IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
THE HERTZ CORPORATION, *et al.*,[1]	Case No. 20-11218 (MFW)
Debtors.	(Jointly Administered)
	Hearing Date: February 16, 2021 at 11:30 a.m. **Objection Deadline: January 22, 2021 at 4:00 p.m.**

HERBERT M. ALFORD'S MOTION FOR ORDER (I) DEEMING HIS PROOF OF CLAIM TIMELY FILED, AND (II) GRANTING RELIEF FROM AUTOMATIC STAY

Herbert M. Alford ("Mr. Alford" or "Claimant"), by and through the undersigned counsel, hereby respectfully files this *Motion for Order Deeming His Proof of Claim Timely Filed and for Relief from Automatic Stay*, so as to allow him to liquidate his claims in State Court. In support of this Motion, Mr. Alford respectfully represents as follows:

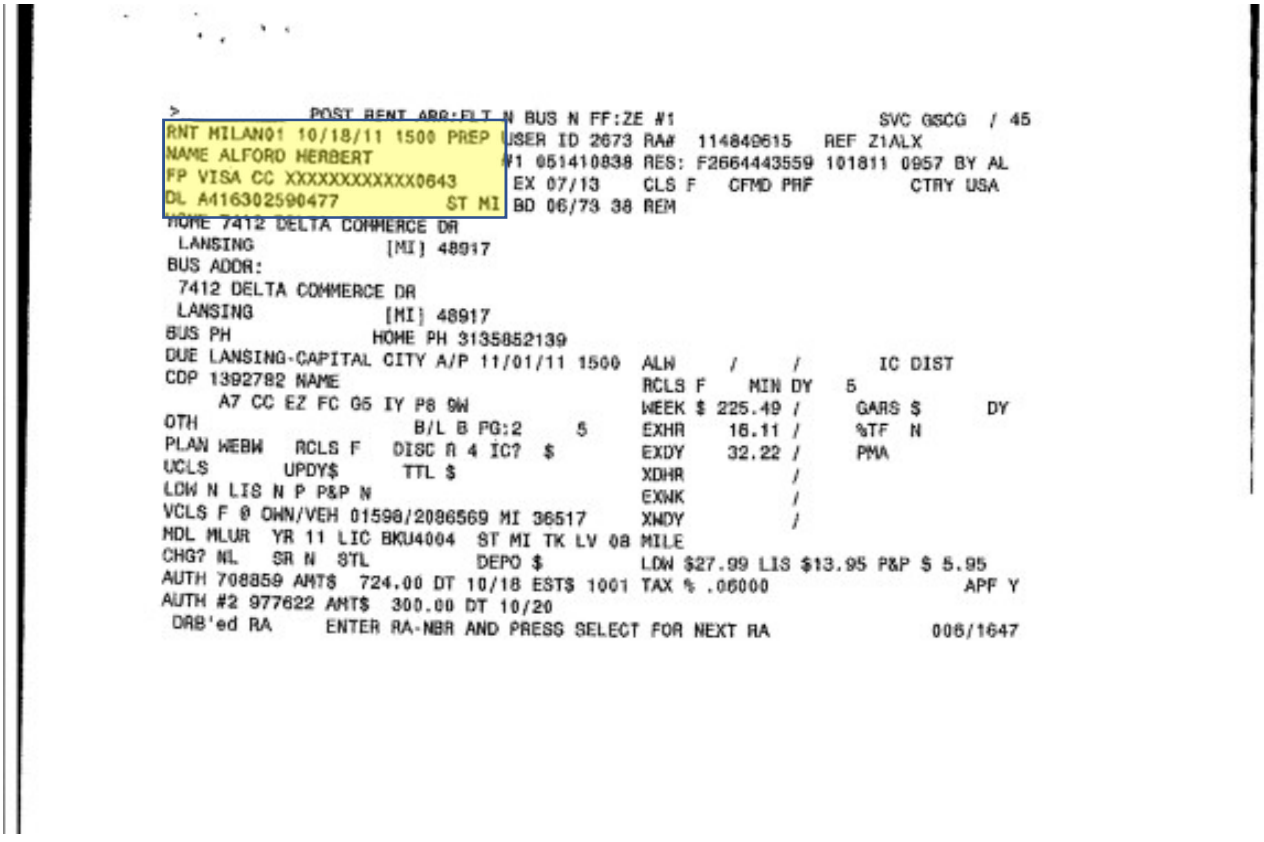
Preliminary Statement

1. Mr. Alford seeks an Order of this Court deeming his proof of claim filed against The Hertz Corporation ("Hertz") timely filed, and granting him relief from the automatic stay to liquidate his claims in State Court. Mr. Alford was renting a vehicle from Hertz on October 18, 2011, when, at the same time, Mr. Michael Adams was murdered in Lansing, Michigan at approximately 2:54 PM EST. Despite Hertz having information that proved Mr. Alford's alibi and innocence, showing he was not at the scene of the crime at the time of the murder, Hertz

[1] The last four digits of The Hertz Corporation's tax identification number are 8568. The location of the debtors' service address is 8501 Williams Road, Estero, FL 33928. Due to the large number of debtors in these chapter 11 cases, which are jointly administered for procedural purposes, a complete list of the debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the debtors' claims and noticing agent at https://restructuring.primeclerk.com/hertz.

repeatedly refused to produce it, withholding critical exculpatory and exonerating evidence notwithstanding multiple Court orders to do so. Without this evidence, Mr. Alford was wrongfully convicted of the homicide of Mr. Adams in December 2016, and wrongfully imprisoned for over 1700 days. When Hertz finally did produce the information in its possession, the 30th Circuit Court for the County of Ingham, State of Michigan overturned Mr. Alford's conviction, because "The Hertz report legally is exculpatory evidence since it creates a timeline that would exclude Mr. Alford's involvement [in the death of Mr. Adams]." Ingham County Prosecutor Siemon concurred: "We do not believe that we can prove Mr. Alford's legal culpability by the 'beyond a reasonable doubt' standard."

2. Records of Hertz conclusively proved that Mr. Alford's credit card was used to rent a vehicle from Hertz on October 18, 2011 at 1500 hours (3:00 PM EST) as shown below:



3. Mr. Alford now seeks relief to bring multiple causes of action against Hertz and other non-debtor parties for their actions, inactions, and negligence in withholding the key evidence proving Mr. Alford's innocence.

Jurisdiction

4. This United States Bankruptcy Court for the District of Delaware (the "Court") has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334.

5. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

6. By this Motion, Claimant seeks entry of the Proposed Order as allowed under Fed. R. Bankr. P. 9006 (b)(1) deeming Claimant's Proof of Claim (Claim No. 14606) against The Hertz Corporation ("Debtor") timely filed and granting relief from the automatic stay in order to liquidate the claim in State Court.

7. Mr. Alford consents to the Bankruptcy Court entering a final order on the relief requested herein, but not liquidating or determining his claims, as described in his Proof of Claim. Mr. Alford reserves all rights to liquidate his claims in State Court.

Background

8. In 2011, Michael Adams was murdered in Lansing, Michigan. Mr. Alford was accused of the crime, went to trial pleading his innocence, but was convicted in 2016. *See* **Exhibit A** (Register of Actions for the 30th Circuit Court for the County of Ingham, State of Michigan, Case Number 15-000696-FC).

9. Prior to, and during Mr. Alford's trial, Hertz was repeatedly ordered by the 30th Circuit Court for the County of Ingham, State of Michigan to produce records that would provide proof of Mr. Alford's alibi defense. *See* **Exhibit B** (Orders Requiring The Hertz Corporation to Produce Record with Proofs of Service).

10. On January 27, 2016, Hertz's failure to respond to Mr. Alford's June 2015 Subpoena was brought before the Ingham County Circuit Court that sought video and documentation from Hertz. *See* **Exhibit C** (Transcript Excerpts).

11. On April 6, 2016, another hearing was held regarding the subpoena to Hertz and Mr. Alford's attorney stated that:

> Thank you, Your Honor. This is a hearing on an order to show cause that was issued by the Court on February 18, 2016. We were here in March. And unfortunately we didn't have service on the Hertz Corporation. We do now have service on the Hertz Corporation. That was effected on January 31st, 2016. Excuse me. That was March 31st, 2016. Nobody was here on behalf of Hertz. They have not produced the records that were requested. And the order to be produced, the subpoena that you issued to them back in January. We are asking that Hertz be held in civil contempt today.

See **Exhibit D** (Transcript Excerpts).

12. At that same hearing, the Court held, "We have had the show cause. We can say they didn't appear. I will order that the document be produced. Make sure there's sufficient notice for them to respond. I will order them to produce documents had they been here anyways. … Within 14 days of the receipt of the order. Maybe if you get it out soon enough, a week, say, on/or before May 1. On/or before May 2nd?" *Id*.

13. Hertz still did not produce the documents.

14. On November 30, 2016, at yet another hearing where Hertz failed to appear, counsel for Mr. Alford requested that "If I prepare an order, showing that they have been held in contempt, can I present that to the Court today?" *See* **Exhibit E** (Transcript Excerpts). The Court responded in part: "Yes." *Id*.

15. On December 2, 2016, an order was entered holding Hertz in contempt of court. *See* **Exhibit F** (Order Regarding Defendant's Motion to Show Cause).

16. The December 2, 2016 Order ordered that:

> 1. Defendant's Motion to Show Cause is **GRANTED**.
>
> 2. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, are hereby held in contempt of this Honorable Court.
>
> 3. The Hertz Corporation and Judi Schuett of The Corporation Company shall produce the documents requested in the attached subpoena to White Law PLLC immediately.
>
> 4. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, shall pay the reasonable attorney fees and costs incurred by Defendant Herbert M. Alford in connection with obtaining documents and records in the possession of the Hertz Corporation.

Id.

17. Hertz still did not produce the records.

18. Mr. Alford was forced to go to trial without the Hertz records, and was convicted in December 2016.

19. During Mr. Alford's appeal of his December 2016 convictions, Hertz records corroborating his alibi were finally produced to Mr. Alford's appellate counsel in approximately March 2018, eventually resulting in all charges against him being dismissed on December 8, 2020. *See* **Exhibit A**, at 1.

20. Had Hertz complied with the subpoena, and not ignored and disobeyed numerous court orders requiring it to produce the documentation that eventually freed Mr. Alford, Mr. Alford would not have spent over 1,700 days incarcerated.

21. Mr. Alford, now a free man, seeks to file a lawsuit in State Court against Hertz to liquidate his actions of contempt of court (a recognized independent tort claim in the State of Michigan) and negligence, as well as a federal cause of action for violating 42 U.S.C. § 1985, *et seq.*

22. On September 9, 2020, this Court entered an order [Docket No. 1240] (the "Bar Date Order") establishing certain dates for parties holding claims against Hertz and its affiliates (the "Debtors") to file proofs of claim ("POC's"), with the general bar date being set for October 21, 2020 at 5:00 PM (the "Bar Date").

23. On September 9, 2020, Mr. Alford and his defense counsel were preparing for his upcoming new trial that had been scheduled for September 24, 2020. *See* **Exhibit A**, at 2. On October 21, 2020, the general bar date in this action, Mr. Alford and his counsel were again preparing for the retrial of his criminal case, that had been adjourned due to the spike in cases of COVID-19 in Ingham County, Michigan. *Id.*

24. At no time did Mr. Alford receive actual notice of the Debtors' pending bankruptcy petition or the Bar Date Order. *Id*.

25. Neither Mr. Alford, nor his counsel, were aware of Debtors' pending bankruptcy petition or the Bar Date Order until on or about December 11, 2020. The criminal charges against Mr. Alford were dismissed on December 8, 2020 by the Ingham County Prosecutor's Office due to the exculpatory evidence that was finally obtained from Hertz. *See* **Exhibit G.**

26. When Mr. Alford's charges were dismissed on December 8, 2020 by Ingham County Prosecutor Carol Siemon due to the exculpatory evidence that the Debtor failed to disclose despite multiple court orders, she stated that "The Hertz report legally is exculpatory evidence since it creates a timeline that would exclude Mr. Alford's involvement [in the death of Mr. Adams]." **Exhibit H**, Lansing State Journal News Article.

27. Prosecutor Carol Siemon further stated that, "evidence from a rental car company that had not been available at the original trial was a key factor" in dismissing the case against Mr. Alford. *Id.*

28. Prosecutor Siemon has also stated that, "We do not believe that we can prove Mr. Alford's legal culpability by the 'beyond a reasonable doubt' standard." *Id*.

29. Mr. Alford now brings this Motion to Deem His Proof of Claim Timely Filed, *see* **Exhibit I**, in order to obtain full and equitable relief for the damages inflicted upon him by the Debtors and their functionaries.

Basis for Relief

I. Mr. Alford's Proof of Claim Should Be Deemed Timely Filed

30. The Bankruptcy Rules empower a bankruptcy court in a chapter 11 case to permit the late filing of a proof of claim if the movant's failure to file a proof of claim in advance of the bar date "was the result of excusable neglect." Fed. R. Bankr. P. 9006(b)(1). The Supreme Court has considered the "excusable neglect" doctrine, finding that "Congress plainly contemplated that the courts would be permitted, where appropriate, to accept late filing caused by inadvertence, mistake, or carelessness" and that "the enlargement of prescribed time periods under the 'excusable neglect' standard of Rule 9006(b)(1) is not limited to situations where the failure to timely file is due to circumstances beyond the control of the filer." *In re Energy Future Holdings Corp.*, 2020 WL 5051512, at *6 (Bankr. D. Del. Aug. 27, 2020) (citing *In re Trump Taj Mahal Assocs.*, 156 B.R. 928, 937 (Bankr. D.N.J. 1993) and *Pioneer Inv. Servs. Co. v. Brunswick Assocs. L.P.*, 507 U.S. 380, 388 (1993)).

31. The U.S. Supreme Court in *Pioneer* set out the authoritative test for determining whether a court may exempt a party's failure to meet the bar date for filing a proof of claim under an "excusable neglect" standard. This determination is fundamentally "an equitable one, taking account of all relevant circumstances surrounding the party's omission." *Pioneer Inv. Servs. Co.*, 507 U.S. at 395. Whether neglect is excusable is based on four equitable considerations, including:

"the danger of prejudice to the debtor, the length of delay and its potential impact on judicial proceedings, the reason for the delay, including whether or not it was in control of the movant, and whether the movant acted in good faith." *Id.* In fact, lack of prejudice to the debtor or the interest of efficient judicial administration, combined with the good faith of the movant and its counsel, "weigh strongly in favor of permitting the tardy claim." *Id.* at 398.

32. In *Pioneer*, a creditor's attorney received notice of a creditors' meeting from the bankruptcy court shortly after the debtor filed its chapter 11 cases. *Id.* at 383-84. The notice also contained the bar date for filing claims in the cases. *Id.* The attorney was in the middle of withdrawing from his law firm and did not appreciate that the creditors' meeting notice also contained the bar date and failed to timely file a claim. *Id* at 384. The attorney filed the claim and a motion to allow a late filed proof of claim after the bar date. *Id.* The Supreme Court concluded that the attorney's neglect in not filing the claim timely was excusable. *Id.* at 398.

33. Here, neither Mr. Alford nor his counsel had actual notice of the Debtors' bankruptcy proceedings until after the Bar Date had already passed. After Mr. Alford's counsel discovered the Bar Date, they immediately contacted bankruptcy counsel, filed a proof of claim, and sought relief with this Court. These facts and circumstances fall within the excusable neglect standard explained in *Pioneer*.

A. Potential Prejudice to Debtors.

34. *Pioneer* asks "whether the debtor will be prejudiced" by the late-filed claim. *In re Eagle Bus Mfg., Inc.*, 62 F.3d 730, 737 (5th Cir. 1995). The United States District Court for the District of Delaware has identified prejudice factors to include "whether the debtor was surprised or caught unaware by the assertion of the claim…; whether the payment of the claim would force the return of amounts already paid out under the confirmed Plan …; whether payment of the claim would jeopardize the success of the debtor's reorganization; whether allowance of the claim would adversely impact the debtor actually or legally; and whether allowance of the claim would open floodgates to other future claims." *Pro-Tec Serv., LLC v. Inacom Corp*, 2004 WL 2283599 *4 (D. Del. 2004) (citing *Manus Corp. v. NRG Energy, Inc.*, 188 F.3d 166, 126-28 (3rd. Cir. 1999); *In re Garden Ridge Corp.*, 348 B.R. 642, 636 (D. Del. 2006).

35. The prejudice factors weigh in favor of Mr. Alford, because, unlike Mr. Alford, Hertz possessed the information Mr. Alford needed, and it should have been aware that the information it possessed would be exculpatory to Mr. Alford, and that it would be accountable for failing to respond to the subpoena, and numerous court orders. Furthermore, Hertz was aware when it produced the exculpatory information demanded by the subpoena, Mr. Alford's well-publicized exoneration, and should not be surprised that it would be accountable for failing to comply with orders of a court, or by the assertion of a claim by Mr. Alford, given that he was incarcerated for 1700 days. Further, the Debtors have not yet even filed a plan of reorganization, so there are no payments even contemplated by a plan that would need to be recovered. Given the unique nature of Mr. Alford's claim, there is no risk that floodgates would open for other claims.

B. Length of Delay and Potential Impact on Judicial Proceedings

36. Upon discovery of the Bar Date, Mr. Alford's attorneys moved promptly, and filed a proof of claim 76 days, less than three months, after the passing of the Bar Date. This motion promptly followed. The brief delay in the filing of Mr. Alford's claim will have no material negative effect on these proceedings.

C. Reason for Delay

37. Neither Mr. Alford nor his criminal trial counsel delayed here; on the contrary, they did not have actual notice of the Debtors' bankruptcy proceedings or of the Bar Date, until after the Bar Date had already passed. Immediately after discovering these facts, Mr. Alford's criminal trial counsel moved quickly to determine Mr. Alford's rights and obligations vis-à-vis the Debtors. Furthermore, the Debtors' delay – not Mr. Alford's – has led to the claims here. Had Hertz not delayed, ignoring subpoenas and court orders, Mr. Alford might not have had any claim.

D. Good Faith

38. Claimant files this motion in good faith. Claimant spent over 1,700 days incarcerated in both the Ingham County Jail and Michigan Department of Corrections facilities because Debtors would not produce the records that lead to his exoneration.

39. Now a free man, and after diligently and expeditiously contacting counsel to pursue his claims, Claimant files this motion to ensure that he has an opportunity to be made whole.

II. Mr. Alford Should Be Granted Relief From the Automatic Stay

40. Section 362(d)(1) of the Bankruptcy Code provides that "on request of a party in interest and after notice and a hearing, the court shall grant relief from the stay provided under subsection (a) of this section . . . for cause."

41. The term "cause" is not defined in the Code, but rather must be determined on a case-by-case basis. *In re Rexene Prods. Co.,* 141 B.R. 574, 576 (Bankr. D. Del. 1992). "Cause is a flexible concept and courts often . . . examin[e] the totality of the circumstances to determine whether sufficient cause exists to lift the stay." *In re SCO Group, Inc.,* 395 B.R. 852, 856 (Bankr. D. Del. 2007). The logic behind § 362(d) is that it is often appropriate to allow litigation to proceed in its initial forum, if there is no prejudice to the estate, "in order to leave the parties to their chosen forum and to relieve the bankruptcy court from duties that may be handled elsewhere." *In re Tribune Co.,* 418 B.R. 116, 126 (Bankr. D. Del. 2009) (quoting legislative history of § 362(d) (internal citations omitted).

42. This Court applies a three-pronged balancing test in determining whether "cause" exists for granting relief from the automatic stay to continue litigation: (a) Whether prejudice to either the bankrupt estate or the debtor will result from continuation of the civil suit; (b) Whether the hardship to the non-bankrupt party by maintenance of the stay outweighs the debtor's hardship; and (c) the creditor's probability of success on the merits. *Id.* Here, the facts weigh heavily in the Movant's favor on each of these three prongs. Under the balancing test, the stay in this case should be lifted.

43. As for the first factor, no prejudice will occur to the bankruptcy estate or the Debtor because the Mr. Alford seeks relief from the stay to liquidate his claim in Michigan. The Debtor will ultimately be obligated to participate in the liquidation of Mr. Alford's claim in one forum or

another: either this Court or the Michigan State Court. Moreover, allowing the Michigan Court to consider the merits of Mr. Alford's claim will relieve this Court of ruling on the potentially undecided issues of Michigan tort law that are more appropriately made by a Michigan court.

44. The second factor also weighs in favor of the Movant. If stay relief is not granted, Mr. Alford will be obligated to liquidate his claim in Delaware rather than in his home state, causing him to incur unnecessary additional fees and expenses.

45. The third factor, probability of success, also weighs in favor of stay relief. The likelihood of success on the merits prong is satisfied by "even a slight probability of success on the merits may be sufficient to support lifting an automatic stay." *In re Continental Airlines, Inc.,* 152 B.R. 420, 426 (D. Del 1993). Mr. Alford's case against Hertz is based upon Hertz's inexplicable failure to respond to a subpoena and multiple court orders that resulted in the unwarranted denial of Mr. Alford's liberty. A reading of his complaint leads to the clear conclusion that he has presented facts far in excess of those required to demonstrate "a slight probability of success."

46. In addition to the foregoing balancing test, the intent of Congress when drafting the Bankruptcy Code supports the requested relief. It was clearly the intent of Congress to allow proceedings to take place so long as there is no interference with the actual bankruptcy proceedings. "[I]t will often be more appropriate to permit proceedings to continue in their place of origin, when no great prejudice to the bankruptcy estate would result, in order to leave the parties to their chosen forum and to relieve the bankruptcy court from any duties that may be handled elsewhere." H.R.Rep. No. 595, 95th Cong., 1st Sess., 341 (1977). Here, there will be no interference with the actual bankruptcy proceedings because lifting the stay will do nothing more than allow Mr. Alford to liquidate his claim in his preferred forum. Thus, the stay should be lifted

so that the intent of Congress can be carried out and so that this Court can be relieved of this matter in deference to another court with proper jurisdiction.

