments entered by this or any other court, regarding the parties.
 4. I need a personal protection order because: _____
 *****SEE ATTACHED ADDENDUM FOR PERSONAL PROTECTION ORDER*****

I make this petition under the authority of MCL 600.2950a and ask the court to grant a personal protection order prohibiting the respondent from stalking me as defined under MCL 750.11h and MCL 750.471 which includes but is not limited to:
 approaching at my workplace or residence;
 approaching or confronting me in a public place or on private property;
 sending mail or remaining on property owned, leased, or occupied by me;
 contacting me by telephone;
 placing an object on or delivering an object to property owned, leased, occupied by me;
 threatening to kill or physically injure me;
 purchasing or possessing a firearm.
 I ask the court to grant a personal protection order against stalking:
 request an ex parte order because immediate and irreparable injury, loss, or damage will occur between now and a hearing or because notice itself will cause irreparable injury, loss, or damage before the order can be entered.

7. I have a best friend/partner for me. I certify that the next friend is not disqualified by statute and is an adult.
 I declare that the statements above are true to the best of my information, knowledge, and belief.
 1/21/09
 Signature of petitioner: Anna K. Wagner

10041 PETITION FOR PERSONAL PROTECTION ORDER AGAINST STALKING (NON-DOMESTIC)
 MCL 600.2950a, MCR 2.209

111. 577-16-789. 14:28:19. 09260

PEOPLE v. **ANMELIA GERMAINE, AKA: MOLLIE NEAL**

08-755097-PH

RECEIVED FOR FILING
COURT CLERK

Attorney Name: DEAN F. ELDON
Address: 1370 N. OAKLAND BLVD., STE. 110
WATERBORO, MI 48327

Phone #: 248-656-0800
Vendor ID #: 2017

Charge(s): VIOLATION OF PPO

This above named attorney was appointed to represent the defendant. A complete and accurate record of service rendered appears on the time sheet below.

RECEIVED
OFFICE OF COURT ADMINISTRATOR
JUN 12 2009

DATE	DISTRICT COURT ACTION	DATE	CIRCUIT COURT ACTION
	Pre-arrest/Entry Exam <input type="checkbox"/> Writ <input type="checkbox"/> Conducted		Assignment (IC Jail)
	Plea or Guilty (Plead Contention)		Plea of Guilty (Plead Contention)
	Sentence (IC Delayed)		Sentence (IC Delayed)
	Penalty Pkt @ District Court		Trial (Number of Days)
	Bench Warrant Issued		Bench Warrant Issued
	Dismissal		Dismissal
	Other		Other PPO Hearing

APPROVED \$ 65.00
DISAPPROVED \$
KEVIN M. OFFNER
COURT ADMINISTRATOR

3010403-121240-730478

ORDER

The above named attorney was appointed to represent the defendant in the above captioned case. (She has rendered this service, filed a payment voucher, and shall be paid fees any applicable federal or State Court-ordered and/or statutory fee, levy or garnishment)

165.00

Office of the Court Administrator
Oakland County Circuit Court
1200 N. Telegraph Road, Dept 403
Pontiac, MI 48141-0404

IT IS ORDERED: The above named attorney was appointed to represent the defendant in the above captioned case. (She has rendered this service, filed a payment voucher, and shall be paid fees any applicable federal or State Court-ordered and/or statutory fee, levy or garnishment)

165.00

Office of the Court Administrator
Oakland County Circuit Court
1200 N. Telegraph Road, Dept 403
Pontiac, MI 48141-0404

Please return to:
Linda Russell (248) 452-2078
Fax (248) 975-9877

Additional forms may be obtained from the Court's website: www.oakgov.com
CSD-Att-Voucher-Int'l.doc

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND
FAMILY DIVISION



RECEIVED FOR FILING
OAKLAND COUNTY

JUL 10 2009

ANNA MAGNER Petitioner,
v.
ANMELIA GERMAINE,
AKA: MOLLIE NEAL Respondent.