47. Although the automatic stay that is imposed in bankruptcy proceedings is historically important to protect debtors, it serves no legitimate purpose here. The core purpose of a stay in bankruptcy is "to prevent certain creditors from gaining a preference for their claims against the debtor; to forestall the depletion of the debtor's assets due to legal costs in defending proceedings against it; and, in general, to avoid interference with the orderly liquidation or rehabilitation of the debtor." *Matter of Rexene Products Co.,* 141 B.R. 574, 576 (Bankr. D. Del. 1992). None of these issues is present here. Accordingly, the stay is unnecessary because it is not protecting the Debtors from any of the core concerns for which a stay is normally implemented.

48. Lastly, the burden of proof for lifting a stay is outlined in 11 U.S.C. 362(g), which states, "[i]n a hearing for relief under subsection (d) or (e), (1) the party requesting such relief has the burden of proof on the issue of the debtor's equity in property; and (2) the party opposing such relief has the burden of proof on all other issues." Therefore, the burden of resisting the relief that the Movant seeks is now on the Debtor.

49. Furthermore, 28 U.S.C. § 157(b)(1) expressly provides that, "Bankruptcy judges may hear and determine all cases under title 11 and all core proceedings arising under title 11, or arising in a case under title 11, referred under subsection (a) of this section. However, section 158(b)(2) sets forth what constitutes a core proceeding, which includes the allowance and disallowance of claims against the estate, but "not the liquidation or estimation of contingent or unliquidated personal injury tort or wrongful death claims against the estate for purposes of distribution in a case under title 11." 28 U.S.C. § 157(b)(2)(B).

50. The Michigan Litigation does not constitute a core matter, and involves the liquidation of an unliquidated tort claim against the estate.

Conclusion

51. The facts and circumstances support deeming Mr. Alford's proof of claim timely filed. Further, Mr. Alford's requested relief from stay would not prejudice the Debtors, other potential claimants, or the administration of justice in this matter, and Mr. Alford respectfully requests an Order enter allowing him to file his Proposed Complaint, substantially in the form of **Exhibit J** hereto, in the 30th Circuit Court for the County of Ingham, State of Michigan.

52. As of the date of this filing, the Debtors have not filed a plan of reorganization. On October 5, 2020, the Court entered the Order Extending Debtors' Exclusive Periods for the Filing of a Chapter 11 Plan and Solicitation of Acceptances Thereof and Granting Related Relief [D.I. 1411] extending the time for the Debtors to file a plan on or before March 22, 2021

Dated: January 8, 2021

CROSS & SIMON, LLC

/s/ Christopher P. Simon

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IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
THE HERTZ CORPORATION, *et al.*,[1]	Case No. 20-11218 (MFW)
Debtors.	(Jointly Administered)
	Hearing Date: February 16, 2021 at 11:30 a.m. **Objection Deadline: January 22, 2021 at 4:00 p.m.**

NOTICE OF HERBERT M. ALFORD'S MOTION FOR ORDER (I) DEEMING HIS PROOF OF CLAIM TIMELY FILED, AND (II) GRANTING RELIEF FROM AUTOMATIC STAY

PLEASE TAKE NOTICE THAT that on January 8, 2021, Herbert M. Alford ("Claimant" or "Mr. Alford") filed *Herbert M. Alford's Motion for Order (I) Deeming His Proof of Claim Timely Filed and Motion for Relief from Automatic Stay* (the "Motion") with the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court").

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Motion must be filed on or before **January 22, 2021 at 4:00 p.m. (ET)** (the "Objection Deadline") with the Bankruptcy Court, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801. At the same time, you must serve a copy of the response upon the undersigned counsel to Claimant so as to be received on or before the Objection Deadline.

PLEASE TAKE FURTHER NOTICE that a hearing on the Motion will be held on **February 16, 2021 at 11:30 a.m. (ET)** before the Honorable Mary F. Walrath at the

[1] The last four digits of The Hertz Corporation's tax identification number are 8568. The location of the debtors' service address is 8501 Williams Road, Estero, FL 33928. Due to the large number of debtors in these chapter 11 cases, which are jointly administered for procedural purposes, a complete list of the debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the debtors' claims and noticing agent at https://restructuring.primeclerk.com/hertz.

Bankruptcy Court, 824 North Market Street, 5th Floor, Courtroom No. 4, Wilmington, Delaware 19801.

PLEASE TAKE FURTHER NOTICE THAT IF YOU FAIL TO PROPERLY FILE AND SERVE A RESPONSE ON OR BEFORE THE OBJECTION DEADLINE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

Dated: January 8, 2021

CROSS & SIMON, LLC

/s/ Christopher P. Simon

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Counsel to Herbert Alford

Exhibit A

Ingham County, Michigan - Court Record Search

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Case Summary

Case Title:	THE STATE OF MICHIGAN vs ALFORD, HERBERT MAURICE
Case Number:	15-000696-FC
Judge:	CLINTON CANADY
DEFENDANT:	HERBERT ALFORD
Case Status:	CLOSED
Disposition:	4BC-NOLLE PROS - 12/08/2020
File Date:	08/06/2015

Charge, Disposition & Sentencing

Charge 1:	HOMICIDE - MURDER - SECOND DEGREE
Disposition:	C30 GUILTY VERDICT BY JURY
Sentence:	Fines, Costs & Restitution: $ 4,715.00 Remarks: (365) MOS TO (730) MOS MDOC; STATE COST: $204; CRIME $130; RESTITUTION $3,515 PAYABLE TO EDWARD ADAMS; DNA $60; COURT COST $1200 Prison: Minimum - 365 (months) ; Maximum - 730 (months) ; Credit for - 0 (days)
Charge 2:	WEAPONS - FIREARMS - POSSESSION BY FELON
Disposition:	C30 GUILTY VERDICT BY JURY
Sentence:	Remarks: (365) MOS TO (730) MOS MDOC; STATE COST: $204; CRIME $130; RESTITUTION $3,515 PAYABLE TO EDWARD ADAMS; DNA $60; COURT COST $1200 Prison: Minimum - 24 (months) ; Maximum - 60 (months) ; Credit for - 0 (days)
Charge 3:	WEAPONS - FELONY FIREARM
Disposition:	C30 GUILTY VERDICT BY JURY
Sentence:	Remarks: (365) MOS TO (730) MOS MDOC; STATE COST: $204; CRIME $130; RESTITUTION $3,515 PAYABLE TO EDWARD ADAMS; DNA $60; COURT COST $1200

Case Events

296 12/09/2020	CASE CLOSED C30
295 12/08/2020	EVENT CANCELLED. CASE DISMISSED THE FOLLOWING EVENT: MOTION TO SUPPRESS SCHEDULED FOR 12/09/2020 AT 3:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: CANCELLED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
294 12/08/2020	ORDER OF NOLLE PROS
293 12/03/2020	EXHIBIT LIST
292 12/01/2020	ORDER
291 11/24/2020	RE-NOTICE OF HEARING OF DF'S MOTION TO SUPPRESS THE PEOPLE'S WITNESSES STATEMENT OF IDENTIFICATION W/PS

290	11/19/2020	HEARING SET: EVENT: MOTION TO SUPPRESS DATE: 12/09/2020 TIME: 3:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: CANCELLED
289	11/04/2020	HEARING IN OPEN COURT ON 11/4/2020 - MOTION TO MODIFY/ REMOVE TETHER - DENIED
288	11/04/2020	STIPULATION AND ORDER DENYING DEF'S MOTION TO MODIFY BOND
287	11/04/2020	DENIED ON THE RECORD THE FOLLOWING EVENT: MOTION TO MODIFY SCHEDULED FOR 11/04/2020 AT 11:45 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: DENIED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
286	11/02/2020	DEFENDANT HERBERT M ALFORDS MOTION TO MODIFY BOND CONDITIONS W/ NOH AND POS
285	10/23/2020	PERMISSION TO TRAVEL OUT OF STATE - APPROVED
284	10/14/2020	HEARING SET: EVENT: MOTION TO MODIFY DATE: 11/04/2020 TIME: 11:45 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: DENIED
283	10/02/2020	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 09/24/2020 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
282	10/02/2020	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 09/24/2020 AT 9:00 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 01/21/2021 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL
281	09/22/2020	ORDER ADJOURNING TRIAL
280	09/18/2020	EVENT CANCELLED THE FOLLOWING EVENT: MOTION TO SUPPRESS SCHEDULED FOR 09/22/2020 AT 3:30 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: CANCELLED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
279	09/11/2020	MOTION TO SUPPRESS THE PEOPLE'S WITNESSES' STATEMENTS OF IDENTIFICATION
278	09/11/2020	DEF'S NOTICE OF INTENT TO PRESENT AN ALIBI DEFENSE
277	09/02/2020	HEARING SET: EVENT: MOTION TO SUPPRESS DATE: 09/22/2020 TIME: 3:30 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: CANCELLED
276	07/07/2020	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 09/21/2020 AT 8:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 09/24/2020 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
275	07/07/2020	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 09/21/2020 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
274	07/07/2020	ORDER (NOTICE OF JURY TRIAL)
273	03/02/2020	ARREST BOND UPDATED ARREST BOND MODIFIED WITH: BOND AMOUNT: 50,000.00
272	03/02/2020	ARREST BOND UPDATED ARREST BOND MODIFIED WITH: BOND TYPE:

	CR CASH/SURETY
271 03/02/2020	ARREST BOND UPDATED ARREST BOND MODIFIED WITH: BOND STATUS: C30 BOND POSTED STATUS DATE: 02/20/2020 BONDING CO.: LONE WOLF BAIL BONDS COMMENTS: RELEASED ON CASH/SURETY BOND ON 2/202/2020 BOND AGENCY LONE WOLF BAIL BONDS LLC PO BOX 12027 LANSING, MI 48901 (517)755-0911
270 02/21/2020	ORDER AMENDING BOND CONDITIONS
269 02/19/2020	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 03/02/2020 AT 8:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 09/21/2020 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
268 02/19/2020	ORDER AMENDING BOND CONDITIONS
267 02/19/2020	HEARING SET: EVENT: MOTION FOR BOND DATE: 02/19/2020 TIME: 11:15 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
266 02/19/2020	GRANTED ON THE RECORD THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 02/19/2020 AT 11:15 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
265 02/19/2020	ADJOURNED ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 03/02/2020 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED - ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
264 02/19/2020	HEARING IN OPEN COURT ON 2/19/20 - PEOPLE'S MOTION TO ADJOURN - GRANTED - JURY TRIAL SET FOR SEPTEMBER 21, 2020 AT 8:30 AM - DEF'S ORAL REQUEST FOR BOND GRANTED - BOND MODIFIED TO $50,000 CASH/SURETY - REPORT TO PRETRIAL SERVICES - PLACE ON GPS TETHER
263 02/19/2020	GRANTED ON THE RECORD THE FOLLOWING EVENT: MOTION TO ADJOURN SCHEDULED FOR 02/19/2020 AT 11:15 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
262 02/18/2020	DEF'S RESPONSE TO THE PEOPLE'S MOTION TO ADJOURN TRIAL
261 02/12/2020	PEOPLE'S MOTION TO ADJOURN TRIAL W/ PS - NOH SET FOR FEB 19, 2020 AT 11:00 AM
260 02/04/2020	HEARING SET: EVENT: MOTION TO ADJOURN DATE: 02/19/2020 TIME: 11:15 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
259 11/22/2019	ENTERED IN ERROR
258 11/22/2019	ORDER AND NOTICE OF JURY TRIAL
257 07/31/2019	GRANTED ON THE RECORD THE FOLLOWING EVENT: MOTION TO ADJOURN SCHEDULED FOR 07/31/2019 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
256 07/31/2019	GRANTED ON THE RECORD THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 07/31/2019 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445

255	07/31/2019	HEARING SET: EVENT: MOTION TO COMPEL DATE: 07/31/2019 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
254	07/31/2019	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 08/12/2019 AT 8:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 03/02/2020 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED - ON THE RECORD
253	07/31/2019	ADJOURNED ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 08/12/2019 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED - ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
252	07/31/2019	HEARING IN OPEN COURT ON 7/31/19 - PEOPLE'S MOTION TO ADJOURN TRIAL - GRANTED - TRIAL ADJOURNED TO 3/2/2020
251	07/29/2019	DEF HERBERT M. ALFORD'S EMERGENCY MOTION TO COMPEL DISCOVERY- NOH SET FOR JULY 31, 2019 AT 11:00 AM W/PS
250	07/26/2019	PEOPLE'S MOTION TO ADJOURN TRIAL - NOH SET FOR WEDNESDAY JULY 31, 2019 AT 11:00 AM - W/PS
249	07/26/2019	DEF'S RESPONSE TO PEOPLE'S MOTION TO ADJOURN TRIAL W/ PS
248	07/25/2019	DEF HERBERT M. ALFORD'S AMENDED TRIAL WITNESS LIST W/PS
247	07/25/2019	DEF HERBERT M. ALFORD'S TRIAL WITNESS LIST
246	07/23/2019	HEARING SET: EVENT: MOTION TO ADJOURN DATE: 07/31/2019 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
245	07/09/2019	CASE REOPENED
244	07/09/2019	EMAIL NOTICE FROM CLERICAL SERVICES SUPERVISOR TO REOPEN THE CASE
243	02/19/2019	ORDER DEFENDANT'S MOTION FOR EXTRAORDINARY EXPENSES IS GRANTED
242	02/19/2019	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 02/21/2019 AT 8:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 08/12/2019 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED - ON THE RECORD
241	02/19/2019	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 02/21/2019 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
240	02/11/2019	DEFENDANT HERBERT M. ALFORD'S EXPARTE MOTION FOR EXTRAORDINARY EXPENSES; WITH PROOF OF SERVICE
239	01/02/2019	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 08/12/2019 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
238	01/02/2019	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 08/12/2019 AT 8:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 02/21/2019 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
237	11/26/2018	ORDER VACATING CONVICTION AND SENTENCE - IT IS ORDERED THAT

		THE CONVICTION AND SENTENCE IN THIS MATTER IS VACATED. DEFENDANT SHALL BE RELEASED FROM THE MICHIGAN DEPARTMENT OF CORRECTIONS TO THE INGHAM COUNTY SHERIFF'S DEPARTMENT AND IS TO BE HELD WITHOUT BOND PENDING A NEW TRIA. W/PROOF OF SERVICE
236	11/07/2018	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 02/21/2019 AT 8:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 08/12/2019 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
235	11/07/2018	ADJOURNED ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 02/21/2019 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED - ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: PAUL BRANDELL
234	11/07/2018	C30 HEARING HELD ON THE RECORD. DEFENDANT WAIVED RIGHT TO SPEEDY TRIAL. TRIAL SCHEDULED FOR 08/12/2019 AND 08/19/2019. THE FOLLOWING EVENT: STATUS CONFERENCE SCHEDULED FOR 11/07/2018 AT 10:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: PAUL BRANDELL
233	11/07/2018	HEARING IN OPEN COURT - HEL DON THE RECORD - DEF WAIVED RIGHT TO SPEEDY TRIAL - TRIAL SCHEDULED WEEK OF AUGUST 12, 2019 AND AUGUST 19, 2019 - DEFENDANT TO BE TRANSFERRED TO THE INGHAM COUNTY JAIL FROM MDOC PENDING TRIAL
232	10/29/2018	APPEARANCE OF COUNSEL, DEMAND FOR JURY TRIAL, DEMAND FOR SPEEDY TRIAL, DEMAND FOR RES GESTAE WITNESSES, AND DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE
231	10/25/2018	WRIT HABEAS CORPUS - DEF TO APPEAR FOR STATUS CONFERENCE ON WEDNESDAY, NOVEMBER 7, 2018 AT 10:00 A.M. BEFORE HON. CLINTON CANADY, III
230	10/22/2018	HEARING ADJOURNED (WRIT NOT PREPARED) THE FOLLOWING EVENT: STATUS CONFERENCE SCHEDULED FOR 10/24/2018 AT 10:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
229	10/22/2018	HEARING SET: THE FOLLOWING EVENT: STATUS CONFERENCE SCHEDULED FOR 10/24/2018 AT 10:00 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: STATUS CONFERENCE DATE: 11/07/2018 TIME: 10:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
228	09/13/2018	ORDER - MICHIGAN COURT OF APPEALS - ON THE COURT'S OWN MOTION, THIS APPEAL IS DISMISSED AS MOOT IN LIGHT OF THE TRIAL COURT'S AUGUST 6, 2018 ORDER GRANTING DEFENDANT'S MOTION FOR A NEW TRIAL. SEE MCR 7.211(C)(2)(C); MCR 7.216(A)(7)
227	08/14/2018	EVENT CANCELLED THE FOLLOWING EVENT: HEARING SCHEDULED FOR 08/30/2018 AT 9:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: CANCELLED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
226	08/06/2018	OPINION / ORDER (10 PAGES - IT IS ORDERED THAT DEFENDANT'S REQUEST FOR EVIDENTIARY HEARING IS HEREBY DENIED. IT IS FURTHER ORDERED THAT DEFENDANT'S AMENDED MOTION FOR NEW TRIAL IS HEREBY GRANTED AND A NEW JURY TRIAL HAS BEEN SCHEDULED TO BEGIN FEBRUARY 21, 2019 AT 8:15 A.M. A STATUS CONFERENCE HAS BEEN SCHEDULED FOR OCTOBER 24, 2018 AT 10:00

		A.M. IT IS FURTHER ORDERED THAT UPON RETURN TO THE INGHAM COUNTY CIRCUIT COURT, DEFENDANT WILL BE HELD WITHOUT BOND IN THE CUSTODY OF THE INGHAM COUNTY SHERRIF AWAITING TRIAL; W/ PROOF OF SERVICE
225	07/23/2018	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 02/21/2019 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED - ON THE RECORD
224	07/23/2018	SCHEDULED IN ERROR THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 02/19/2019 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: SCHEDULED IN ERROR JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
223	07/23/2018	HEARING SET: EVENT: STATUS CONFERENCE DATE: 10/24/2018 TIME: 10:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
222	07/23/2018	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 02/19/2019 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: SCHEDULED IN ERROR
221	07/03/2018	WRIT OF HABEAS CORPUS - DEFENDANT SHALL APPEAR BEFORE HON. CLINTON CANADY, III ON AUGUST 30, 2018 AT 9:00 A.M. ON HEARING FOR MOTION FOR NEW TRIAL
220	07/02/2018	NOTICE OF HEARING - DEFENDANT'S MOTION FOR NEW TRIAL WILL BE HEARD BEFORE HON. CLINTON CANADY, III ON AUGUST 30, 2018 AT 9:00 A.M.; W/ PROOF OF SERVICE
219	06/28/2018	HEARING ADJOURNED THE FOLLOWING EVENT: HEARING SCHEDULED FOR 07/25/2018 AT 11:15 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
218	06/28/2018	HEARING SET: THE FOLLOWING EVENT: HEARING SCHEDULED FOR 07/25/2018 AT 11:15 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: HEARING DATE: 08/30/2018 TIME: 9:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: CANCELLED
217	06/28/2018	HEARING SET: EVENT: HEARING DATE: 07/25/2018 TIME: 11:15 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
216	06/22/2018	PEOPLE'S ANSWER TO DEFENDANT'S AMENDED MOTION FOR NEW TRIAL ATTORNEY: ALLEN, ELIZABETH (75179)
215	06/04/2018	AMENDED MOTION FOR NEW TRIAL; W/PROOF OF SERVICE ATTORNEY: BREMER, DANIEL D. (23554)
214	03/15/2018	HEARING ADJOURNED THE FOLLOWING EVENT: MOTION FOR NEW TRIAL SCHEDULED FOR 03/16/2018 AT 3:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
213	03/13/2018	PEOPLE'S ANSWER TO DEFENDANT'S MOTION FOR NEW TRIAL; W/ PROOF OF SERVICE
212	03/12/2018	PROOF OF SERVICE - COPY OF SUBPOENA TOGETHER WITH WITNESS FEE ($13.00) PERSONALLY SERVED UPON HERTZ CORPORATION ON FEBRUARY 28, 2018 AT 1:03 P.M.
211	03/05/2018	WRIT OF HABEAUS CORPUS - DEF TO BE DELIVERED INTO THE CUSTODY OF INGHAM COUNTY CIRCUIT COURT TO APPEAR BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, MARCH 16, 2018 AT 3:00 P.M.
210	02/22/2018	NOTICE OF HEARING - DEFENDANT'S MOTION FOR NEW TRIAL WILL BE

	HEARD BEFORE HON. CLINTON CANADY, III ON MARCH 15, 2018 AT 10:00 A.M.; W/ PROOF OF SERVICE
209 02/21/2018	HEARING SET: THE FOLLOWING EVENT: MOTION FOR NEW TRIAL SCHEDULED FOR 03/15/2018 AT 10:00 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: MOTION FOR NEW TRIAL DATE: 03/16/2018 TIME: 3:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
208 02/21/2018	HEARING ADJOURNED THE FOLLOWING EVENT: MOTION FOR NEW TRIAL SCHEDULED FOR 03/15/2018 AT 10:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
207 02/21/2018	PROOF OF SERVICE - COPY OF MOTION FOR NEW TRIAL; NOTICE OF HEARING AND PROOF OF SERVICE SERVED UPON CAROL A. SIEMON, PROSECUTING ATTORNEY BY FIRST CLASS MAIL ON 2/15/18
206 02/21/2018	NOTICE OF HEARING DEFENDANT'S MOTION FOR NEW TRIAL WILL BE HEARD BEFORE HON. CLINTON CANADY, III ON MARCH 16, 2018 AT 10:00 A.M.
205 02/21/2018	MOTION FOR NEW TRIAL ATTORNEY: BREMER, DANIEL D. (23554)
204 02/15/2018	HEARING SET: EVENT: MOTION FOR NEW TRIAL DATE: 03/15/2018 TIME: 10:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
203 02/12/2018	DECISION FROM COURT OF APPEALS - THE COURT ORDERS THAT THE MOTION TO REMAND IS GRANTED AND THIS CASE IS REMANDED TO THE TRIAL COURT SO THAT DEFENDANT MAY BRING A MOTION FOR A NEW TRIAL AND HAVE AN EVIDENTIARY HEARING REGARDING THE CLAIMS RAISED IN HIS MOTION TO REMAND. THE TIME FOR PROCEEDING WITH THE APPEAL SHALL BEGIN TO RUN 14 DAYS AFTER THE DATE OF THIS ORDER IF A MOTION TO INITIATE THE PROCEEDINGS ON REMAND IS NOT FILED IN THE TRIAL COURT WITHIN THAT 14 DAY PERIOD.
202 07/18/2017	CERTIFICATE OF APPEAL OF COURT REPORTER - TRUE AND CORRECT COPY OF TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON JANUARY 27, 2016. REPORTED BY TERESA J. ABRAHAM, CSR-3445
201 07/17/2017	TRANSCRIPT OF PROCEEDINGS - PRETRIAL HELD BEFORE HON. CLINTON CANADY, III ON TUESDAY, SEPTEMBER 8, 2015. REPORTED BY TERESA J. ABRAHAM, CSR-3445
200 07/17/2017	CERTIFICATE OF APPEAL OF COURT REPORTER - TRUE AND CORRECT TRANSCRIPT OF PROCEEDING HELD BEFORE HON. CLINTON CANADY, III ON SEPTEMBER 8, 2015. TERESA J. ABRAHAM, CSR-3445
199 07/12/2017	CERTIFICATE OF APPEAL OF COURT REPORTER TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON JANUARY 27, 2016 - UNABLE TO FIND STENO NOTES FOR THE REQUESTED HEARING DATE OF JANUARY 27, 2016 ON THE MOTION TO ADJOURN. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
198 07/11/2017	CERTIFICATE OF APPEAL OF COURT - TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON APRIL 6, 2016 AND NOVEMBER 30, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
197 07/11/2017	TRANSCRIPT OF PROCEEDINGS - MOTION - HELD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, NOVEMBER 30, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
196 07/11/2017	RECORDER/REPORTER'S NOTICE OF FILING OF TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON APRIL 6, 2016 AND NOVEMBER 30, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
195 07/11/2017	CERTIFICATE OF APPEAL OF COURT REPORTER TRANSCRIPT OF

	PROCEEDINGS HELD BEFORE HON. CLINTON CANADY ON NOVEMBER 16, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
194 07/11/2017	TRANSCRIPT OF PROCEEDINGS - AMENDED DAUBERT HEARING HELD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, NOVEMBER 16, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
193 07/11/2017	TRANSCRIPT OF PROCEEDINGS - PRETRIAL - HELD BEFORE HON. CLINTON CANADY, III ON WEDENSDAY, APRIL 6, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
192 07/10/2017	TRANSCRIPT OF PROCEEDINGS - SENTENCE - HELD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, JANUARY 18, 2017. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
191 07/10/2017	RECORDER/REPORTER'S NOTICE OF FILING OF TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON DECEMBER 5, 6 AND 9, 2016 AND JANUARY 18, 2017. REPORTED BY: TERESA J. ABRAHAM
190 07/10/2017	TRANSCRIPT OF PROCEEDINGS - MOTION HELD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, NOVEMBER 9, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
189 07/10/2017	RECORDER/REPORTER'S NOTICE OF FILING OF TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON NOVEMBER 9, 2016. FOR THE HEARING DATE REQUESTED OF AUGUST 12, 2015, THERE WAS NO HEARING HELD, A WRITTEN WAIVER WAS FILED. FOR THE DATE REQUESTED OF NOVEMBER 10, 2015, THE HEARING WAS ADJOURNED. FOR THE REQUESTED DATE OF JANUARY 20, 2016, THERE WAS NO HEARING HELD ON THE RECORD. FOR THE OUTSTANDING HEARING DATES OF JANUARY 27, 2016, APRIL 6, 2016, NOVEMBER 16, 2016 AND NOVEMBER 30, 2016 ALL TRANSCRIPTS SHALL BE FILED WITHIN THIS WEEK. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
188 07/06/2017	TRANSCRIPT OF PROCEEDINGS - CRIMINAL JURY TRIAL HELD BEFORE HON. CLINTON CANADY, III ON TUESDAY, DECEMBER 6, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
187 07/06/2017	TRANSCRIPT OF PROCEEDINGS - CRIMINAL JURY TRIAL HELD BEFORE HON. CLINTON CANADY, III ON FRIDAY, DECEMBER 9, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
186 05/25/2017	TRANSCRIPT OF PROCEEDINGS - CRIMINAL JURY TRIAL - HELD BEFORE HON. CLINTON CANADY, III ON MONDAY, DECEMBER 5, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
185 05/08/2017	MOTION TO WAIVE COURT COSTS AND RESTITUTION FEES
184 03/16/2017	WAIVER/SUSPENSION OF FEES AND COSTS
183 03/09/2017	TRANSCRIPT OF PROCEEDINGS - TRIAL HELD BEFORE HON. CLINTON CANADY, III ON DECEMBER 12, 2016. REPORTED BY: GENEVIEVE A. HAMLIN, CSR-3218
182 03/09/2017	TRANSCRIPT OF PROCEEDINGS - TRIAL HELD BEFORE HON. CLINTON CANADY, III ON DECEMBER 8, 2016. REPORTED BY: GENEVIEVE A. HAMLIN, CSR-3218
181 03/09/2017	RECORDER/REPORTER'S NOTICE OF FILING OF TRANSCRIPT OF HEARINGS HELD ON DECEMBER 8, 2016, DECEMBER 12, 2016 AND DECEMBER 13, 2016 BEFORE HON. CLINTON CANADY, III; W/AFFIDAVIT OF MAILING. REPORTED BY: GENEVIEVE A. HAMLIN, CSR-3218
180 03/09/2017	TRANSCRIPT OF PROCEEDINGS - TRIAL HELD BEFORE HON. CLINTON CANADY, III ON DECEMBER 13, 2016. REPORTED BY: GENEVIEVE A. HAMLIN, CSR-3218
179 03/06/2017	TRANSCRIPT OF PROCEEDINGS - MOTION HEARING HELD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, JULY 6, 2016. REPORTED BY: JODY A. LARSEN, CSR-4224
178 02/24/2017	COPY FURNISHED OF ENTIRE FILE TOGETHER WITH ROA TO DANIEL D

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177 02/22/2017	CERTIFICATE OF APPEAL OF COURT REPORTER - TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON AUGUST 12, 2015; SEPTEMBER 8, 2015, NOVEMBER 10, 2015, JANUARY 5, 2016, JANUARY 20, 2016, JANUARY 27, 2016, JANUARY 27, 2016, APRIL 6, 2016, NOVEMBER 9, 2016, NOVEMBER 16, 2016 AND NOVEMBER 30, 2016 WILL BE FURNISHED NO LATER THAN MAY 30, 2017. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
176 02/16/2017	AMENDED CLAIM OF APPEAL AND ORDER APPOINTING COUNSEL
175 02/10/2017	CERTIFICATE OF APPEAL OF COURT REPORTER - TRANSCRIPTS OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON DECEMBER 5, 6, 9 OF 2016 AND JANUARY 18, 2017. TRANSCRIPTS WILL BE FURNISHED NO LATER THAN MAY 10, 2017. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
174 02/06/2017	CERTIFICATE OF APPEAL OF COURT REPORTER - TRANSCRIPTS OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON DECEMBER 8, 2016, DECEMBER 12, 2016 AND DECEMBER 13, 2016. TRANSCRIPTS WILL BE FILED ON OR ABOUT MAY 1, 2017. REPORTED BY: GENEVIEVE A HAMLIN, CSR-3218
173 02/03/2017	ORDER REGARDING APPOINTMENT OF APPELLATE COUNSEL AND TRANSCRIPT; W/ PROOF OF MAILING
172 01/26/2017	HERBERT ALFORD PAYMENT TO EDWARD ADAMS RECEIPT: 471375 DATE: 10/21/2020 CHECK ISSUED: 11/12/20 CHECK #42366 $102.19 PAYABLE TO: EDWARD ADAMS.
171 01/23/2017	NOTICE OF RIGHT TO APPELLATE REVIEW AND REQUEST FOR APPOINTMENT OF ATTORNEY - SIGNED BY DEF 1/19/17
170 01/23/2017	ORDER TO REMIT PRISONER FUNDS FOR FINES, COSTS, AND ASSESSMENTS - THE DEFENDANT OWES $1,594 - IT IS ORDERED THAT MDOC SHALL COLLECT 50% OF ALL FUNDS COLLECTED BY DEFENDANT OVER $50 EACH MONTH; W/ PROOF OF MAILING
169 01/18/2017	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: SENTENCING SCHEDULED FOR 01/18/2017 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
168 01/18/2017	FELONY MINIMUM COST RECEIPT: 406130 DATE: 03/22/2017
167 01/18/2017	CRIME VICTIM'S RIGHTS ASSESSMENT - CIRCUIT COURT RECEIPT: 406130 DATE: 03/22/2017
166 01/18/2017	DNA RECEIPT: 406130 DATE: 03/22/2017
165 01/18/2017	PA 352 COSTS - CIRCUIT COURT
164 01/18/2017	C30 - SENTENCE INFORMATION - CT 1 (365) MOS TO (730) MOS MDOC; STATE COST: $204; CRIME $130; RESTITUTION $3,515 PAYABLE TO EDWARD ADAMS; DNA $60; COURT COST $1200
163 01/18/2017	C30 - SENTENCE INFORMATION - CT 2 (24) MOS TO (60) MOS MDOC; STATE COST: $204; CRIME $130; RESTITUTION $3,515 PAYABLE TO EDWARD ADAMS; DNA $60; COURT COST $1200
162 01/18/2017	JUDGMENT OF SENTENCE / COMMITMENT TO CORRECTIONS DEPARTMENT
161 01/18/2017	SENTENCING INFORMATION REPORT
160 01/18/2017	CASE CLOSED C30
159 01/18/2017	C30 - SENTENCE INFORMATION - CT 3 (24) MOS TO (24) MOS MDOC; STATE COST: $204; CRIME $130; RESTITUTION $3,515 PAYABLE TO EDWARD ADAMS; DNA $60; COURT COST $1200
158 12/16/2016	ORDER TO SEAL RECORD - IT IS ORDERED THAT PURSUANT TO MCR 8.119(D) AND MCR 8.119(I)(4), THE WITNESS'S PROBATION RECORDS,

		TETHER RECORDS, AND ALL RELATED CORRESPONDENCE SHALL BE FILED UNDER SEAL. W/PROOF OF SERVICE
157	12/13/2016	GUILTY VERDICT BY JURY - CT 2 GUILTY VERDICT BY JURY; AS TO CTS 1, 2, 3; REF PROBATION; DNA; SENTENCE: JANUARY 18, 2017 AT 8:30 A.M.
156	12/13/2016	GUILTY VERDICT BY JURY - CT 3 GUILTY VERDICT BY JURY; AS TO CTS 1, 2, 3; REF PROBATION; DNA; SENTENCE: JANUARY 18, 2017 AT 8:30 A.M.
155	12/13/2016	GUILTY VERDICT BY JURY - CT 1 GUILTY VERDICT BY JURY; AS TO CTS 1, 2, 3; REF PROBATION; DNA; SENTENCE: JANUARY 18, 2017 AT 8:30 A.M.
154	12/13/2016	HEARING SET: EVENT: SENTENCING DATE: 01/18/2017 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
153	12/13/2016	C30 HEARING HELD ON THE RECORD. TRIAL, CLOSING, DELIVERATION AND VERDICT THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 12/13/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: JEAN ANN HAMLIN
152	12/13/2016	JURY TRIAL CONTINUED - STRIKE AND SWEAR @ 11:50 A.M. AS TO JURORS 9 AND 11 - JURY DELIBERATIONS BEGIN AT 11:55 A.M. (JURORS SERVED 1 FULL DAY)
151	12/13/2016	GUILTY VERDICT BY JURY AS TO CTS 1, 2 AND 3 - SENTENCEING: JANUARY 18, 2017 @ 8:30 A.M.
150	12/12/2016	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 12/12/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: JEAN ANN HAMLIN
149	12/12/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 12/13/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
148	12/12/2016	JURY TRIAL CONTINUED (JURORS SERVED 1 FULL DAYS)
147	12/09/2016	JURY TRIAL CONTINUED (JURORS SERVED 1 FULL DAY)
146	12/09/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 12/12/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
145	12/09/2016	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 12/09/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
144	12/09/2016	HEARING IN OPEN COURT - HELD ON THE RECORD - COURT APPOINTED ATTORNEY STEVEN FIEGELSON TO REPRESENT GILBERT BAILEY (WITNESS), FOR TESTIMONY IN THIS MATTER.
143	12/08/2016	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 12/08/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
142	12/08/2016	JURY TRIAL CONTINUED - JURORS SERVED (1 FULL DAY)
141	12/08/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 12/09/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
140	12/06/2016	JURY TRIAL CONTINUED (JURORS SERVED 1 FULL DAY)
139	12/06/2016	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: JURY

		TRIAL CRIMINAL SCHEDULED FOR 12/06/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
138	12/06/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 12/08/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
137	12/05/2016	DEFENDANT HERBERT MAURICE ALFORD'S REQUESTED JURY INSTRUCTIONS; W/ PROOF OF SERVICE
136	12/05/2016	JURY TRIAL COMMENCED AT 10:00 A.M. - JURY SERVED (1 FULL DAY)
135	12/05/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 12/06/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
134	12/05/2016	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 12/05/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
133	12/02/2016	ORDER REGARDING DEFENDANT'S MOTION TO SHOW CAUSE - DEFENDANT'S MOTION TO SHOW CAUSE IS GRANTED.
132	12/02/2016	DEFENDANT HERBERT MAURICE ALFORD'S TRIAL EXHIBIT LIST; W/ PROOF OF SERVICE
131	12/02/2016	DEFENDANT HERBERT MAURICE ALFORD'S TRIAL WITNESS LIST; W/ PROOF OF SERVICE
130	11/30/2016	HEARING IN OPEN COURT - HELD ON THE RECORD - MOTION TO HOLD HERTZ IN CONTEMPT/SHOW CAUSE. DEF TO SUBMIT ORDER HOLDING HERTZ IN CONTEMPT - DEF TO SUBMIT BILL OF COSTS AND REASONABLE ATTORNEY FEES - JURY TRIAL TO BEGIN 12/5/16 AT 8:30 A.M.
129	11/30/2016	GRANTED ON THE RECORD. DEFENDANT TO SUBMIT ORDER HOLDING HERTZ IN CONTEMPT AND REASONABLE ATTORNEY FEES AWARDED THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 11/30/2016 AT 3:45 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
128	11/30/2016	SECOND NOTICE OF INTENT TO AMEND WITNESSES THE PEOPLE INTEND TO PRODUCE FOR TRIAL PURSUANT TO MCL 767.40A(4); W/ PROOF OF SERVICE
127	11/22/2016	SUBPOENA//ORDER TO APPEAR AND/OR PRODUCE ON FRIDAY, NOVEMBER 25, 2016 AT 11:00 A.M. BEFORE HON. CLINTON CANADY, III
126	11/21/2016	PEOPLE'S REQUESTED JURY INSTRUCTIONS; W/ PROOF OF SERVICE
125	11/21/2016	MOTION AND ORDER TO SHOW CAUSE
124	11/16/2016	UNDER ADVISEMENT ON THE RECORD THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 11/16/2016 AT 2:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: UNDER ADVISEMENT JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
123	11/16/2016	UNDER ADVISEMENT ON THE RECORD THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 11/16/2016 AT 2:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: UNDER ADVISEMENT JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445

122	11/16/2016	HEARING ADJOURNED THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 11/16/2016 AT 2:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
121	11/16/2016	HEARING SET: THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 11/16/2016 AT 2:00 PM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: MOTION (MISC) DATE: 11/30/2016 TIME: 3:45 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
120	11/16/2016	MOTION TO COMPEL TAKEN UNDER ADVISEMENT
119	11/16/2016	MOTION TO HOLD HERTZ IN COMTEMPT - ADJOURNED
118	11/16/2016	HEARING IN OPEN COURT - HELD ON THE RECORD - MOTION IN LIMINE TO EXCLUDE EXPERT TESTIMONY PURSUANT TO MRE 702 AND DAUBERT TAKEN UNDER ADVISEMENT - COURT WILL ISSUE WRITTEN OPINION - CONTINUED IN CUSTODY OF SHERIFF TRIAL DATE - 12/5/16
117	11/14/2016	PEOPLE'S RESPONSE TO DEFENDANT'S MOTION IN LIMINE TO EXCLUDE EXPERT TESTIMONY PURSUANT TO MRE 702 AND DAUBERT; W/ PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
116	11/09/2016	DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S EIGHT SUPPLEMENTAL DISCOVERY DEMAND; NOTICE OF HEARING, W/PROOF OF SERVICE
115	11/09/2016	DEFENDANT'S MOTION IN LIMINE TO EXCLUDE EXPERT TESTIMONY PURSUANT TO MRE 702 AND DAUBERT
114	11/09/2016	GRANTED ON THE RECORD. PARTIES AGREED TO TURN OVER REQUESTED REPORTS. ORDER TO COME. THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 11/09/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
113	11/09/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 11/16/2016 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: UNDER ADVISEMENT
112	11/09/2016	STIPULATION AND PROTECTIVE ORDER REGARDING DEFENDANT'S DEMAND FOR COMPETENCY TESTS OF MICHIGAN STATE POLICE FORENSIC SCIENTIST AMBER L. SMITH - IT IS HEREBY ORDERED THAT STRMIX COMPETENCY TESTS OF MSP FORENSIC SCIENTIST AMBER L. SMITH BE TURNED OVER TO DEFENSE COUNSEL AND KEPT BY THE DEFENSE IN ACCORDANCE WITH THE STIPULATION AND AGREEMENT OF THE PARTIES.
111	11/08/2016	PEOPLE'S RESPONSE TO DEFENDANT'S DEMAND FOR COMPETENCY TESTS OF MICHIGAN STATE POLICE FORENSIC SCIENTIST AMBER L. SMITH; W/ PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
110	11/07/2016	DEFENDANT'S EIGHT SUPPLEMENTAL DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE ATTORNEY: WHITE, H JAMES (56946)
109	11/07/2016	MOTION AND ORDER TO SHOW CAUSE
108	10/26/2016	ADJOURNED ON THE RECORD THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 10/26/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED - ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
107	10/26/2016	HEARING SET: THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 10/26/2016 AT 11:00 AM HAS BEEN RESCHEDULED AS

		FOLLOWS: EVENT: MOTION TO COMPEL DATE: 11/09/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
106	10/25/2016	HEARING SET: THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 11/02/2016 AT 11:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: MOTION (MISC) DATE: 11/16/2016 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
105	10/25/2016	HEARING ADJOURNED THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 11/02/2016 AT 11:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
104	10/25/2016	PEOPLE'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S THIRD, FIFTH, SIXTH, AND SEVENTH SUPPLEMENT DISCOVERY DEMANDS; W/PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
103	10/21/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 10/26/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED - ON THE RECORD
102	10/21/2016	SCHEDULED IN ERROR THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 10/18/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: SCHEDULED IN ERROR JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
101	10/19/2016	PROOF OF SERVICE - COPY OF DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S THIRD, FIFTH, SIXTH AND SEVENTH SUPPLEMENTAL DISCOVERY DEMANDS, NOTICE OF HEARING AND PROOF OF SERVICE FILED WITH THE COURT CLERK VIA HAND DELIVERY AND COPIES SERVED ON THE PEOPLE BY EMAIL ON 10/19/16
100	10/19/2016	NOTICE OF HEARING - DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S THIRD, FIFTH, SIXTH AND SEVENTH SUPPLEMENTAL DISCOVERY DEMANDS WILL BE HEARD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, OCTOBER 26, 2016 AT 11:00 A.M.
99	10/19/2016	DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S THIRD, FIFTH, SIXTH, AND SEVENTH SUPPLEMENTAL DISCOVERY DEMANDS ATTORNEY: WHITE, H JAMES (56946)
98	10/18/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 10/18/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: SCHEDULED IN ERROR
97	10/11/2016	HEARING SET: EVENT: MOTION (MISC) DATE: 11/16/2016 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: UNDER ADVISEMENT
96	09/27/2016	HEARING SET: EVENT: MOTION (MISC) DATE: 11/02/2016 TIME: 11:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
95	09/23/2016	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 09/26/2016 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
94	08/12/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 09/26/2016 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 -