At a session of said Court held in the Court House, 1370 N. Oakland Blvd.,
Oakland County, State of Michigan, on JUL 10 2009

PRESENT: HONORABLE FRED M. MESTER, Circuit Court Judge

ORDER APPOINTING RESPONDENT COUNSEL IN A SHOW CAUSE HEARING

This matter, having come before the Court for a show cause hearing regarding a violation of a Personal Protection Order. The Court finds after inquiry of the Respondent that the Respondent is without financial means to hire an attorney of his own choice to conduct his defense and the Court further finds that the Respondent has been advised and understands that he will be ordered to repay part or all of the attorney and defense costs in this matter regardless of the outcome of the hearing.

IT IS SO ORDERED that pursuant to MCR 3.708(D)(4), DEAN ELDON (P41406) is appointed to represent the Respondent in this case on a PPO Violation and that the Respondent shall report to the Oakland County Reimbursement Division, 1200 N. Telegraph Rd, Pontiac, Michigan within ten (10) days of this order to determine Respondent's obligation to repay the county the attorneys fees incurred in this case. The attorney is released from the case upon dismissal or after sentencing unless otherwise ordered.

[Signature]
FRED M. MESTER
Visiting Judge-Circuit Court Judge

CAA-Sale hrq



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

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

CR 2009-225771-FH
HONORABLE DANIEL PATRICK O'BRIEN

MILLIE AMELIA NEAL,

Defendant.

JESSICA R. COOPER, (P-23242)
PROSECUTING ATTORNEY

MICHAEL MCCARTHY (P-30169)
ATTORNEY FOR DEFENDANT

ORDER FOR EXAMINATION ON
CRIMINAL RESPONSIBILITY (DETAINED DEFENDANT)

At a session of said Court held in the Courthouse,
City of Pontiac, County of Oakland, State of Michigan,
On this 5th day of July, 2009

PRESENT: HONORABLE DANIEL PATRICK O'BRIEN
CIRCUIT COURT JUDGE

The defendant having been charged with the offense of Aggravated Stalking and having filed a Notice of Intention to Assert the Defense of Insanity, now therefore, in accordance with the provisions of MCL 768.26a et seq;

IT IS HEREBY ORDERED:

1. That the defendant undergo an examination relating to his claim of insanity by

personnel of the Center for Forensic Psychiatry.

2. That a written report meeting statutory requirements therefore shall be submitted to the Court within sixty (60) days of the date of this order with copies submitted to the Prosecuting Attorney and to defense attorney Michael McCarthy, whose address is 26091 5 Mile Rd Redford MI 48229 3235.

3. That upon request of the Center for Forensic Psychiatry, the Sheriff of Oakland County shall deliver the defendant to the Center at Ypsilanti on the date and time set forth in the request for purposes of the examination ordered herein and upon notice of completion of the examination shall return the defendant to the Oakland County Jail.

4. That the defendant shall fully cooperate in the examination and shall provide to the Center for Forensic Psychiatry immediate access to medical and psychiatric history.

5. That the examining personnel of the Center for Forensic Psychiatry shall consult with the Prosecuting Attorney and Michael McCarthy, counsel for the defendant, and further that the Prosecuting Attorney and counsel for the defendant shall make themselves available for such consultation.

Daniel Patrick O'Brien
CIRCUIT COURT JUDGE

APPROVED AS TO FORM AND CONTENT:

John P. Pray
John P. Pray, (P-66127)
Assistant Prosecuting Attorney

Michael McCarthy
Michael McCarthy (P-30169)
Attorney for Defendant



Ruth Johnson
Oakland County Clerk/Register of Deeds

STATE OF MICHIGAN
COUNTY OF OAKLAND

I, Ruth Johnson, County Clerk for the County of Oakland, State of Michigan, bearing the legal custody of the files and records in this case, do hereby certify that attached hereto is a copy of the Order of Remand to your court.

Court Case No. 09-225771-FH

District Court Case No. 09-00705L

PEOPLE OF THE STATE OF MICHIGAN

VS
E.A. NEAL

AND CASHIURETY

and in the amount of \$50,000 IS NOT on file in the Oakland County Clerk's Office.

pled to:
B District Court
600 CASK PARK BLVD
111 PARK MI 48237

CHANEL MCCARTHY
601 5 MILE RD
DIFORD MI 48229

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said court at Pontiac, Michigan this October 8, 2009.