		VETERANS MEMORIAL RESULT: C30 ADJOURNED
93	07/22/2016	NOTICE OF INTENT TO USE TECHNICIAN'S REPORT IN LIEU OF TESTIMONY; W/ PROOF OF SERVICE
92	07/18/2016	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 07/25/2016 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
91	07/18/2016	SCHEDULED IN ERROR THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 07/25/2016 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: SCHEDULED IN ERROR JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
90	07/18/2016	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 07/25/2016 AT 9:00 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 12/05/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
89	07/11/2016	DEFENDANT HERBER MAURICE ALFORD'S SEVENTH SUPPLEMENTAL DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE ATTORNEY: RUSEK, ALEXANDER S (77581)
88	07/06/2016	HEARING IN OPEN COURT - HELD ON THE RECORD - REQUEST FOR ADJOURNMENT GRANTED
87	07/06/2016	GRANTED ON THE RECORD THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 07/06/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: JODY LARSEN
86	07/05/2016	PEOPLE'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S THIRD, FIFTH, AND SIXTH SUPPLEMENTAL DISCOVERY DEMAND; W/ PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
85	07/01/2016	DEFENDANT HERBERT MAURICE ALFORD'S SIXTH SUPPLEMENTAL DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE
84	07/01/2016	DEFENDANT HERBERT M. ALFORD'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S THIRD, FIFTH, AND SIXTH SUPPLEMENTAL DISCOVERY DEMANDS; W/PROOF OF SERIVCE ATTORNEY: WHITE, H JAMES (56946)
83	06/30/2016	DEFENDANT HERBERT MAURICE ALFORD'S FIFTH SUPPLEMENTAL DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE ATTORNEY: RUSEK, ALEXANDER S (77581)
82	06/28/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 07/06/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
81	06/27/2016	ENTRY ERROR
80	06/27/2016	NOTICE OF INTENT TO AMEND WITNESSES THE PEOPLE INTEND TO PRODUCE FOR TRIAL PURSUANT TO MCL 767.40A(4); W/ PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
79	06/10/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 07/25/2016 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
78	06/02/2016	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 05/23/2016 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF:

		STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
77	06/02/2016	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 05/23/2016 AT 9:00 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 07/25/2016 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: SCHEDULED IN ERROR
76	05/31/2016	PEOPLE'S SECOND DEMAND FOR DISCOVERY PURSUANT TO MCR 6.201; W/PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
75	05/11/2016	REQUEST FOR FILM AND ELECTRONIC MEDIA COVERAGE OF COURT PROCEEDINGS - WLNS TV 6
74	05/10/2016	EVENT CANCELLED THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 05/11/2016 AT 11:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: CANCELLED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
73	05/09/2016	PEOPLE'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL DISCOVERY; W/ PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
72	04/25/2016	DEFENDANT HERBERT M. ALFORD'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S FOURTH SUPPLEMENTAL DISCOVERY DEMAND ATTORNEY: WHITE, H JAMES (56946)
71	04/25/2016	NOTICE OF HEARING - DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S FOURTH SUPPLEMENTAL DISCOVERY DEMAND WILL BE HEARD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, MAY 11, 2016 AT 11:30 A.M.; W/ PROOF OF SERVICE ATTORNEY: WHITE, H JAMES (56946)
70	04/21/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 05/18/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL
69	04/21/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 05/11/2016 TIME: 11:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: CANCELLED
68	04/14/2016	ORDER REGARDING DEFENDANT'S MOTION TO SHOW CAUSE - DEFENDANT'S MOTION TO SHOW CAUSE IS GRANTED IN PART AND DENIED IN PART. THE HERTZ CORPORATION AND JUDI SCHUETT OF THE CORPORATION COMPANY, REGISTERED AGENT FOR THE HERTZ CORPORATION SHALL PRODUCE THE DOCUMENTS TO WHITE LAW PLLC THAT WERE DEMANDED IN THE ATTACHED SUBPOENA ISSUED BY THIS HONORABLE COURT ON JANUARY 20, 2016. THE DOCUMENTS REQUESTED SHALL BE PRODUCED TO WHITE LAW PLLC BY THE HERTZ CORPORATION WITHIN 14 DAYS OF SERVICE OF THIS ORDER OR MAY 2, 2016, WHICHEVER DATE IS SOONER.
67	04/07/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 05/23/2016 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
66	04/06/2016	HEARING IN OPEN COURT - HELD ON THE RECORD - MOTION FOR SHOW CAUSE - GRANTED
65	04/06/2016	HEARING HELD ON RECORD THE FOLLOWING EVENT: MOTION TO SHOW CAUSE SCHEDULED FOR 04/06/2016 AT 10:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
64	04/06/2016	AFFIDAVIT OF SERVICE - COPY OF MOTION AND ORDER TO SHOW CAUSE, DEFENDANT'S MOTION AND ORDER TO SHOW CAUSE; EXHIBITS A-C; RE-NOTICE OF HEARING SERVED UPON ELENA BOUTAKOVA AS

		AGENT, FOR THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, REGISTERED AGENT, JODI SCHUETTE ON MARCH 31, 2016 AT 2:33 P.M.
63	04/01/2016	RE-NOTICE OF HEARING - DEFENDANT'S MOTION AND ORDER TO SHOW CAUSE HAS BEEN RESCHEDULED FOR WEDNESDAY, APRIL 6, 2016 AT 10:30 A.M. OR 10:30 A.M.; W/ PROOF OF SERVICE
62	03/18/2016	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 03/21/2016 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
61	03/16/2016	HEARING ADJOURNED THE FOLLOWING EVENT: MOTION TO SHOW CAUSE SCHEDULED FOR 03/16/2016 AT 10:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
60	03/16/2016	HEARING SET: THE FOLLOWING EVENT: MOTION TO SHOW CAUSE SCHEDULED FOR 03/16/2016 AT 10:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: MOTION TO SHOW CAUSE DATE: 04/06/2016 TIME: 10:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED RESULT: HEARING HELD ON THE RECORD
59	02/29/2016	PROOF OF SERVICE - COPY OF MOTION AND ORDER TO SHOW CAUSE DIRECTED TO THE HERTZ CORPORATION TOGETHER WITH PROOF OF SERVICE SERVED UPON PLAINTIFF, INGHAM COUNTY PROSECUTOR VIA FIRST CLASS MAIL ON 2/24/16
58	02/18/2016	MOTION TO SHOW CAUSE
57	02/18/2016	ORDER TO SHOW CAUSE - IT IS ORDERED THAT THE HERTZ CORPORATION C/O THE CORPORATION COMPANY IS ORDERED TO APPEAR BEFORE HON. CLINTON CANADY, III ON MARCH 16, 2016 AT 10:30 A.M.
56	02/11/2016	DEFENDANT HERBERT MAURICE ALFORD'S FOURTH SUPPLEMENTAL DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE
55	02/10/2016	DEFENDANT HERBERT MAURICE ALFORD'S THIRD SUPPLEMENTAL DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE ATTORNEY: RUSEK, ALEXANDER S (77581)
54	02/10/2016	PROOF OF SERVICE - COPY OF DEFENDANT'S MOTION AND ORDER TO SHOW CAUSE TOGETHER WITH PROOF OF SERVICE SERVED UPON THE COURT CLERK VIA FIRST CLASS MAIL ON 2/8/16
53	02/08/2016	HEARING SET: EVENT: MOTION TO SHOW CAUSE DATE: 03/16/2016 TIME: 10:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
52	02/04/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 03/21/2016 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
51	01/29/2016	DEFENDANT HERBERT MAURICE ALFORD'S MOTION TO DISMISS; W/PROOF OF SERVICE ATTORNEY: RUSEK, ALEXANDER S (77581)
50	01/27/2016	DEFENDANT HERBERT MAURICE ALFORD'S RESPONSE TO THE PEOPLE'S MOTION TO ADJOURN TRIAL; W/ PROOF OF SERVICE ATTORNEY: WHITE, H JAMES (56946)
49	01/27/2016	GRANTED ON THE RECORD THE FOLLOWING EVENT: MOTION TO ADJOURN SCHEDULED FOR 01/27/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT

		STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
48	01/27/2016	ADJOURNED, WITHOUT DATE THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 02/16/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: ADJOURNED WITHOUT DATE JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
47	01/27/2016	ORDER TO ADJOURN TRIAL - IT IS HEREBY ORDERED THAT THE PEOPLE'S REQUEST TO ADJOURN THE JURY TRIAL SCHEDULED FOR FEBRUARY 16, 2016 IS GRANTED SO THAT FURTHER DNA TESTING MAY BE CONDUCTED. THE COURT HEREBY ALSO GRANTS AN ADJOURNMENT TO THE DEFENSE IN ORDER TO REVIEW RECENTLY RECEIVED DISCOVERY MATERIALS.
46	01/26/2016	NOTICE OF INTENT TO USE TECHNICIAN'S REPORT IN LIEU OF TESTIMONY; W/PROOF OF SERVICE
45	01/26/2016	HEARING SET: EVENT: MOTION TO ADJOURN DATE: 01/27/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
44	01/26/2016	EVENT CANCELLED THE FOLLOWING EVENT: MOTION TO SUPPRESS SCHEDULED FOR 01/27/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: CANCELLED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
43	01/26/2016	PEOPLE'S MOTION TO ADJOURN JURY TRIAL; W/PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
42	01/25/2016	DEFENDANT HERBERT M. ALFORD'S REPLY TO THE PEOPLE'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL DISCOVERY; W/ PROOF OF SERVICE ATTORNEY: WHITE, H JAMES (56946)
41	01/21/2016	TRANSCRIPT OF PROCEEDINGS - PRELIMINARY EXAMATION (VOL. II) HELD BEFORE HON. JUDGE DELUCA ON JULY 12, 2015. REPORTED BY: JULIA M. CHERRY, CER-5287
40	01/21/2016	TRANSCRIPT OF PROCEEDINGS - PRELIMINARY EXAMATION (VOL. I) HELD BEFORE HON. JUDGE DELUCA ON JULY 13, 2015. REPORTED BY: JULIA M. CHERRY, CER-5287
39	01/20/2016	HEARING IN OPEN COURT - MOTION TO COMPEL DISCOVERY - WITHDRAWN
38	01/20/2016	HEARING HELD ON THE RECORD THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 01/20/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: WITHDRAWN JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL
37	01/19/2016	PEOPLE'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL DISCOVERY; W/PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
36	01/19/2016	NOTICE OF WITNESSES THE PEOPLE INTEND TO PRODUCE FOR TRIAL PURSUANT TO MCL 767.40A(3) ATTORNEY: CHELTENHAM, MICHAEL (57245)
35	01/13/2016	NOTICE OF INTENT TO USE TECHNICIAN'S REPORT IN LIEU OF TESTIMONY; W/PROOF OF SERVICE
34	01/12/2016	DEFENDANT HERBERT M. ALFORD'S MOTION TO COMPEL DISCOVERY; BRIEF IN SUPPORT OF MOTION ATTORNEY: WHITE, H JAMES (56946)
33	01/05/2016	HEARING IN OPEN COURT - HELD ON THE RECORD - PLEA OFFER READ ON THE RECORD - JURY TRIAL SET FOR FEBRUARY 16, 2016 AT 8:30 A.M.
32	01/05/2016	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 01/05/2016 AT 2:00 PM HAS

		BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
31	01/04/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 01/20/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: WITHDRAWN
30	01/04/2016	HEARING SET: EVENT: MOTION TO SUPPRESS DATE: 01/27/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: CANCELLED
29	12/04/2015	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 02/16/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: CANCELLED RESULT: C30 ADJOURNED
28	11/10/2015	HEARING ADJOURNED THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 11/10/2015 AT 2:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
27	11/10/2015	HEARING SET: THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 11/10/2015 AT 2:00 PM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: CRIMINAL PRETRIAL CONFERENCE DATE: 01/05/2016 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
26	11/10/2015	HEARING IN OPEN COURT - HELD ON THE RECORD - MATTER ADJOURNED TO JANUARY 5, 2016 @ 2:00 P.M.
25	11/10/2015	ORDER SETTING SECOND CRIMINAL PRETRIAL CONFERENCE; W/ PROOF OF SERVICE
24	11/02/2015	HEARING SET: EVENT: CRIMINAL PRETRIAL CONFERENCE DATE: 11/10/2015 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
23	11/02/2015	SCHEDULED IN ERROR THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 02/16/2016 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: SCHEDULED IN ERROR JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
22	10/30/2015	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 11/02/2015 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
21	10/15/2015	HEARING SET: THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 11/10/2015 AT 2:00 PM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: CRIMINAL PRETRIAL CONFERENCE DATE: 02/16/2016 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: SCHEDULED IN ERROR
20	10/15/2015	HEARING ADJOURNED THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 11/10/2015 AT 2:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
19	10/08/2015	DISCLOSURE DEMANDS

18	10/01/2015	PROOF OF SERVICE - COPY OF SUBPOENA SERVED UPON MICHELE DELL ON 9/23/15
17	10/01/2015	PROOF OF SERVICE - COPY OF SUBPOENA ORDER TO APPEAR AND/OR PRODUCE DIRECTED TO UNIVERSITY OF PHOENIX TOGETHER WITH PROOF OF SERVICE SERVED WITH THE COURT CLERK VIA UNITED STATES MAIL FIRST CLASS ON 9/28/15
16	09/21/2015	DEFENDANT HERBERT MAURICE ALFORD'S FIRST SUPPLEMENTAL DEMAND FOR DISCOVERY; W/PROOF OF SERVICE ATTORNEY: WHITE, H JAMES (56946)
15	09/18/2015	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 11/02/2015 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
14	09/09/2015	ORDER SETTING SECOND CRIMINAL PRETRIAL CONFERENCE; W/PROOF OF SERVICE
13	09/08/2015	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 09/08/2015 AT 2:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
12	09/08/2015	CRIMINAL PRE-TRIAL CONFERENCE ORDER
11	09/08/2015	HEARING IN OPEN COURT: HELD ON THE RECORD: FINAL PRETRIAL SET FOR 11/10/15 @ 2:00 PM
10	09/08/2015	HEARING SET: EVENT: CRIMINAL PRETRIAL CONFERENCE DATE: 11/10/2015 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
9	08/12/2015	ORDER SETTING CRIMINAL PRETRIAL CONFERENCE; W/POS
8	08/12/2015	HEARING SET: EVENT: CRIMINAL PRETRIAL CONFERENCE DATE: 09/08/2015 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
7	08/12/2015	HEARING IN OPEN COURT: HELD ON THE RECORD: WAIVER OF ARRAIGNMENT; INFORMATION RECEIVED; PRETRIAL SET FOR 9/8/15 @ 2:00 PM
6	08/12/2015	INFORMATION FELONY
5	08/10/2015	ARREST BOND ARREST BOND ADDED TO CASE WITH: ACTION CODE: HOMICIDE - OPEN MURDER - STATUTORY SHORT FORM ARREST DATE: 10/18/2011 BOND STATUS: C30 BOND NOT POSTED STATUS DATE: 08/10/2015 BLANKET BOND: NO OKAY TO APPLY: NO BOND TYPE: DENIED BOND AMOUNT: 0
4	08/06/2015	HEARING SET: EVENT: ARRAIGNMENT DATE: 08/12/2015 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: WRITTEN WAIVER FILED
3	08/06/2015	WRITTEN WAIVER OF ARRAIGNMENT
2	08/06/2015	WRITTEN WAIVER OF ARRAIGNMENT THE FOLLOWING EVENT: ARRAIGNMENT SCHEDULED FOR 08/12/2015 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: WRITTEN WAIVER FILED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL
1	08/06/2015	DISTRICT COURT BINDOVER RECEIVED RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445

Return to Case Summary

Exhibit B

Approved, SCAO

Original - Return
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2nd copy - File
3rd copy - Extra

STATE OF MICHIGAN JUDICIAL DISTRICT 30TH JUDICIAL CIRCUIT COUNTY PROBATE	SUBPOENA Order to Appear and/or Produce	CASE NO. 15-000696-FC Hon. Clinton Canady III

Court address: 313 W. Kalamazoo Street, Lansing, MI 48933

Court telephone no.: (517) 483-6500

Police Report No. (if applicable): LLA111018064958

Plaintiff(s)/Petitioner(s)		Defendant(s)/Respondent(s)
☑ People of the State of Michigan ☐ _____	v	Herbert Maurice Alford c/o James White (P56946), White Law PLLC 2549 Jolly Rd., Suite 340, Okemos, MI 48864
☐ Civil ☑ Criminal		Charge: Open Murder, Possesion of Firearm by Felon, Felony Firearm
☐ Probate In the matter of _____		

In the Name of the People of the State of Michigan. TO:

The Hertz Corporation, c/o The Corporation Company, 30600 Telegraph Road, Ste 2345, Bingham Farms, MI 48025

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

YOU ARE ORDERED TO:

☑ 1. Appear personally at the time and place stated below: You may be required to appear from time to time and day to day until excused.

☑ The court address above ☐ Other:

Day	Date	Time
Tuesday	February 16, 2016	8:30 AM

☑ 2. Testify at trial / examination / hearing.

☑ 3. Produce/permit inspection or copying of the following items: See attached.

☐ 4. Testify as to your assets, and bring with you the items listed in line 3 above.

☐ 5. Testify at deposition.

☐ 6. Abide by the attached prohibition against transferring or disposing of property. (MCL 600.6104(2), 600.6116, or 600.6119.)

☐ 7. Other: _____

☑ 8.

Person requesting subpoena	Telephone no.
James White (P56946)	(517) 316-1195
Address: 2549 Jolly Road, Suite 340	
City: Okemos, MI 48864	State: Zip:

NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under item 6. this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

FAILURE TO OBEY THE COMMANDS OF THE SUBPOENA OR TO APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.

1/20/16 — Hon. Clinton Canady III P23262

Date — Judge/Clerk/Attorney — Bar no.

Court use only: ☐ Served ☐ Not served

MC 11 (3/15) **SUBPOENA, Order to Appear and/or Produce**

MCL 600.1455, 600.1701, 600.6110, 600.6119, MCR 2.506

AFFIDAVIT OF SERVICE

State of MICHIGAN County of 54-A Judicial District Court

Case Number: 15-000696-FC

Plaintiff:
PEOPLE OF THE STATE OF MICHIGAN
vs.
Defendant:
HERBERT MAURICE ALFORD, ET AL.

For:
James White
WHITE LAW PLLC
2549 Jolly Road
Suite 340
Okemos, MI 48864

Received by ABC PROCESS SERVICE on the 20th day of January, 2016 at 1:51 pm to be served on **THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, 30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025.**

I, Gina Sharbowski, being duly sworn, depose and say that on the **21st day of January, 2016** at **11:28 am, I:**

AUTHORIZED: served by delivering a true copy of the **LETTER; SUBPOENA ORDER TO APPEAR AND/OR PRODUCE; ATTACHMENT TO SUBPOENA;** with the date of service endorsed thereon by me, to: **JUDI SCHUETT** as **REGISTERED AGENT**, who stated they are authorized to accept service for: **THE HERTZ CORPORATION C/O THE CORPORATION COMPANY** at the address of: **30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025**, and informed said person of the contents therein, in compliance with state statutes.

I certify that I am over the age of 18, have no interest in the above action, and am a ~~certified~~ process server, in good standing, in the Judicial Circuit in which the process was served.

Subscribed and Sworn to before me on the _____ day of JAN 22 2016 by the affiant who is personally known to me.

NOTARY PUBLIC

STEVEN CHAMPAGNE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Comm. Exp. 10/2/2020
Acting in the County of Oakland
Date 1/22/16

Gina Sharbowski
Process Server

ABC PROCESS SERVICE
4834 Swiss Ave.
Dallas, TX 75204
(214) 220-0226

Gina Sharbowski
Process Server

Our Job Serial Number: ABC-2016000112

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Approved, SCAO

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PROBATE OSM CODE: MOT, OSC

STATE OF MICHIGAN 30th JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	MOTION AND ORDER TO SHOW CAUSE	CASE NO. 15-696-FC Hon. Clinton Canady III

Court address
313 W. Kalamazoo, Lansing, MI 48933

Court telephone no.
(517) 483-6500

Plaintiff(s)/Petitioner(s) People of the State of Michigan	v	Defendant(s)/Respondent(s)/Probationer Herbert Maurice Alford

☐ Probate ☐ Juvenile In the matter of _____

MOTION AND AFFIDAVIT

1. I am interested in this matter as Attorney for Defendant Herbert Maurice Alford, Alexander S. Rusek.

2. The Hertz Corporation and Judi Schuett (Name (type or print)) has not complied with an order dated January 20, 2016

by failing to: See attached.

3. I request an order directing The Hertz Corporation and Judi Schuett, Registered Agent, (Name (type or print)) to show cause why:

☑ a. s/he should not be found in ☑ civil ☐ criminal contempt of court.
☐ b. judgment should not be entered against him/her (as surety/agent) for the full amount of recognizance.
☐ c. judgment should not be entered against him/her for failure to file a garnishee disclosure.

Signature

Subscribed and sworn to before me on 2-8-16 (Date) Ingham County, Michigan.

My commission expires: April 17, 2022 (Date) Signature: John O'Brien

Notary public, State of Michigan, County of Ingham

ORDER

TO: The Hertz Corporation C/O The Corporation Company
Registered Agent: Judi Schuett
30600 Telegraph Road, Ste. 2345
Bingham Farms, MI 48025

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

IT IS ORDERED:

4. You are ordered to appear before this court on March 16, 2016 (Date) at 10:30 (Time) a.m.
☑ the court address above
at ☐ courtroom number _____
☐ _____
to show cause why
☑ you should not be held in ☑ civil ☐ criminal contempt for failure to comply with the order of this court
☐ a judgment should not be entered against you
☐ your case should not be dismissed
☐ other: _____
for the reasons stated in the motion.

5. Failure to appear for a contempt hearing may result in a bench warrant being issued for your arrest.

6. A copy of this must be served ☐ personally ☐ by mail on the person ordered to appear at least _____ days before the hearing.

2/18/16
Date

CLINTON CANADY III
Judge

Bar no.

MC 230 (6/04) MOTION AND ORDER TO SHOW CAUSE

MCR 2.108(D), MCR 3.606(A), MCR 5.108

MOTION AND ORDER TO SHOW CAUSE
Case No.

PROOF OF SERVICE

TO PROCESS SERVER: You must make and file your return with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NON-SERVICE

☐ **OFFICER CERTIFICATE**
I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)

OR

☐ **AFFIDAVIT OF PROCESS SERVER**
Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

☐ I certify that on this date a copy of the motion and order to show cause was sent by ordinary mail on:
☐ I personally served a copy of the motion and order to show cause on:

Name(s)	Complete address(es) of service	Day, date, time

☐ I have personally attempted to serve the motion and order to show cause on the following person(s) and have been unable to complete service.

Name(s)	Complete address(es) of service	Day, date, time

Service fee	Miles traveled	Mileage fee	Total fee
$		$	$

_____
Signature

_____
Title

Subscribed and sworn to before me on _____ (Date), _____ County, Michigan.

My commission expires: _____ (Date) Signature: _____ (Deputy court clerk/Notary public)

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of this motion and order to show cause on _____ (Day, date, time)

on behalf of _____.

_____
Signature

for use by court clerk only when motion is initiated by the court

CERTIFICATE OF MAILING

I certify that on this date a copy of this notice was served upon the party ordered to appear by ordinary mail at his/her last known address.

_____
Date

_____
Deputy clerk

AFFIDAVIT OF SERVICE

State of MICHIGAN **County of INGHAM** **30th Circuit Court**

Case Number: 15-696-FC

Plaintiff:
THE PEOPLE OF THE STATE OF MICHIGAN

vs.

Defendant:
HERBERT MAURICE ALFORD

For:
Alexander S. Rusek
WHITE LAW PLLC
2549 Jolly Road
Suite 340
Okemos, MI 48864

Received by ABC PROCESS SERVICE on the 29th day of March, 2016 at 8:28 am to be served on **THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, REGISTERED AGENT: JODI SCHUETT, 30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025**.

I, Gina Sharbowski, being duly sworn, depose and say that on the **31st day of March, 2016** at **2:33 pm, I:**

AUTHORIZED: served by delivering a true copy of the **MOTION AND ORDER TO SHOW CAUSE; DEFENDANT'S MOTION AND ORDER TO SHOW CAUSE; EXHIBITS A-C; RE-NOTICE OF HEARING;** with the date of service endorsed thereon by me, to: **ELENA BOUTAKOVA** as **AGENT**, who stated they are authorized to accept service for: **THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, REGISTERED AGENT: JODI SCHUETT** at the address of: **30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025**, and informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 50, Sex: F, Race/Skin Color: WHITE, Height: 5'5", Weight: 140, Hair: BLONDE, Glasses: -

I certify that I am over the age of 18, have no interest in the above action, and am a ~~certified~~ process server, in good standing, in the Judicial Circuit in which the process was served.

Subscribed and Sworn to before me on the _____ day of APR 04 2016 by the affiant who is personally known to me.

NOTARY PUBLIC

NATASHA ZAFAR
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Comm. Exp. 11/23/2022
Acting in the County of Oakland
Date 4/4/16

Gina Sharbowski
Process Server

Gina Sharbowski
Process Server

ABC PROCESS SERVICE
4834 Swiss Ave.
Dallas, TX 75204
(214) 220-0226

Our Job Serial Number: ABC-2016000730

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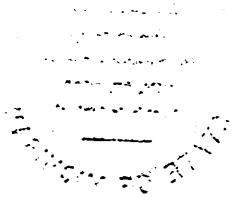
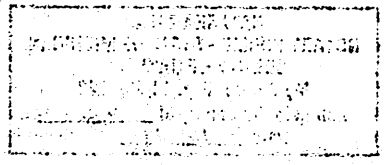
Gina Starbowski
Process Server





STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM

THE PEOPLE OF THE STATE OF MICHIGAN, Plaintiff; v. HERBERT MAURICE ALFORD, Defendant.	Case No.: 15 – 696 – FC Honorable Clinton Canady III Order Regarding Defendant's Motion to Show Cause

Stuart J. Dunnings III (P31089)
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Attorney for the People
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Alexander S. Rusek (P77581)
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ORDER REGARDING DEFENDANT'S MOTION TO SHOW CAUSE

AT A SESSION OF THE 30TH CIRCUIT COURT
FOR THE COUNTY OF INGHAM, STATE OF MICHIGAN
ON THIS 12th DAY OF APRIL 2016

PRESENT: Hon. Clinton Canady III
Circuit Court Judge

The Court having heard Defendant's Motion to Show Cause on April 6, 2016 and the Court otherwise being fully informed of the matter before it, it is ordered that:

1. Defendant's Motion to Show Cause is **GRANTED IN PART** and **DENIED IN PART**.

2. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation shall not be held in contempt of this Honorable Court at this time.

3. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, shall produce the documents to White Law PLLC that were demanded in the attached subpoena issued by this Honorable Court on January 20, 2016.

4. The documents requested shall be produced to White Law PLLC by the Hertz Corporation within 14 days of service of this Order or May 2, 2016, whichever date is sooner.

IT IS SO ORDERED.

DATED: April 12, 2016

FOR **Hon. Clinton Canady III**
Circuit Court Judge

Countersigned:

_____
Deputy Clerk

Prepared By:

Dated: 4/12/16

Alexander S. Rusek (P77581)
White Law PLLC
Attorneys for the Defendant
2549 Jolly Rd., Ste. 340
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Ph.: (517) 316-1195
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AFFIDAVIT OF SERVICE

State of MICHIGAN **County of INGHAM** **30th Circuit Court**

Case Number: 15-696-FC

Plaintiff:
THE PEOPLE OF THE STATE OF MICHIGAN

vs.

Defendant:
HERBERT MAURICE ALFORD

For:
Alexander S. Rusek
WHITE LAW PLLC
2549 Jolly Road
Suite 340
Okemos, MI 48864

Received by ABC PROCESS SERVICE on the 12th day of April, 2016 at 12:05 pm to be served on **THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, REGISTERED AGENT: JUDI SCHUETT, 30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025**.

I, Gina Sharbowski, being duly sworn, depose and say that on the **13th day of April, 2016** at **11:53 am, I:**

AUTHORIZED: served by delivering a copy of the **ORDER REGARDING DEFENDANT'S MOTION TO SHOW CAUSE** with the date of service endorsed thereon by me, to: **JUDI SCHUETT** as **REGISTERED AGENT**, who stated they are authorized to accept service for: **THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, REGISTERED AGENT: JUDI SCHUETT** at the address of: **30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025**, and informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 60, Sex: F, Race/Skin Color: WIFE, Height: 5'6", Weight: 145, Hair: AUBURN, Glasses: -

I certify that I am over the age of 18, have no interest in the above action, and am a process server, in good standing, in the Judicial Circuit in which the process was served.

Subscribed and Sworn to before me on the _____ day of APR 26 2016, _____ by the affiant who is personally known to me.

NOTARY PUBLIC

AIRIELLE KAROUTSOS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Comm. Exp. 08/20/22
Acting in the County of macomb
Date 4 / 26 / 16

Gina Sharbowski
Process Server

Gina Sharbowski
Process Server

ABC PROCESS SERVICE
4834 Swiss Ave.
Dallas, TX 75204
(214) 220-0226

Our Job Serial Number: ABC-2016000828

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macomb

Exhibit C

MR. WHITE: Thank you, Your Honor. Your Honor, I am 99 percent sure I think the message from your staff was that you didn't want to hear --

THE COURT: I don't know.

MR. WHITE: I didn't want to offend the Court.

THE COURT: I guess you can approach.

MR. WHITE: So this case is several years old. These reports would have been in existence of the Ingham county Prosecutor's office for some period of time. It's my understanding representations that were made by the Lansing police department to us as of yesterday , that these items were tested for Mr. Alford's DNA through COTIS. There was no match now. So it's extremely troubling to us those reports were not turned over.

THE COURT: I understand they were not turned over?

MR. WHITE: That's correct. I received all of this information yesterday. This is a very small piece of the information that we received yesterday that we believe has prejudiced Mr. Alford. That's correct.

THE COURT: You're saying that DNA testing of the substances under the fingernails has already occurred?

MR. WHITE: That is my understanding we're working with 12 hours of information. My understanding, not only that piece of DNA located and tested through the coded systems, 12 other samples we just learned yesterday had been tested and turned up, at least did not hit a match of COTIS in presence for Mr. Alford.

THE COURT: COTIS would not necessarily be the lab exam, correct?

MR. WHITE: I would defer to, you know, to the DNA expert that we use, yes. That is correct. A buccal swab would be another affirmative, actually required if there was a hit.

THE COURT: I guess it could be helpful.

MR. WHITE: It could, Judge. That's why I'm talking out of both sides of my mouth, quite frankly. We have a situation that I think warrants some consideration of sanctions by the court, you know, on behalf of the Defendant. I believe that his rights have been extremely prejudiced by failure to disclose these items.

I don't know if you have had a chance to review my response?

THE COURT: Let's assume there wasn't. Now there is a request for delay. How is the Defendant prejudiced if there was some information that you did not receive that you now have? If the trial is adjourned, how is the Defendant prejudiced?

MR. WHITE: Well, some of this is, I think, going to have to bear out into a hearing, maybe as early as next week. But in addition to the items that we've described to you that is unavailable, or was unavailable until yesterday, there are also various other items. I don't want to get ahead of the game too far. The Court is aware we've been attempting several months, attempting to obtain video exculpatory in nature. We submitted subpoenas in June of 2015. Hertz did not respond to.

THE COURT: Video? Who has the video?

MR. WHITE: Well, up until yesterday, we didn't know one existed. Your question is a segue into the problem that I think ultimately this Court's going to have to address, because yesterday we learned that, in fact, the video we

have been seeking, the video His Honor assigned a subpoena for us to obtain was, in fact, obtained by the Lansing Police Department some four years ago, was presented to the Detective Young from the State Police. That video not only has not been produced to us, it was not even in the physical exhibits that we reviewed yesterday. And I could go on. There is a phone that the cooperating witness in this matter alleges that he turned over to the police. We believe there is exculpatory.

THE COURT: I guess my question is, let's assume that's true, we aren't at the trial date yet. So, I mean, the cases say that you are entitled to have all their information before trial. I haven't seen anything that said that should the situation that you described occur before trial, that it would warrant a dismissal. Usually there are (ck) trial discovered after the trial or after some proceeding has taken place. But here it hasn't happened yet. That's what I am struggling with. Since it hasn't happened yet, then there is no prejudice if you get the information and have adequate time to review it.

Exhibit D

Lansing, Michigan

April 6, 2016

at about 11:01 a.m.

****

MR. CHELTENHAM: People versus Herbert Alford, docket 15-696-FH. Mr. Rusek for the Defendant.

THE COURT: Mr. Rusek?

MR. RUSEK: Thank you, Your Honor. This is a hearing on an order to show cause that was issued by the Court on February 18, 2016. We were here in March. And unfortunately we didn't have service on the Hertz Corporation. We do now have service on the Hertz Corporation. That was effected on January 31st, 2016. Excuse me. That was March 31st, 2016. Nobody was here on behalf of Hertz. They have not produced the records that were requested. And the order to be produced, the subpoena that you issued to them back in January. We are asking that Hertz be held in civil contempt today.

THE COURT: Well, I mean, it's only 6 days, right, since they have been served?

MR. RUSEK: With the notice of hearing on the order to show cause. They were actually

served the original subpoena on January 21st, 2016.

THE COURT: Well, I don't think I want to hold them in contempt. I think you can prepare an order directing them to produce the documents.

MR. RUSEK: That will be appropriate, Your Honor. There was an order to show cause issued by the Court.

THE COURT: We have had the show cause. We can say they didn't appear. I will order that the document be produced. Make sure there's sufficient notice for them to respond. I will order them to produce documents had they been here anyways.

MR. RUSEK: Can we put a deadline?

THE COURT: Within 14 days of the receipt of the order. Maybe if you get it out soon enough, a week, say, on/or before May 1. On/or before May 2nd?

MR. RUSEK: I will work with Mr. Cheltenham to get a stipulated order to Your honor.

THE COURT: All right. Trial remains set for July the 25th.

MR. RUSEK: Thank you, Judge.

Exhibit E

THE COURT: What was the response?

MR. WHTIE: Call corporate.

THE COURT: And what was that response?

MR. WHITE: Call the legal department.

THE COURT: What was the response?

MR. WHITE: Send them the subpoena, which I did. They have been in receipt of all these motions. They have yet to, even though the Court --

THE COURT: I guess I would suggest calling legal again. Because you know now they got the lightest subpoena. See what they come up with.

MR. WHITE: Okay. If I prepare an order, showing that they have been he held in contempt, can I present that to the Court today?

THE COURT: Yes. You might miss me today.

MR. WHITE: For the first --

THE COURT: First thing in the morning, right. Yes.

MR. WHITE: Okay. And if the Court would enter, Your Honor, I will submit a reasonable bill for attorneys fees for your review.

THE COURT: All right.

MR. WHITE: Including costs, thank you.

THE COURT: Any comments, Mr. Cheltenham?

Exhibit F

STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM

THE PEOPLE OF THE STATE OF MICHIGAN, Plaintiff; v. HERBERT MAURICE ALFORD, Defendant.	Case No.: 15 – 696 – FC Honorable Clinton Canady III Order Regarding Defendant's Motion to Show Cause

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ORDER REGARDING DEFENDANT'S MOTION TO SHOW CAUSE

AT A SESSION OF THE 30TH CIRCUIT COURT
FOR THE COUNTY OF INGHAM, STATE OF MICHIGAN
ON THIS 2nd DAY OF DECEMBER 2016

PRESENT: Hon. Clinton Canady III
Circuit Court Judge

The Court having heard Defendant's Motion to Show Cause on November 30, 2016 and the Court otherwise being fully informed of the matter before it, it is ordered that:

1. Defendant's Motion to Show Cause is **GRANTED**.
2. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, are hereby held in contempt of this Honorable Court.

3. The Hertz Corporation and Judi Schuett of The Corporation Company shall produce the documents requested in the attached subpoena to White Law PLLC immediately.
4. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, shall pay the reasonable attorney fees and costs incurred by Defendant Herbert M. Alford in connection with obtaining documents and records in the possession of the Hertz Corporation.

IT IS SO ORDERED.

DATED: 12/2/16

FOR **Hon. Clinton Canady III**
Circuit Court Judge

Countersigned:
Deputy Clerk

Prepared By:

Dated: 12/2/16

Alexander S. Rusek (P77581)
White Law PLLC
Attorneys for the Defendant
2549 Jolly Rd., Ste. 340
Okemos, Michigan 48864
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Fax: (517) 316-1197
E: alexrusek@whitelawpllc.com
W: www.whitelawpllc.com

Approved, SCAO | Original - Court; 1st copy - Subject | 2nd copy - Return; Additional copies as needed | PROBATE JIS CODE: MOT, OSC

STATE OF MICHIGAN 30th JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	MOTION AND/OR ORDER TO SHOW CAUSE	CASE NO. 15-696-FC Hon. Clinton Canady III

Court address: 313 W. Kalamazoo, Lansing, MI 48933 | Court telephone no.: (517) 483-6500

Plaintiff(s)/Petitioner(s)		Defendant(s)/Respondent(s)/Probationer
People of the State of Michigan	v	Herbert Maurice Alford

☐ Probate ☐ Juvenile In the matter of _____

MOTION AND AFFIDAVIT

1. I am interested in this matter as Attorney for Defendant Herbert Maurice Alford, Alexander S. Rusek
2. The Hertz Corporation and Judi Schuett (Name (type or print)) ☑ has failed to comply with an order dated Jan. 20, 2016 & April 12, 2016 ☐ is in contempt for _____
   State with particularity admissible facts establishing this motion.
   See attached.
3. I request an order directing The Hertz Corporation and Judi Schuett, Registered Agen (Name (type or print)) to show cause why
   ☑ a. he/she should not be found in ☑ civil ☐ criminal contempt of court.
   ☐ b. judgment should not be entered against him/her (as surety/agent) for the full amount of recognizance.
   ☐ c. judgment should not be entered against him/her for failure to file a garnishee disclosure.
4. This affidavit is made on my personal knowledge and, if sworn as a witness, I can testify competently to the facts in this motion and affidavit.

Subscribed and sworn to before me on 11-21-16 (Date) _____ (Signature) Ingham County, Michigan.

My commission expires: 4-17-2022 (Date) Signature: _____

Notary public, State of Michigan, County of Ingham

JOHN FRASER
NOTARY PUBLIC
COUNTY OF INGHAM
My Commission Expires
April 17, 2022
Acting in the County of
Ingham
STATE OF MICHIGAN

ORDER

TO: The Hertz Corporation and Judi Schuett

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

IT IS ORDERED:

5. You must appear before this court on 11-30-16 (Date) at 3:45 p.m. (Time) at ☑ the court address above ☐ courtroom no. _____
   ☐ _____
   to show cause why
   ☑ you should not be held in ☑ civil ☐ criminal contempt
   ☐ for failure to comply with the order of this court as follows:
   ☑ for the reasons stated in the motion.
   ☐ a judgment should not be entered against you.
   ☐ your case should not be dismissed.
   ☐ other: _____
6. Failure to appear for a contempt hearing may result in a bench warrant being issued for your arrest.
7. A copy of this must be served ☐ personally ☐ by mail on the person ordered to appear at least _____ days before the hearing.

Date _____ Judge _____ Bar no. _____

MC 230 (5/13) MOTION AND/OR ORDER TO SHOW CAUSE MCR 2.107(B), MCR 2.108(D), MCR 3.606(A), MCR 5.108

STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM

THE PEOPLE OF THE
STATE OF MICHIGAN,

Plaintiff;

v.

HERBERT MAURICE ALFORD,

Defendant.

Case No.: 15 – 696 – FC

Hon. Clinton Canady III

Defendant's Motion and Order to Show Cause

Gretchen E. Whitmer (P58112)
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Alexander S. Rusek (P77581)
White Law PLLC
Attorney for Defendant
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E: alexrusek@whitelawpllc.com

DEFENDANT HERBERT MAURICE ALFORD'S MOTION AND ORDER TO SHOW CAUSE

NOW COMES Defendant Herbert Maurice Alford ("Alford"), by and through his attorneys White Law PLLC, and for his Motion and Order to Show Cause states:

2. The Hertz Corporation and Judi Schuett have not complied with the April 12, 2016 Order Regarding Defendant's Motion to Show Cause by failing to produce the documents requested in the subpoena. (Exhibit A). Pursuant to the Court's order, these documents were to be produced no later than May 2, 2016. To date, neither party has produced the demanded records. These records were previously ordered via a subpoena issued by the Honorable Clinton Canady III on January 20, 2016.

(Exhibit B). The Hertz Corporation was served with a copy of the Subpoena on January 21, 2016. (Exhibit C). Per the terms of the Subpoena, The Hertz Corporation had three days to produce the requested records to Alexander S. Rusek of White Law PLLC. To date, The Hertz Corporation has made no contact with Alexander S. Rusek or White Law PLLC regarding the Subpoena. Prior to the January 20, 2016 Subpoena being issued by the Honorable Clinton Canady III, Attorney for Alford, James White, issued a Subpoena to The Hertz Corporation on June 30, 2015. (Exhibit D). To date, The Hertz Corporation has refused to comply with the April 12, 2016 or either Subpoena by not producing the requested information.

Respectfully Submitted,

Dated: 11/21/16

Alexander S. Rusek (P77581)
White Law PLLC
Attorneys for Defendant
2549 Jolly Road, Suite 340
Okemos, MI 48864
Ph.: (517) 316-1195
Fax: (517) 316-1197
E: alexrusek@whitelawpllc.com
W: www.whitelawpllc.com

Subscribed and sworn by Alexander S. Rusek before me this 21st day of November, 2016, in Ingham County, Michigan.

/s/
Printed Name: John Fraser
Notary Public, State of Michigan, County of Ingham.
My commission expires: April 17, 2022.

JOHN FRASER
NOTARY PUBLIC
COUNTY OF INGHAM
My Commission Expires
April 17, 2022
Acting in the County of Ingham
STATE OF MICHIGAN

WHITE LAW PLLC
WWW.WHITELAWPLLC.COM
2549 JOLLY ROAD, SUITE 340
OKEMOS, MI 48864
PH.: 517.316.1195 • FAX: 517.316.1197

EXHIBIT A

EXHIBIT A

STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM

THE PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

v.

HERBERT MAURICE ALFORD,

Defendant.

Case No.: 15 – 696 – FC

Honorable Clinton Canady III

Order Regarding Defendant's Motion to Show Cause

Stuart J. Dunnings III (P31089)
Ingham County Prosecuting Attorney
Attorney for the People
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Lansing, Michigan 48933
Ph.: (517) 483-6108
Fax: (517) 483-6118
E: PA_POLICERPT@ingham.org

H. James White (P56946)
Alexander S. Rusek (P77581)
White Law PLLC
Attorney for Defendant
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ORDER REGARDING
DEFENDANT'S MOTION TO SHOW CAUSE

AT A SESSION OF THE 30TH CIRCUIT COURT
FOR THE COUNTY OF INGHAM, STATE OF MICHIGAN
ON THIS 12th DAY OF APRIL 2016

PRESENT: Hon. Clinton Canady III
Circuit Court Judge

The Court having heard Defendant's Motion to Show Cause on April 6, 2016 and the Court otherwise being fully informed of the matter before it, it is ordered that:

1. Defendant's Motion to Show Cause is GRANTED IN PART and DENIED IN PART.

2. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation shall not be held in contempt of this Honorable Court at this time.

3. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, shall produce the documents to White Law PLLC that were demanded in the attached subpoena issued by this Honorable Court on January 20, 2016.

4. The documents requested shall be produced to White Law PLLC by the Hertz Corporation within 14 days of service of this Order or May 2, 2016, whichever date is sooner.

IT IS SO ORDERED.