Ruth Johnson
Oakland County Clerk-Register of Deeds
By: A. M. M. GEE
Deputy Clerk UMGCEE

Clerk's Office
100 N. Telegraph Rd. 4th Fl.
Pontiac, MI 48133
(313) 487-1000

Clerk's Office
100 N. Telegraph Rd. 4th Fl.
Pontiac, MI 48133
(313) 487-1000

Notary Public
100 N. Telegraph Rd. 4th Fl.
Pontiac, MI 48133
(313) 487-1000

4-1111-1000

EXHIBIT
45 p2

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

Case No. 09-225771-FH
Plaintiff, People
vs. HILLIE A. NEAL
Defendant.

ORDER

At a session of said court, held in the City of Pontiac, Oakland County, Michigan, this _____ day of _____, 20____.

Present: **DANIEL PATRICK O'BRIEN**
Circuit Court Judge

Preamble: THE COURT GRANTS THE DEFENDANT'S MOTION FOR BOND REDUCTION AND PEOPLE'S MOTION TO REMAND

IT IS HEREBY ORDERED: THE DEFENDANT'S BOND IS REDUCED TO \$5,000.00 PERSONAL RECOGNIZANCE. THE DEFENDANT SHALL RESIDE AT 1012 E. GREENE, HAZEL PK, MI 4802 WITH ELLIOTT DIXON. ALL OTHER TERMS OF THE DEFENDANT'S BOND REMAIN IN EFFECT.

DEFENDANT SHALL HAVE NO CONTACT WITH COMPLAINT, AUNT MARGIE. THIS CASE IS REMOVED TO 45B DISTRICT COURT FOR PRELIMINARY EXAM.

Daniel Patrick O'Brien
Circuit Court Judge

APPROVED AS TO SUBSTANCE AND FORM

[Signature] P. 10/12/09
[Signature] P. 10/12/09

DO NOT WRITE IN THIS SPACE

011040

Exhibit 47

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: People of MI v Amelia Jermaso
Docket No. 388308
L.C. No. 07-000884 FY

Henry William Saad, Chief Judge, acting under MCR 7.201(B)(3) and 7.216(A)(10),

orders:

The claim of appeal is DISMISSED for failure to pursue the case in conformity with the rules. MCR 7.201(B)(3) and 7.216(A)(10). The Clerk of this Court provided notice regarding the nature of the defect in this filing, and the defect was not corrected in a timely manner by providing this Court with the full filing fee.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

DEC 17 2008
Date

Sandra Schultz Mengel
Chief Clerk

Exhibit 46

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: Anna Kelling Wagner v Amelia Germinize
Docket No. 293234
L.C. No. 2009-755097-PH

Henry William Saad, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),

orders:

The claim of appeal is DISMISSED for lack of jurisdiction because appellant failed to file the claim within 21 days of the June 10, 2009 order being appealed, as required by MCR 7.204(A)(1)(a). As a result, appellant may only challenge the order in question by filing a delayed application for leave to appeal under MCR 7.205. See MCR 7.203(B)(2).

The motion to waive fees is GRANTED for this case only.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 24 2009
Date

Sandra Schultz Mengel
Chief Clerk

Exhibit 48

Data Security Regulations - U.S. State Legislation

The Identity Theft Protection Act, MCL 445.61

Michigan

In December 2004, the Michigan Legislature enacted several new ID theft laws, effective on March 1, 2005.

The Identity Theft Protection Act, MCL 445.61 protects a broad range of personal identifying information and includes the fraudulent use - or the attempted use - of personal identifying information of another person for the purpose of committing an illegal act.

Consumers can bring private actions under the Michigan Consumer Protection Act, MCL 445.903(j).

Michigan's Social Security Number Privacy Act, MCL 445.81, introduced measures to protect the privacy and security of SSNs.

The Michigan Consumer Protection Act requires truncation of credit card numbers, MCL 445.903(ii).

The effective dates were: July 1, 2005, for electronic devices put into service after March 1, 2005; and July 1, 2006, for older, existing electronic devices. Courts may impose a \$25,000 fine and a consecutive sentence of up to 5 years commencing after the sentence on an underlying fraud crime has been served.