DATED: April 12, 2016

FOR Hon. Clinton Canady III
Circuit Court Judge

Countersigned:

Deputy Clerk

Prepared By:

Dated: 4/12/16

Alexander S. Rusek (P77581)
White Law PLLC
Attorneys for the Defendant
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WWW.WHITELAWPLLC.COM
2549 JOLLY ROAD, SUITE 340
OKEMOS, MI 48864
PH.: 517.316.1195 • FAX: 517.316.1197

EXHIBIT B

EXHIBIT B

Approved, SCAO

STATE OF MICHIGAN 30TH JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	SUBPOENA Order to Appear and/or Produce	CASE NO. 15-000696-FC Hon. Clinton Canady III

Original - Return
1st copy - Witness
2nd copy - File
3rd copy - Extra

Court address: 313 W. Kalamazoo Street, Lansing, MI 48933

Court telephone no.: (517) 483-6500

Police Report No. (if applicable): LLA111018064958

Plaintiff(s)/Petitioner(s)		Defendant(s)/Respondent(s)
☑ People of the State of Michigan ☐	v	Herbert Maurice Alford c/o James White (P56946), White Law PLLC 2549 Jolly Rd., Suite 340, Okemos, MI 48864
☐ Civil ☑ Criminal ☐ Probate In the matter of		Charge: Open Murder, Possession of Firearm by Felon, Felony Firearm

In the Name of the People of the State of Michigan. TO:

The Hertz Corporation, c/o The Corporation Company, 30600 Telegraph Road, Ste 2345, Bingham Farms, MI 48025

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

YOU ARE ORDERED TO:

☑ 1. Appear personally at the time and place stated below: You may be required to appear from time to time and day to day until excused.

☑ The court address above ☐ Other:

Day	Date	Time
Tuesday	February 16, 2016	8:30 AM

☑ 2. Testify at trial / examination / hearing.

☑ 3. Produce/permit inspection or copying of the following items: See attached.

☐ 4. Testify as to your assets, and bring with you the items listed in line 3 above.

☐ 5. Testify at deposition.

☐ 6. Abide by the attached prohibition against transferring or disposing of property. (MCL 600.6104(2), 600.6116, or 600.6119.)

☐ 7. Other:

☑ 8.

Person requesting subpoena	Telephone no.
James White (P56946)	(517) 316-1195
Address: 2549 Jolly Road, Suite 340	
City: Okemos, State: MI, Zip: 48864	

NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

FAILURE TO OBEY THE COMMANDS OF THIS SUBPOENA OR TO APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.

1/20/16
Date

Judge/Clerk/Attorney: Hon. Clinton Canady III P23262
Bar no.

Court use only
☐ Served ☐ Not served

MC 11 (3/15) SUBPOENA, Order to Appear and/or Produce

MCL 600.1455, 600.1701, 600.6110, 600.6119, MCR 2.506

ATTACHMENT TO SUBPOENA

3. Produce/permit inspection or copying of the following items: For the date of October 18, 2011 from 10:00 a.m. EST until 8:00 p.m. EST for the Hertz Rent-a-Car location at 4100 Capital City Blvd, Lansing, MI 48906, produce copies of any and all: (1) sign-in sheets; (2) transactional information, such as invoices and credit card receipts; (3) security camera footage; (4) lists of employees who worked during that time, including their timecards and addresses; and (5) other information that identifies in any way Herbert Maurice Alford. Send copies of these documents within three (3) days of receipt of this subpoena to: White Law PLLC, ATTN: Alexander S. Rusek, 2549 Jolly Road, Suite 340, Okemos, MI 48864 or to alexrusek@whitelawpllc.com.

WHITE LAW PLLC
WWW.WHITELAWPLLC.COM
2549 JOLLY ROAD, SUITE 340
OKEMOS, MI 48864
PH.: 517.316.1195 • FAX: 517.316.1197

EXHIBIT C

EXHIBIT C

AFFIDAVIT OF SERVICE

State of MICHIGAN County of 54-A Judicial District Court

Case Number: 15-000696-FC

Plaintiff:
PEOPLE OF THE STATE OF MICHIGAN
vs.
Defendant:
HERBERT MAURICE ALFORD, ET AL.

For:
James White
WHITE LAW PLLC
2549 Jolly Road
Suite 340
Okemos, MI 48864

Received by ABC PROCESS SERVICE on the 20th day of January, 2016 at 1:51 pm to be served on THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, 30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025.

I, Gina Sharbowski, being duly sworn, depose and say that on the 21st day of January, 2016 at 11:28 am, I:

AUTHORIZED: served by delivering a true copy of the LETTER; SUBPOENA ORDER TO APPEAR AND/OR PRODUCE; ATTACHMENT TO SUBPOENA; with the date of service endorsed thereon by me, to: JUDI SCHUETT as REGISTERED AGENT, who stated they are authorized to accept service for: THE HERTZ CORPORATION C/O THE CORPORATION COMPANY at the address of: 30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025, and informed said person of the contents therein, in compliance with state statutes.

I certify that I am over the age of 18, have no interest in the above action, and am a ~~certified~~ process server, in good standing, in the Judicial Circuit in which the process was served.

Subscribed and Sworn to before me on the _____ day of JAN 22 2016 by the affiant who is personally known to me.

NOTARY PUBLIC

STEVEN CHAMPAGNE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Comm. Exp. 10/2/2020
Acting in the County of Oakland
Date 1/22/16

Gina Sharbowski
Process Server

ABC PROCESS SERVICE
4834 Swiss Ave.
Dallas, TX 75204
(214) 220-0226

Gina Sharbowski
Process Server

Our Job Serial Number: ABC-2016000112

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WHITE LAW PLLC
WWW.WHITELAWPLLC.COM
2549 JOLLY ROAD, SUITE 340
OKEMOS, MI 48864
PH.: 517.316.1195 • FAX: 517.316.1197

EXHIBIT D

EXHIBIT D

Approved, SCAO

Original - Return
1st copy - Witness
2nd copy - File
3rd copy - Extra

STATE OF MICHIGAN 54-A JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	SUBPOENA Order to Appear and/or Produce	CASE NO. 11-4478-FY Hon. Frank J. DeLuca

Court address 124 W. Michigan Ave., 6th Floor, Lansing, MI 48933

Police Report No. (if applicable): LLA111018064958

Court telephone no. (517) 483-4433

Plaintiff(s)/Petitioner(s)		Defendant(s)/Respondent(s)
☑ People of the State of Michigan ☐	v	Herbert Manrice Alford James White (P56946), White Law PLLC 2400 Science Pkwy, Ste. 201 Okemos, MI 48864
☐ Civil ☑ Criminal		Charge Open Murder, Possesion of Firearm by Felon, Felony Firearm
☐ Probate In the matter of		

In the Name of the People of the State of Michigan. TO:

The Hertz Corporation, c/o The Corporation Company, 30600 Telegraph Road, Ste 2345, Bingham Farms, MI 48025

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

YOU ARE ORDERED TO:

☐ 1. Appear personally at the time and place stated below: You may be required to appear from time to time and day to day until excused.

☑ The court address above ☐ Other:

Day	Date	Time

☐ 2. Testify at trial / examination / hearing.

☑ 3. Produce/permit inspection or copying of the following items: See attached.

☐ 4. Testify as to your assets, and bring with you the items listed in line 3 above.

☐ 5. Testify at deposition.

☐ 6. Abide by the attached prohibition against transferring or disposing of property. (MCL 600.6104(2), 600.6116, or 600.6119.)

☐ 7. Other:

☑ 8.

Person requesting subpoena	Telephone no.
James White (P56946)	(517) 316-1195
Address: 2400 Science Pkwy, Ste. 201	
City: Okemos, MI 48864	State: Zip:

NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

FAILURE TO OBEY THE COMMANDS OF THE SUBPOENA OR TO APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.

6/30/15
Date

Judge/Clerk/Attorney

Bar no.

Court use only
☐ Served ☐ Not served

MC 11 (3/15) SUBPOENA Order to Appear and/or Produce

MCL 600.1455, 600.1701, 600.6110, 600.6119, MCR 2.506

ATTACHMENT TO SUBPOENA

3. Produce/permit inspection or copying of the following items: For the date of October 18, 2011 from 10:00 a.m. until 8:00 p.m. for the Hertz Rent-a-Car location at 4100 Capital City Blvd, Lansing, MI 48906, produce copies of any and all: (1) sign-in sheets; (2) transactional information, such as invoices and credit card receipts; (3) security camera footage; (4) lists of employees who worked during that time, including their timecards and addresses; and (5) other information that identifies Herbert Maurice Alford. Send copies of these documents within 14 days of receipt of this subpoena to: White Law PLLC, ATTN: Alexander S. Rusek, 2400 Science Pkwy, Ste. 201, Okemos, MI 48864.

SUBPOENA

Case No. 11-4478-FY

PROOF OF SERVICE

TO PROCESS SERVER: You must make and file your return with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE

☐ OFFICER CERTIFICATE

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)

OR

☒ AFFIDAVIT OF PROCESS SERVER

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

☐ I served a copy of the subpoena, together with attachment #3 (Attachment) (including any required fees) by

☐ personal service ☒ registered or certified mail (copy of return receipt attached) on:

Name(s)	Complete address(es) of service	Day, date, time
Hertz Corporation	30600 Telegraph Rd St 2345 Bingham Farms, MI 48025	Mon. July 6

☐ I have personally attempted to serve the subpoena and required fees, if any, together with _____ (Attachment) on the following person(s) and have been unable to complete service.

Name(s)	Complete address(es) of service	Day, date, time

Service fee	Miles traveled Fee	
$	$	
Incorrect address fee	Miles traveled Fee	TOTAL FEE
$	$	$

Signature

Ashley M Somers
Name (type or print)

legal assistant
Title

Subscribed and sworn to before me on _____ (Date), _____ County, Michigan.

My commission expires: _____ (Date) Signature: _____ (Deputy court clerk/Notary public)

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the subpoena and required fees, if any, together with _____ (Attachment)

_____ on _____ (Day, date, time)

_____ (Signature) on behalf of _____

AFFIDAVIT FOR JUDGMENT DEBTOR EXAMINATION

I request that the court issue a subpoena that orders the party named on this form to be examined under oath before a judge concerning the money or property of:

for the following reasons:

_____ (Signature)

Subscribed and sworn to before me on _____ (Date), _____ County, Michigan.

My commission expires: _____ (Date) Signature: _____ (Deputy court clerk/Notary public)

Notary public, State of Michigan, County of _____

MCR 2.105

STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM

THE PEOPLE OF THE STATE OF MICHIGAN,	Case No.: 15 – 696 - FC
	Hon. Clinton Canady III
Plaintiff;	
v.	
HERBERT MAURICE ALFORD,	
Defendant.	Proof of Service

Gretchen E. Whitmer (P58112)
Ingham County Prosecutor's Office
Attorney for the People
303 W. Kalamazoo, 4R
Lansing, MI 48933
Ph.: (517) 483-6205
Fax: (517) 483-6397
E: PA_POLICERPT@ingham.org

James White (P56946)
White Law PLLC
Attorney for Defendant
2549 Jolly Road, Suite 340
Okemos, Michigan 48864
Ph.: (517) 316-1195
Fax: (517) 316-1197
W: www.whitelawpllc.com
E: jameswhite@whitelawpllc.com

PROOF OF SERVICE

I certify that on the date below I filed a copy of **Defendant's Motion and Order to Show Cause** together with this **Proof of Service** with the Court Clerk via hand delivery. I further certify that on the date below I served a copy of all the above-listed documents together with a copy of this Proof of Service upon Plaintiff, Ingham County Prosecutor, via e-mail at PA_POLICERPT@ingham.org. I declare under the penalty of perjury that the above-statements are true to the best of my information, knowledge, and belief.

Date: November 21, 2016

John W. Fraser

Exhibit G

> for evidence to be "newly discovered" the party could not have with reasonable diligence discovered it and produced it at trial . . . this test envisions that the evidence sought to be introduced existed at the time of trial, otherwise there would be no sense in having a requirement that a party show that even with due diligence, the evidence could not have been located and used at trial . . . [i]n other words, no amount of due diligence could ever uncover nonexistent evidence, so the due diligence requirement presumes the evidence existed at the time of trial.[10]

The Hertz records are newly discovered because Defendant could not have, with reasonable diligence, discovered and produced them at trial. Prior to trial, defense counsel made numerous motions before this Court attempting to obtain the records from Hertz. Defendant told the Lansing Police Department that he was renting a car at Hertz at the Airport on the day of the shooting and was "adamant [about] wanting to get his hands on . . . [the Hertz records] since the time he was arrested."[11] Defense counsel needed these records to corroborate Defendant's statement that he was, in fact, renting a car from Hertz at 3:00 p.m. on October 18, 2011.[12] In an attempt to acquire the records, Defense counsel hired a private process server and issued a subpoena to Hertz on June 30, 2015.[13] Hertz did not comply with defense counsel's subpoenas. This Court then issued a subpoena to Hertz on January 20, 2016; this Court issued an Order to Show Cause to Hertz on April 12, 2016; this Court issued a subsequent Order to Show Cause to Hertz on November 21, 2016; and this Court issued an Order to Hold Hertz in Contempt on November 30, 2016. In addition, Defense counsel made multiple attempts to acquire the records by calling Hertz Hotline, Hertz Corporate Department, and Hertz Legal Department.[14] However, Hertz did not comply and ultimately did not produce the records from October 18, 2011 at the time of trial.

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[10] *Cress*, 468 Mich. At 692.
[11] Tr. 11/30/2016, p 4.
[12] Tr. 12/05/2016, p 11.
[13] Tr. 11/30/2016, p 5.
[14] Tr. 11/30/2016, p 5, 6.

"[t]ough to [file an alibi defense] without having the corroboration."[21] Defense counsel additionally noted "I don't know what's in those records."[22] Defense counsel sought records relating to a transaction between Defendant and Hertz to corroborate Defendant's statement that he was, in fact, renting a car from Hertz at 3:00 p.m. on October 18, 2011. Defense counsel could not have been aware of the transaction at the time of trial because the record of the transaction between Defendant and Hertz was not produced until earlier this year.

This Court also finds that Defendant was deprived of presenting an alibi defense because he did not have access to the potentially exculpatory evidence because the evidence was not discovered at the time of trial. "An alibi makes it impossible for a defendant to be guilty of a crime because the alibi places the defendant at a place other than where the crime was committed at the time the alleged offense occurred."[23] The right to present a complete defense is a fundamental element of due process of law.[24] As such, Defendant is entitled to a new trial on the basis of the newly discovered evidence to exercise his right to present a defense.

Moreover, Defendant satisfies the second element of the *Cress* test because "the newly discovered evidence was not cumulative."[25] Cumulative evidence is defined as "additional evidence that supports a fact established by the existing evidence."[26] The newly discovered evidence is not cumulative because there is no indication that a theory based on the Hertz records was presented to the jury at trial. In other words, the newly discovered evidence provides information not testified to in this case.

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[21] Tr. 12/05/2016, p 12.
[22] Tr. 11/30/2016, p 4.
[23] *People v. Holland*, 179 Mich. App. 184, 192; 445 N.W.2d 206 (1989).
[24] *People v. Hayes*, 421 Mich. 271, 278-279; 364 N.W.2d 635 (1984) (quoting *Washington v. Texas*, 388 US 14, 19; 87 S. Ct. 1920; 18 L.Ed.2d 1019 (1967)).
[25] *Cress*, 468 Mich. At 692.
[26] Black's Law Dictionary (10th ed. 2014).

Finally, Defendant satisfies the fourth element of the *Cress* test because "the new evidence makes a different result probable on retrial."[27] "'Probable' means 'likely to occur' or 'having more evidence for than against.'"[28] It does not mean, however, certain to occur.[29] Much of the prosecution's case was focused on identifying Defendant as the man who chased and gunned down the victim. The prosecution maintained that Defendant was the man who chased and gunned down the victim because of two eyewitness accounts and the testimony of a witness pursuant to an agreement with the prosecution. The eyewitnesses, Curtis Lewis and Shalissa Kittle, saw the victim being chased and gunned down. Lewis told the Lansing Police Department about the incident that same day. Kittle, on the other hand, was questioned by police days later. Of the two eyewitnesses, only Kittle was able to identify the Defendant. Kittle's identification of Defendant was made only after she had watched a news broadcast showing a picture of Defendant. The other witness, Gilbert Bailey, was closely associated with Defendant.[30] Following a raid on his house, Bailey negotiated an agreement with the prosecution to testify against Defendant in exchange for a lesser charge.[31] This Court finds that the new evidence makes a different result probable on retrial because it could have significantly aided Defendant in refuting the prosecution's contention that Defendant was the man who chased and gunned down the victim. The newly discovered evidence could serve to create new suspects, could serve to

---

[27] *Cress*, 468 Mich. At 692.
[28] Random House Webster's College Dictionary (1997). See also *Sutter Biggs*, 377 Mich. 80, 89; 139 N.W.2d 684 (1996) (observing that "probable" means "more likely than not" (internal quotation marks and citation omitted)).
[29] See The American Heritage Dictionary of the English Language (1996) (defining "probable," in part, to mean "[l]ikely but uncertain")
[30] Defendant was dating Bailey's mother, Willine Pentecost, at the time of the incident.
[31] Bailey had an agreement with the prosecution arising out of a raid on his house to testify in this case. He was initially charged with Delivery/Manufacturing Heroin, Delivery/Manufacturing Marijuana, Maintaining a Drug House, Felon in Possession of a Firearm, Receiving and Concealing a Stolen Firearm, and Felony Firearm, as a habitual forth offender. In exchange for his testimony in this case, the prosecution allowed him to plead guilty to Maintaining a Drug House, punishable by up to two years in prison. The balance of the charges were dismissed.

Exhibit H

Lansing State Journal

LOCAL

'We believed in his innocence the entire time.' Charges dropped against man accused of 2011 Lansing murder

Megan Banta Lansing State Journal

Published 8:07 a.m. ET Dec. 9, 2020 | **Updated 7:12 p.m. ET Dec. 9, 2020**

LANSING – A Detroit man won't face a second trial for a nearly decade-old murder.

In 2018, more than a year after a jury found Herbert Alford, 47, guilty of what Ingham County prosecutors called an "execution" over 50 pounds of stolen marijuana, his conviction was overturned.

Alford was released on bond earlier this year following more than 1,700 days in prison and jail after a rental car receipt served as an alibi that his attorneys say exonerated him in the 2011 murder of Michael Adams.

He was set to face a new trial until Tuesday, when the charges were dismissed.

"We believed in his innocence the entire time, and we're happy prosecutors finally conceded there wasn't proof of his guilt," his attorney, Jamie White, said in a statement.

Alford said he's thankful to his family for "sticking with me through this nightmare" and White and the rest of his legal team for not giving up.

"They saved my life," he said in a statement White emailed late Wednesday morning.

Ingham County Prosecuting Attorney Carol Siemon said in an emailed statement Wednesday night that evidence from a rental car company that had not been available at the original trial was a key factor.

"... We do not believe that we can prove Mr. Alford's legal culpability by the 'beyond a reasonable doubt' standard," she write. "Therefore, the Ingham County Prosecutor's Office is dismissing the case against Herbert Alford."

Siemon wrote that the prosecutor's office met with the victim's family prior to the announcement of the dismissal "to regretfully inform them that due to this court decision and the evidence we have at this time, we do not believe that this case can be re-tried."

"We have an ethical burden not to present cases that we do not believe can be proven at trial, regardless of any ambiguity about what happened on October 18, 2011," Siemon wrote.

Court of Appeals sent case back

The Court of Appeals sent the case back to Ingham County Circuit Court in early 2018. Ingham County Circuit Court Judge Clinton Canady III decided to grant Alford a new trial because the "verdict has resulted in a miscarriage of justice."

"(This new evidence) could have significantly aided (Alford) in refuting the prosecution's contention that (Alford) was the man who chased and gunned down the victim," Canady said.

Alford's appellate attorney, Daniel Bremer, wrote in a motion for a new trial that the evidence exonerates Alford of fatally shooting 23-year-old Adams in October 2011.

The evidence, Bremer said, shows that Alford was renting a car from Hertz Corporation at the Capital Region International Airport at approximately the same time Adams was shot.

Bremer said the records show Alford was at Hertz renting a car at 3 p.m. on Oct. 18, 2011. Five minutes earlier, a Lansing police officer was dispatched to the 3400 block of Pleasant Grove Road to investigate the shooting of Adams.

The two locations are 19 minutes apart, according to Google Maps.

Prosecutors argued Alford rented the car after shooting Adams and would have had enough time to drive from Pleasant Grove Road to Hertz.

Attorneys tried many times to get records

Prior to Alford's trial, White tried numerous times to obtain rental records from Hertz. The company did not respond to five subpoenas and court orders issued between June 2015 through November 2016, according to court records.

Because Alford had been in jail for more than a year pending trial, and White couldn't say when, or if, the records would come, the court went ahead with the jury trial in December 2016. A jury found him guilty of second-degree murder and two felony weapons charges.

Hertz released the records in early 2018 after Bremer again subpoenaed the company.

At that point, Alford was about a year into a prison sentence of 32 years and five months to 62 years and five months. He said he'll never forgive Hertz for ignoring the court orders and subpoenas.

"Almost five years of my life is gone from either sitting in jail waiting for trial or sitting in prison after the first trial," Alford said in his statement.

He was released on Nov. 26, 2018, according to the Michigan Department of Corrections. White clarified Wednesday that after his release from prison, Alford remained in custody until he was released on bond on Feb. 19, 2020.

Alford said he hopes police catch "the real shooter some day" and give the Adams family — who said during the sentencing in 2017 that they forgave him but were looking for justice and closure — some peace.

Former prosecutor Stuart Dunnings initially charged Alford before resigning amid criminal charges in July 2016. Gov. Gretchen Whitmer was Ingham County's prosecutor during Alford's trial.

Contact reporter Megan Banta at mbanta@lsj.com. Follow her on Twitter @MeganBanta_1.

Exhibit I

Fill in this information to identify the case (Select only one Debtor per claim form):			
☒ The Hertz Corporation (Case No. 20-11218)	☐ Dollar Rent A Car, Inc. (Case No. 20-11226)	☐ Hertz Car Sales LLC (Case No. 20-11234)	☐ Thrifty Car Sales, Inc. (Case No. 20-11242)
☐ Hertz Global Holdings, Inc. (Case No. 20-11219)	☐ Dollar Thrifty Automotive Group Canada Inc. (Case No. 20-11227)	☐ DTG Supply, LLC (Case No. 20-11235)	☐ Hertz Technologies, Inc. (Case No. 20-11243)
☐ Thrifty Rent-A-Car System, LLC (Case No. 20-11220)	☐ Donlen Corporation (Case No. 20-11228)	☐ Hertz Global Services Corporation (Case No. 20-11236)	☐ TRAC Asia Pacific, Inc. (Case No. 20-11244)
☐ Thrifty, LLC (Case No. 20-11221)	☐ Donlen FSHCO Company (Case No. 20-11229)	☐ Hertz Local Edition Corp. (Case No. 20-11237)	☐ Hertz Transporting, Inc. (Case No. 20-11245)
☐ Dollar Thrifty Automotive Group, Inc. (Case No. 20-11222)	☐ Hertz Canada Limited (Case No. 20-11230)	☐ Hertz Local Edition Transporting, Inc. (Case No. 20-11238)	☐ Rental Car Group Company, LLC (Case No. 20-11246)
☐ Firefly Rent A Car LLC (Case No. 20-11223)	☐ Donlen Mobility Solutions, Inc. (Case No. 20-11231)	☐ Donlen Fleet Leasing Ltd. (Case No. 20-11239)	☐ Rental Car Intermediate Holdings, LLC (Case No. 20-11247)
☐ CMGC Canada Acquisition ULC (Case No. 20-11224)	☐ DTG Canada Corp. (Case No. 20-11232)	☐ Hertz System, Inc. (Case No. 20-11240)	
☐ Hertz Aircraft, LLC (Case No. 20-11225)	☐ DTG Operations, Inc. (Case No. 20-11233)	☐ Smartz Vehicle Rental Corporation (Case No. 20-11241)	

Modified Form 410

Proof of Claim

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense (other than a claim entitled to priority under 11 U.S.C. § 503(b)(9)). Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to $500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) **that you received.**

Part 1: Identify the Claim

1. **Who is the current creditor?**

Herbert Maurice Alford

Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor _____

2. **Has this claim been acquired from someone else?**

☒ No
☐ Yes. From whom? _____

3. **Where should notices and payments to the creditor be sent?**

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Where should notices to the creditor be sent?	**Where should payments to the creditor be sent?** (if different)
White Law PLLC 2549 Jolly Road, Suite 340 Okemos, MI 48864	
Contact phone (517) 316-1195	Contact phone _____
Contact email info@whitelawpllc.com	Contact email _____

4. **Does this claim amend one already filed?**

☒ No
☐ Yes. Claim number on court claims registry (if known)_____ Filed on _____ MM / DD / YYYY

5. **Do you know if anyone else has filed a proof of claim for this claim?**

☒ No
☐ Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. **Do you have any number you use to identify the debtor?**
- [x] No
- [ ] Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: ____ ____ ____ ____

7. **How much is the claim?** $ 25,000,000.00 . **Does this amount include interest or other charges?**
- [x] No
- [ ] Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. **What is the basis of the claim?**

Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.

Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).

Limit disclosing information that is entitled to privacy, such as health care information.

Personal injury arising from violation of Court orders and other torts

9. **Is all or part of the claim secured?**
- [x] No
- [ ] Yes. The claim is secured by a lien on property.

Nature of property:
- ❑ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim.*
- ❑ Motor vehicle
- ❑ Other. Describe: _____

Basis for perfection: _____

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: $_____

Amount of the claim that is secured: $_____

Amount of the claim that is unsecured: $_____ (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: $_____

Annual Interest Rate (when case was filed)_____%
- ❑ Fixed
- ❑ Variable

10. **Is this claim based on a lease?**
- [x] No
- [ ] Yes. **Amount necessary to cure any default as of the date of the petition.** $_____

11. **Is this claim subject to a right of setoff?**
- [x] No
- [ ] Yes. Identify the property: _____

12. **Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?**

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

	Amount entitled to priority
☒ No	
☐ Yes. *Check one:*	
☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	$_____
☐ Up to $3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	$_____
☐ Wages, salaries, or commissions (up to $13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	$_____
☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	$_____
☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	$_____
☐ Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.	$_____

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

13. **Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?**

☒ No

☐ Yes. **Indicate the amount of your claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.** $_____

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to $500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☒ I am the creditor.
☐ I am the creditor's attorney or authorized agent.
☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Signature: Herbert Alford
Herbert Alford (Jan 5, 2021 13:07 EST)

Email: info@whitelawpllc.com

Signature

Print the name of the person who is completing and signing this claim:

Name: Herbert Maurice Alford
First name Middle name Last name

Title: Creditor

Company:
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address: 4245 W. Jolly Road, Lot 67
Number Street

Lansing MI 48911
City State ZIP Code

Contact phone: (773) 606-2085 Email: herbertalford@icloud.com

Attach Supporting Documentation (limited to a single PDF attachment that is less than 5 megabytes in size and under 100 pages):

☒ I have supporting documentation. (attach below)

☐ I do not have supporting documentation.

Attachment

PLEASE REVIEW YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTS AND REDACT ACCORDINGLY PRIOR TO UPLOADING THEM. PROOFS OF CLAIM AND ATTACHMENTS ARE PUBLIC DOCUMENTS THAT WILL BE AVAILABLE FOR ANYONE TO VIEW ONLINE.

IMPORTANT NOTE REGARDING REDACTING YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTATION When you submit a proof of claim and any supporting documentation you must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. The responsibility for redacting personal data identifiers (as defined in Federal Rule of Bankruptcy Procedure 9037) rests solely with the party submitting the documentation and their counsel. Prime Clerk and the Clerk of the Court will not review any document for redaction or compliance with this Rule and you hereby release and agree to hold harmless Prime Clerk and the Clerk of the Court from the disclosure of any personal data identifiers included in your submission. In the event Prime Clerk or the Clerk of the Court discover that personal identifier data or information concerning a minor individual has been included in a pleading, Prime Clerk and the Clerk of the Court are authorized, in their sole discretion, to redact all such information from the text of the filing and make an entry indicating the correction.

Modified Form 410

Instructions for Proof of Claim

United States Bankruptcy Court 12/15

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to $500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157 and 3571.

How to fill out this form

- **Fill in all of the information about the claim as of the date the case was filed.**
- **Fill in the caption at the top of the form.**
- **If the claim has been acquired from someone else, then state the identity of the last party** who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.
- **Attach any supporting documents to this form.** Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)

  Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called "Bankruptcy Rule") 3001(c) and (d).
- **Do not attach original documents because attachments may be destroyed after scanning.**
- **If the claim is based on delivering health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.**
- **A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, individual's tax identification number, or financial account number, and only the year of any person's date of birth.** See Bankruptcy Rule 9037.
- **For a minor child, fill in only the child's initials and the full name and address of the child's parent or guardian.** For example, write *A.B., a minor child* (*John Doe, parent, 123 Main St., City, State*). See Bankruptcy Rule 9037.

Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, enclose a stamped self-addressed envelope and a copy of this form. You may view a list of filed claims in this case by visiting the Claims and Noticing Agent's website at https://restructuring.primeclerk.com/hertz/.

Understand the terms used in this form

Administrative expense: Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing the bankruptcy estate. 11 U.S.C. § 503.

Claim: A creditor's right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Claim Pursuant to 11 U.S.C. §503(b)(9): A claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of the Debtor's business. Attach documentation supporting such claim.

Creditor: A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. §101 (10).

Debtor: A person, corporation, or other entity who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. § 101 (13).

Evidence of perfection: Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

Priority claim: A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. §507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

Proof of claim: A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

Redaction of information: Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Do not file these instructions with your form

Secured claim under 11 U.S.C. §506(a): A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment may be a lien.

Setoff: Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

Unsecured claim: A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

Please send completed Proof(s) of Claim to:

If by first class mail:
The Hertz Corporation Claims Processing Center
c/o Prime Clerk LLC
Grand Central Station, PO Box 4850
New York, NY 10163-4850

If by hand delivery, or overnight courier:
The Hertz Corporation Claims Processing Center
c/o Prime Clerk LLC
850 3rd Avenue, Suite 412
Brooklyn, NY 11232

EXHIBITS TO HERBERT MAURICE ALFORD PROOF OF CLAIM

Herbert Maurice Alford submits the following supporting documentation with his proof of claim.

Exhibit 1. Proposed State Court Complaint

Exhibit 2. Subpoena

Exhibit 3. Michigan Record Search (Ingham County)

Exhibit 4. Order Regarding Defendant's Motion to Show Cause

Exhibit 5. Lansing State Journal Article

Exhibit 6. Transcripts and Pleading Citations

EXHIBIT 1

STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM

HERBERT MAURICE ALFORD,

An Individual,

Plaintiff,

v.

THE HERTZ CORPORATION,

A Delaware Corporation, and

THE CORPORATION COMPANY,

A Michigan Corporation, and

JUDITH SCHUETT,

An Individual, and

Defendants.

Case No.: 20 – –

Hon. _____

COMPLAINT AND JURY DEMAND

James White (P56946)
Alexander S. Rusek (P77581)
Daniel Sturdevant (P82936)
White Law PLLC
Attorneys for Plaintiff
2549 Jolly Road, Suite 340
Okemos, Michigan 48864
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E: danielsturdevant@whitelawpllc.com
E: discovery@whitelawpllc.com

The Hertz Corporation
Defendant *In Pro Per*
Registered Agent: The Corporation Company
40600 Ann Arbor Road East, Suite 201
Plymouth, Michigan 48170

The Corporation Company
Defendant *In Pro Per*
Registered Agent: CT Corporation System
40600 Ann Arbor Road East, Suite 201
Plymouth, Michigan 48170

Judith Schuett
Defendant *In Pro Per*
15558 Dixie
Redford, Michigan 48239

COMPLAINT

There is no other pending or resolved civil action arising out of the transaction or occurrence alleged in the complaint.

NOW COMES Plaintiff Herbert M. Alford ("Mr. Alford"), by and through his attorneys White Law PLLC, and hereby alleges and states as follows:

INTRODUCTION

1. In 2011, Michael Adams was murdered in Lansing, Michigan. Mr. Alford was accused of the crime, went to trial, and was convicted in 2016. However, his conviction was overturned when The Hertz Corporation records corroborating his alibi were finally produced to him in 2018 resulting in all charges against him being dismissed in 2020. Had the Defendants not ignored and disobeyed numerous court orders requiring them to produce the documentation that eventually free Mr. Alford, he would not have spent over 1,700 days incarcerated. Mr. Alford now brings this lawsuit to hold the Defendants accountable for their actions, inactions, and negligence.

PARTIES, JURISDICTION, & VENUE

2. This is a civil action for the recovery of damages pursuant to the statutory and common law of the State of Michigan as a result of the acts, conduct, negligence, and omissions of Defendant The Hertz Corporation ("Hertz"), Defendant The Corporation Company, and Defendant Judi Schuett ("Ms. Schuett") (collectively "Defendants").
3. Hertz is a for profit corporation incorporated in the State of Delaware.
4. Upon information and belief, Hertz's worldwide headquarters is located in Estero, Florida.

5. Hertz conducts business in the State of Michigan.

6. The Corporation Company is a for profit corporation incorporated in the State of Michigan.

7. The Corporation Company conducts business in the State of Michigan.

8. The Corporation Company serves as Hertz's Resident Agent in the State of Michigan.

9. Upon information and belief, Ms. Schuett is an individual currently residing at 15558 Dixie, Redford, Michigan 48239 and is a resident of Wayne County.

10. Mr. Alford is an individual currently residing in Ingham County, Michigan.

11. All or part of the causes of action alleged in this Complaint arose in Ingham County, Michigan.

12. The amount in controversy in this matter is in excess of $25,000.000, excluding interest, costs, and attorney fees.

13. This Honorable Court may exercise personal jurisdiction over Defendants pursuant to MCL 600.701 and MCL 600.705.

14. Venue is appropriate in this Honorable Court pursuant to MCL 600.1621, MCL 600.1627, and MCL 600.1629.

GENERAL ALLEGATIONS

15. Mr. Alford realleges and reincorporates all preceding paragraphs by reference.

16. On October 18, 2011, Michael Adams was murdered at or near 3434 Pleasant Grove, Lansing, Michigan 48910 at approximately 2:54 PM.

17. At the time of the murder, Mr. Alford was at the Hertz rental location at the Capital Region International Airport located at 4100 Capitol City Boulevard, Lansing, Michigan 48906 renting a vehicle.

18. Depending on the route taken, the Capital Region International Airport is approximately 8 miles away from 3434 Pleasant Grove, Lansing, Michigan 48910.

19. To drive from 3434 Pleasant Grove, Lansing, Michigan 48910 to the Capital Region International Airport takes approximately 20 minutes.

20. Despite the impossibility of Mr. Alford being at the Capital Region International Airport Hertz location and 3434 Pleasant Grove, Lansing, Michigan 48910 at the same time, Mr. Alford was a suspect in the murder of Mr. Adams.

21. Mr. Alford has continually asserted his innocence in the death of Mr. Adams.

22. On October 21, 2011, Mr. Alford was charged by the Ingham County Prosecutor's Office with: (1) Homicide – Open Murder contrary to MCL 750.316; (2) Weapons – Firearms – Possession by Felon contrary MCL 750.224f; and (3) Weapons – Felony Firearm contrary to MCL 750.227f.

23. When interviewed by police on May 23, 2015, Mr. Alford proclaimed his innocence and asserted that he was at the Capital Region International Airport Hertz location at the time of Mr. Adams murder renting a vehicle from Hertz.

24. On May 23, 2015, Mr. Alford was arraigned on the murder charges in the 54A District Court in Lansing, Michigan.

25. On June 30, 2015, a subpoena was issued to Hertz (the "First Subpoena").

26. The First Subpoena commanded Hertz to: "**3. Produce/permit inspection or copying of the following items:** For the date of October 18, 2011 from 10:00 a.m. EST until 8:00 p.m. EST for the Hertz Rent-a-Car location at 4100 Capital City Blvd, Lansing, MI 48906, produce copies of any and all: (1) sign-in sheets; (2) transactional information, such as invoices and credit card receipts; (3) security camera footage; (4) lists of employees who worked during that time, including their timecards and addresses; and (5) other information that identifies in any way Herbert Maurice Alford. Send copies of these documents within 14 days of receipt of

this subpoena to: White Law PLLC, ATTN: Alexander S. Rusek, 2400 Science Pkwy, Ste. 201, Okemos, MI 48864."

27. The First Subpoena was served on Hertz's Resident Agent in Michigan, The Corporation Company.

28. Foreign corporations are required to continuously maintain a Resident Agent and Registered Office in the State of Michigan pursuant to MCL 450.1241.

29. Pursuant to MCL 450.1246(1), "The resident agent appointed by a corporation is an agent of the corporation on which any process, notice, or demand required or permitted by law to be served upon the corporation may be served." MCL 450.1246(1).

30. Pursuant to MCL 450.1246(2), "If an individual, whether a resident or nonresident of this state, accepts election, appointment, or employment as a director or officer of a corporation formed under this act or in existence on the effective date of this act, the acceptance is considered an appointment of the resident agent of the corporation as his or her agent on which process may be served while he or she is a director or officer, in any action commenced in a court of general jurisdiction in this state, arising out of or founded on any action of the domestic corporation or of the individual as a director or officer of the domestic corporation. After accepting service of process, the resident agent shall promptly forward it to the director or officer at his or her last known address." MCL 450.1246(2).

31. Hertz and The Corporation Company did not respond to the First Subpoena.

32. Hertz did not produce any of the documents required to be produced under the First Subpoena.

33. The Corporation Company did not produce any of the documents required to be produced under the First Subpoena.

34. Following the issuance of the First Subpoena, Mr. Alford's attorneys attempted to contact and coordinate with the Defendants to secure the production of the requested documents. The Defendants continuously stonewalled their attempts to procure the documents that would eventually exonerate Mr. Alford.

35. On January 20, 2016, Judge Clinton Canady III of the 30th Circuit Court for Ingham County signed a subpoena ordering Hertz to produce documents regarding Mr. Alford (the "Second Subpoena").

36. The Second Subpoena ordered Hertz to "**3. Produce/permit inspection or copying of the following items:** For the date of October 18, 2011 from 10:00 a.m. EST until 8:00 p.m. EST for the Hertz Rent-a-Car location at 4100 Capital City Blvd, Lansing, MI 48906, produce copies of any and all: (1) sign-in sheets; (2) transactional information, such as invoices and credit card receipts; (3) security camera footage; (4) lists of employees who worked during that time, including their timecards and addresses; and (5) other information that identifies in any way Herbert Maurice Alford. Send copies of these documents within three (3) days of receipt of this subpoena to: White Law PLLC, ATTN: Alexander S. Rusek, 2549 Jolly Road, Suite 340, Okemos, MI 48864 or to alexrusek@whitelawpllc.com."

37. On January 21, 2016, Hertz was served with the Second Subpoena when process server Gina Sharbowski personally served Hertz's Resident Agent, The Corporation Company.

38. Ms. Sharbowski personally served the Second Subpoena on Judi Schuett of The Corporation Company, Hertz's Resident Agent in the State of Michigan.

39. Following the issuance of the Second Subpoena, Mr. Alford's attorneys attempted to contact and coordinate with the Defendants to secure the production of the requested documents. The Defendants continuously stonewalled their attempts to procure the documents that would eventually exonerate Mr. Alford.

40. Hertz did not produce the documents that it was ordered to produce by the Second Subpoena.

41. The Corporation Company did not produce the documents that were ordered to be produced by the Second Subpoena.

42. Ms. Schuett did not produce the documents that were ordered to be produced by the Second Subpoena.

43. On February 8, 2016, a verified Motion to Show Cause was filed by Mr. Alford setting forth that "The Hertz Corporation and Judi Schuett has not complied with an order dated January 20, 2016 by failing to: See attached." … "The Hertz Corporation has not complied with the Subpoena issued by the Honorable Clinton Canady III on January 20, 2016. (Exhibit A). The Hertz Corporation was served with a copy of the Subpoena on January 21, 2016. (Exhibit B). Per the terms of the Subpoena, The Hertz Corporation had three days to produce the requested records to Alexander S. Rusek of White Law PLLC. To date, The Hertz Corporation has made no contact with Alexander S. Rusek or White Law PLLC regarding the Subpoena. Prior to the January 20, 2016 Subpoena being issued by the Honorable Clinton Canady III, Attorney for Alford, James White, issued a Subpoena to The Hertz Corporation on June 30, 2015. (Exhibit C). To date, The Hertz Corporation has refused to comply with either Subpoena by not producing the requested information."

44. On February 18, 2016, Judge Clinton Canady III ordered Hertz and Ms. Schuett to appear before the Court on March 16, 2016 to show cause why they should not be held in civil contempt of the Court for not producing the documents ordered to be produced by the Second Subpoena.

45. On March 29, 2016, the Motion and Order to Show Cause was personally served on Elena Boutakova of The Corporation Company, who accepted service on behalf of Hertz and Ms. Schuett.

46. The Motion to Show Cause was heard by the Court on April 6, 2016.

47. On April 12, 2016, an Order Regarding Defendant's Motion to Show Cause was issued and granted in part and denied in part the Motion to Show Cause.

48. The Order Regarding Defendant's Motion to Show Cause ordered Hertz and Ms. Schuett to produce the documents set forth in the Second Subpoena within 14 days of the service of the Order Regarding Defendant's Motion to Show Cause or May 2, 2016, whichever date was sooner.

49. On April 13, 2016, the Order Regarding Defendant's Motion to Show Cause was personally served on Ms. Schuett, who stated that she was authorized to accept service for Hertz and The Corporation Company.

50. Hertz did not produce the documents that it was ordered to produce by the Order Regarding Defendant's Motion to Show Cause.

51. The Corporation Company did not produce the documents that were ordered to be produced by the Order Regarding Defendant's Motion to Show Cause

52. Ms. Schuett did not produce the documents that were ordered to be produced by the Order Regarding Defendant's Motion to Show Cause Subpoena.

53. The Defendants had a duty to abide by the Order Regarding Defendant's Motion to Show Cause.

54. The Defendants defied the Order Regarding Defendant's Motion to Show Cause.

55. The Defendants ignored the Order Regarding Defendant's Motion to Show Cause.

56. The Defendants neglected to abide by the Order Regarding Defendant's Motion to Show Cause.

57. On November 4, 2016, another Motion to Show Cause against Hertz and Ms. Schuett was filed by Mr. Alford and was set to be heard on November 16, 2016 at 2:00 PM.

58. On November 21, 2016, another Motion to Show Cause against Hertz and Ms. Schuett was filed by Mr. Alford and was set to be heard on November 30, 2016 at 3:45 PM.

59. On November 30, 2016, a hearing on the November 21, 2016 Motion to Show Cause was heard by Judge Clinton Canady III.

60. On December 2, 2016, an Order Regarding Defendant's Motion to Show Cause ("December 2, 2016 Order") was issued by Judge Clinton Canady III.

61. The December 2, 2016 Order ordered that:

> 1. Defendant's Motion to Show Cause is **GRANTED**.
>
> 2. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, are hereby held in contempt of this Honorable Court.
>
> 3. The Hertz Corporation and Judi Schuett of The Corporation Company shall produce the documents requested in the attached subpoena to White Law PLLC immediately.
>
> 4. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, shall pay the reasonable attorney fees and costs incurred by Defendant Herbert M. Alford in connection with obtaining documents and records in the possession of the Hertz Corporation.

62. Hertz did not produce the documents that it was ordered to produce by the December 2, 2016 Order.

63. The Corporation Company did not produce the documents that were ordered to be produced by the December 2, 2016 Order.

64. Ms. Schuett did not produce the documents that were ordered to be produced by the December 2, 2016 Order.

65. Despite not having records from Hertz, Mr. Alford was forced to go to trial on December 5, 2016 in the 30th Circuit Court for the County of Ingham.

66. Without having the Hertz records, Mr. Alford was denied his ability to present a full and fair defense at trial as he did not have access to the Hertz records that proved his alibi defense and his innocence.

67. The Defendants had a duty to abide by the December 2, 2016 Order.

68. The Defendants defied the December 2, 2016 Order.

69. The Defendants ignored the December 2, 2016 Order.

70. The Defendants neglected to abide by the December 2, 2016 Order.

71. Mr. Alford's trial took place on December 5, 6, 8, 9, 12, and 13.

72. On December 13, 2016, Mr. Alford was convicted of (1) Homicide – Second Degree Murder contrary to MCL 750.317; (2) Weapons – Firearms – Possession by Felon contrary MCL 750.224f; and (3) Weapons – Felony Firearm contrary to MCL 750.227f.

73. On January 18, 2017, Mr. Alford was sentenced by Judge Clinton Canady III to serve 365 to 730 months, approximately 30.4 to 60.8 years, incarceration in the Michigan Department of Corrections.

74. Mr. Alford was 43 years old when he was sentenced. Had his conviction not been overturned, he would have been at least 73 years old before being eligible to be considered for parole. Mr. Alford would have had to reach the age of 103 to serve his full sentence if his conviction had not been overturned.

75. Mr. Alford was appointed appellate counsel following his conviction.

76. In early 2018, Mr. Alford's appellate counsel served a subpoena on Hertz through their registered agent requesting the documents that were ordered to be produced by the December 2, 2016 Order.

77. A hearing on Mr. Alford's Motion for a New Trial was scheduled to be heard by Judge Clinton Canady III on March 16, 2018.

78. On March 7, 2018, Mr. Alford's appellate counsel received a letter from Carolyn Fry, who claimed to be a legal assistant for Hertz.

79. Ms. Fry represented that a search for the documents was conducted, that none were found, and that the records were likely purged because of their age.

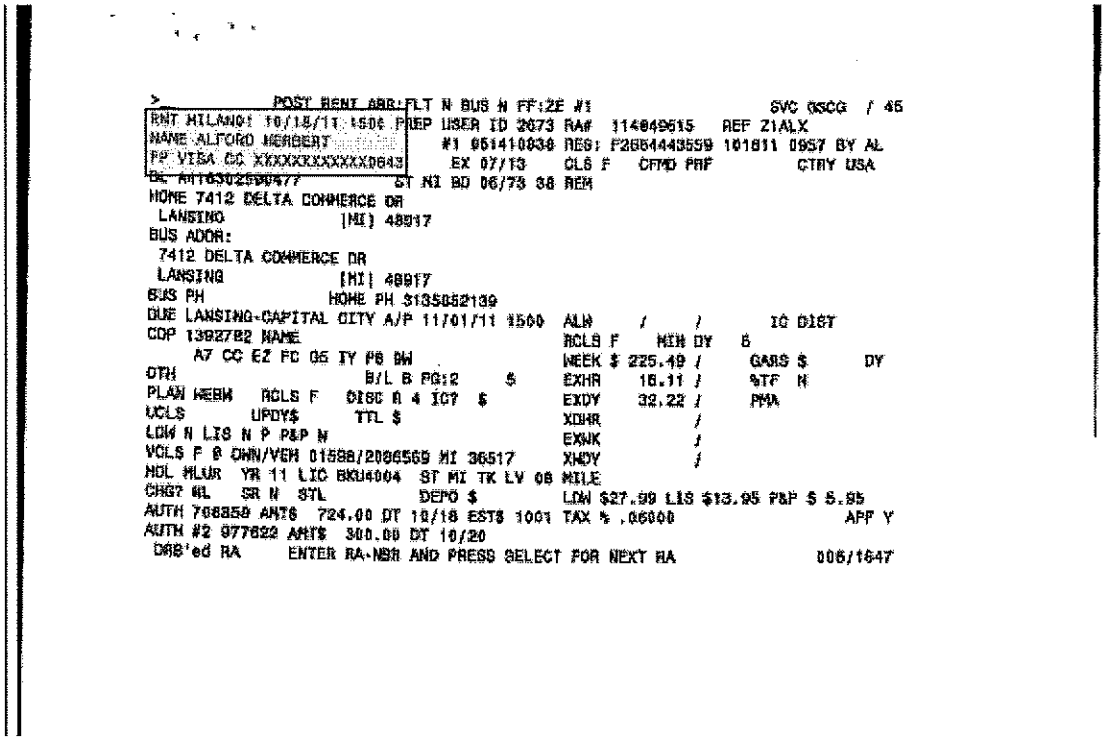
80. Ms. Fry's statements were false.

81. Mr. Alford's appellate counsel wrote back to Ms. Fry and demanded that a Hertz representative appear at the March 16, 2018 hearing.

82. Only a few days before the March 16, 2018 hearing, Hertz produced records to the Ingham County Prosecutor's Office that were then forwarded to Mr. Alford's appellate counsel.

83. Hertz was in possession of the exculpatory documents during the entire pendency of Mr. Alford's criminal case and failed or refused to produce them in violation of numerous court orders.

84. Included in the records produced by Hertz was a record/receipt showing that Mr. Alford used a Visa credit card to rent a vehicle from Hertz on October 18, 2011 at 1500 hours EST (3:00



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>          POST RENT ABB:FLT N BUS N FF:ZE #1                    SVC GSCG  / 46
RNT MILAN01 10/18/11 1506 PREP USER ID 2073 RA#  114049515   REF Z1ALX
NAME ALFORD HERBERT          #1 951410838 REG: F2654443559 101811 0957 BY AL
FP VISA CC XXXXXXXXXXXX0643    EX 07/13    CLS F   CPMD PRF          CTRY USA
DL AH1630259477          ST MI BD 06/73 38 REM
HOME 7412 DELTA COMMERCE DR
 LANSING              [MI] 48917
BUS ADDR:
 7412 DELTA COMMERCE DR
 LANSING              [MI] 48917
BUS PH               HOME PH 3135852139
DUE LANSING-CAPITAL CITY A/P 11/01/11 1500  ALW     /     /        IC DIST
COR 1382782 NAME                            RCLS F    MIN DY   5
    A7 CC EZ FC 05 IY P8 DW                 WEEK $ 225.49 /     GASS $       DY
OTH                 B/L B PG:2      $       EXHR    16.11 /     %TF  N
PLAN WEBM   RCLS F   DISC 0 4 IC7  $        EXDY    32.22 /     PMA
UCLS       UPDY$      TTL $                 XDHR          /
LDW N LIS N P P&P N                         EXWK          /
VCLS F 0 OWN/VEH 01588/2086569 MI 36517     XWDY          /
MDL MLUR  YR 11 LIC BKU4004  ST MI TK LV 08 MILE
CHG? ML   SR N  STL          DEPO $         LDW $27.99 LIS $13.95 P&P $ 5.95
AUTH 708858 AMT$  724.00 DT 10/18 EST$ 1001 TAX % .06000                APP Y
AUTH #2 977622 AMT$  300.00 DT 10/20
 DMB'ed RA     ENTER RA-NBR AND PRESS SELECT FOR NEXT RA              006/1647
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PM):

Exhibit 1 – Hertz Records.

85. 3:00 PM EST on October 18, 2011 was approximately 6 minutes after Mr. Adams was shot.

86. It is impossible to travel from 3434 Pleasant Grove, Lansing, Michigan 48910 to the Capital Region International Airport Hertz location in 6 minutes using any normal form of travel.

87. Thereafter, Mr. Alford's appellate counsel filed an Amended Motion for New Trial. An evidentiary hearing was scheduled for August 30, 2018.

88. Prior to the evidentiary hearing, Judge Clinton Canady III overturned Mr. Alford's conviction in an Opinion and Order dated August 6, 2018.

89. In the August 6, 2018 Opinion and Order, Judge Clinton Canady III wrote, in part, that: "This Court also finds that Defendant was deprived of presenting an alibi defense because he did not have access to the potentially exculpatory evidence because the evidence was not discovered at the time of trial. "An alibi makes it impossible for a defendant to be guilty of a crime because the alibi places the defendant at a place other than where the crime was committed at the time the alleged offense occurred." The right to present a complete defense is a fundamental element of due process of law. As such, Defendant is entitled to a new trial on the basis of the newly discovered evidence to exercise his right to present a defense." *Id.* at 7.

90. On February 19, 2020, Mr. Alford was granted a $50,000.00 cash surety bond by Judge Clinton Canady III and thereafter was released from custody.

91. In total, Mr. Alford spent over 1,733 days incarcerated for a crime that he did not commit.

92. On or about December 2, 2020, the Ingham County Prosecutor's Office filed a Motion for Nolle Prosequi that requested that all charges against Mr. Alford be dismissed.

93. The Ingham County Prosecutor's Office set forth in its Motion for Nolle Prosequi that it was "unable to sustain burden of proof at this time."

94. On December 8, 2020, Judge Clinton Canady III signed an Order dismissing all charges against Mr. Alford.

95. Ingham County Prosecutor Carol Siemon has stated that "The Hertz report legally is exculpatory evidence since it creates a timeline that would exclude Mr. Alford's involvement [in the death of Mr. Adams]."

96. As a direct result of the Defendants' actions, inactions, and negligence, Mr. Alford has suffered physical and emotional harm, economic damages, and will continue to suffer actual losses in the future.

97. Mr. Alford was incarcerated for over 1700 days in the Ingham County Jail and the Michigan Department of Corrections.

98. While incarcerated, Mr. Alford was unable to work and earn an income.

99. While incarcerated, Mr. Alford was denied the love and companionship of his family.

100. While incarcerated, Mr. Alford was denied the pleasures of a normal life that he had enjoyed prior to his incarceration.

101. While on bond from approximately February 19, 2020 until December 8, 2020, Mr. Alford was denied the ability to live a normal life and enjoy the pleasures of that normal life.

102. While on bond, Mr. Alford's movement were restricted and he was required to wear a GPS tether.

103. While on bond, Mr. Alford incurred significant costs related to the terms and conditions of his bond, such as the cost of wearing a GPS tether.

104. Since May 2013, Mr. Alford has incurred significant attorney fees and costs exceeding $100,000.00.

105. As a direct or proximate result of these actions and inactions by the Defendants, Mr. Alford sustained injuries, including but not limited to physical pain and suffering, mental anguish, fright, shock, embarrassment, humiliation, mortification, damage to reputation, disruption of personal life, loss of enjoyment of the ordinary pleasures of living, and other damages known and unknown.

106. As a direct or proximate result of these actions and inactions by the Defendants, Mr. Alford has been deprived of lost wages; loss of earning capacity; loss of employment benefits, including but not limited to retirement benefits, insurance, holiday and vacation pay, training opportunities, promotions, and fringe benefits; and other damages known and unknown, causing Mr. Alford to suffer considerable financial distress and hardship.

CAUSES OF ACTION

COUNT I – CIVIL CONTEMPT UNDER MCL 600.1721 AS TO ALL DEFENDANTS

107. Mr. Alford realleges and reincorporates all preceding paragraphs by reference.

108. MCL 600.1721 authorizes a civil cause of against a defendant whose misconduct in violating a court order causes actual loss or injury to a person.

109. The Defendants had a duty not to breach court orders relating to Mr. Alford.

110. The First Subpoena, Second Subpoena, Order Regarding Defendant's Motion to Show Cause, and the December 2, 2016 Order are court orders.

111. The Defendants had notice of the First Subpoena, Second Subpoena, Order Regarding Defendant's Motion to Show Cause, and the December 2, 2016 Order.

112. The Defendants were afforded hearings regarding their contemptuous actions and given multiple reasonable opportunities to defend against the allegations leading to them being held in contempt.

113. During the entire pendency of Mr. Alford's criminal matter, the Defendants had the ability to comply with the First Subpoena, Second Subpoena, Order Regarding Defendant's Motion to Show Cause, and the December 2, 2016 Order.

114. The Defendants had a duty to abide by the First Subpoena.

115. The Defendants defied the First Subpoena.

116. The Defendants ignored the First Subpoena.

117. The Defendants neglected to abide by the First Subpoena.

118. The Defendants had a duty to abide by the Second Subpoena.

119. The Defendants defied the Second Subpoena.

120. The Defendants ignored the Second Subpoena.

121. The Defendants neglected to abide by the Second Subpoena.

122. The Defendants had a duty to abide by the Order Regarding Defendant's Motion to Show Cause.

123. The Defendants defied the Order Regarding Defendant's Motion to Show Cause.

124. The Defendants ignored the Order Regarding Defendant's Motion to Show Cause.

125. The Defendants neglected to abide by the Order Regarding Defendant's Motion to Show Cause.

126. The Defendants had a duty to abide by the December 2, 2016 Order.

127. The Defendants defied the December 2, 2016 Order.

128. The Defendants ignored the December 2, 2016 Order.

129. The Defendants neglected to abide by the December 2, 2016 Order.

130. The Defendants' actions are punishable under MCL 600.1701, *et. seq.*

131. The Defendants were held in contempt for their actions related to the Hertz records that exonerated Mr. Alford.

132. But for the Defendants' misconduct, Mr. Alford would not have been incarcerated nor suffered the losses associated with his incarceration.

133. As a direct result of the Defendants' misconduct that violated the orders of the 30th Circuit Court for the County of Ingham, the Defendants caused actual loss and injury to Mr. Alford.

WHEREFORE, as a direct and/or proximate result of the Defendants' actions, inactions, and negligence, Mr. Alford has suffered and continues to suffer physical injuries, mental injuries, and other losses and will continue to suffer from those losses in the future. Therefore, Mr. Alford respectfully requests that this Honorable Court find the Defendants liable to Mr. Alford and award him damages in excess of $25,000.00 plus interest, costs, attorney fees, together with statutory costs and interest, and any other further relief that this Honorable Court deems just and equitable.

COUNT II – NEGLIGENCE AS TO ALL DEFENDANTS

134. Mr. Alford realleges and reincorporates all preceding paragraphs by reference.

135. MCL 600.1721 authorizes a civil cause of against a defendant whose misconduct in violating a court order causes actual loss or injury to a person.

136. The Defendants had a duty not to breach court orders relating to Mr. Alford.

137. The Defendants had a duty to Mr. Alford to not prevent him from exercising his constitutional right to present a full and fair defense to the homicide and firearms charges brought against him.

138. The First Subpoena, Second Subpoena, Order Regarding Defendant's Motion to Show Cause, and the December 2, 2016 Order are court orders.

139. The Defendants had notice of the First Subpoena, Second Subpoena, Order Regarding Defendant's Motion to Show Cause, and the December 2, 2016 Order.

140. The Defendants were afforded hearings regarding their contemptuous actions and given multiple reasonable opportunities to defend against the allegations leading to them being held in contempt.

141. During the entire pendency of Mr. Alford's criminal matter, the Defendants had the ability to comply with the First Subpoena, Second Subpoena, Order Regarding Defendant's Motion to Show Cause, and the December 2, 2016 Order and neglected to comply with all four.

142. The Defendants had a duty to abide by the First Subpoena.

143. The Defendants neglected to abide by the First Subpoena.

144. The Defendants had a duty to abide by the Second Subpoena.

145. The Defendants neglected to abide by the Second Subpoena.

146. The Defendants had a duty to abide by the Order Regarding Defendant's Motion to Show Cause.

147. The Defendants neglected to abide by the Order Regarding Defendant's Motion to Show Cause.

148. The Defendants had a duty to abide by the December 2, 2016 Order.

149. The Defendants neglected to abide by the December 2, 2016 Order.

150. The Defendants breached their duties to Mr. Alford by and through the aforementioned actions.

151. But for the Defendants' misconduct, Mr. Alford would not have been incarcerated nor suffered the losses associated with his incarceration and former criminal charges.

152. As a direct result of the Defendants' negligence, the Defendants caused actual loss and injury to Mr. Alford.

WHEREFORE, as a direct and/or proximate result of the Defendants' actions, inactions, and negligence, Mr. Alford has suffered and continues to suffer physical injuries, mental injuries, and other losses and will continue to suffer from those losses in the future. Therefore, Mr. Alford respectfully requests that this Honorable Court find the Defendants liable to Mr. Alford and award him damages in excess of $25,000.00 plus interest, costs, attorney fees, together with statutory costs and interest, and any other further relief that this Honorable Court deems just and equitable.

COUNT III – CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS IN VIOLATION OF 42 USC § 1985 AS TO ALL DEFENDANTS

153. Mr. Alford realleges and reincorporates all preceding paragraphs by reference.

154. 42 USC § 1985 sets forth that:

> (1)Preventing officer from performing duties
>
> If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of

the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties;

(2) Obstructing justice; intimidating party, witness, or juror

If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

(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.

> if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws; … 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.

42 USC § 1985.

155. Starting in 2015 in the State of Michigan, the Defendants entered into a conspiracy with one another and with other parties whose names are unknown to Mr. Alford for the purpose of impeding, hindering, obstructing, or defeating the due course of justice.

156. Defendants entered into a conspiracy with one another with the intent to deny Mr. Alford equal protection of the laws including but not limited to the intent to deny Mr. Alford due process and protections under the Fourth, Fifth, and Sixth Amendments to the United States Constitution.

157. Defendants entered into a conspiracy with one another with the intent to injure Mr. Alford lawfully attempting to enforce his right to equal protection of the law.

158. In furtherance of the objectives of the conspiracy referred to in the preceding paragraph, the Defendants either did or caused to be done the following overt acts:

    a. The Defendants defied the First Subpoena.

    b. The Defendants ignored the First Subpoena.

    c. The Defendants neglected to abide by the First Subpoena.

    d. The Defendants defied the Second Subpoena.

    e. The Defendants ignored the Second Subpoena.

    f. The Defendants defied the Order Regarding Defendant's Motion to Show Cause.

    g. The Defendants ignored the Order Regarding Defendant's Motion to Show Cause.

h. The Defendants neglected to abide by the Order Regarding Defendant's Motion to Show Cause.

i. The Defendants defied the December 2, 2016 Order.

j. The Defendants ignored the December 2, 2016 Order.

k. The Defendants neglected to abide by the December 2, 2016 Order.

l. The Defendants acted in concert to withhold the exculpatory evidence that proved Mr. Alford's alibi and innocence.

159. Each of the acts listed above committed by the Defendants were done in furtherance of the conspiracy referenced and described above.

160. As a result of the conspiracy committed by the Defendants, Mr. Alford was deprived of his civil rights, including the right to bodily integrity, and his rights under the Fourth, Fifth, Sixth, and Fourteenth Amendments to the United States Constitution.

161. Pursuant to provisions of 42 USC § 1985, Plaintiff demands judgment against the Defendants on account of the allegations in this Complaint, jointly and severally, in an amount in excess of $25,000.00, plus the costs of this action and any other relief that is just and proper to this Honorable Court.

162. But for the Defendants' misconduct, Mr. Alford would not have been incarcerated nor suffered the losses associated with his incarceration and former criminal charges.

163. As a direct or proximate result of these actions and inactions by the Defendants, Mr. Alford sustained injuries, including but not limited to physical pain and suffering, mental anguish, fright, shock, embarrassment, humiliation, mortification, damage to reputation, disruption of personal life, loss of enjoyment of the ordinary pleasures of living, and other damages known and unknown.

164. As a direct or proximate result of these actions and inactions by the Defendants, Mr. Alford has been deprived of lost wages; loss of earning capacity; loss of employment benefits, including but not limited to retirement benefits, insurance, holiday and vacation pay, training opportunities, promotions, and fringe benefits; and other damages known and unknown, causing Mr. Alford to suffer considerable financial distress and hardship.

165. But for the Defendants' misconduct, Mr. Alford would not have been incarcerated nor suffered the losses associated with his incarceration and former criminal charges.

WHEREFORE, as a direct and/or proximate result of the Defendants' actions, inactions, and negligence, Mr. Alford has suffered and continues to suffer physical injuries, mental injuries, and other losses and will continue to suffer from those losses in the future. Therefore, Mr. Alford respectfully requests that this Honorable Court find the Defendants liable to Mr. Alford and award him damages in excess of $25,000.00 plus interest, costs, attorney fees, together with statutory costs and interest, and any other further relief that this Honorable Court deems just and equitable.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff Herbert M. Alford respectfully requests that this Honorable Court enter judgment against the Defendants as follows:

A. Compensatory damages in whatever amount above $25,000.00 that the Plaintiff is found to be entitled to.

B. Exemplary damages in whatever amount above $25,000.00 that the Plaintiff is found to be entitled to.

C. All other damages in whatever amount above $25,000.00 that the Plaintiff is found to be entitled to.

D. Judgment for the value of mental and emotional distress in whatever amount above $25,000.00 that the Plaintiff is found to be entitled to.

E. An award of interest, costs, and reasonable attorney fees.

F. Any other relief that this Honorable Court deems just and equitable.

Respectfully Submitted,

Dated: _____

_____

James White (P56946)
Alexander S. Rusek (P77581)
Daniel Sturdevant (P82936)
White Law PLLC
Attorneys for Plaintiff
2549 Jolly Road, Suite 340
Okemos, Michigan 48864
Ph.: (517) 316-1195
Fax: (517) 316-1197
E: jameswhite@whitelawpllc.com
E: alexrusek@whitelawpllc.com
E: danielsturdevant@whitelawpllc.com
E: discovery@whitelawpllc.com

JURY DEMAND

NOW COMES Plaintiff Herbert M. Alford, by and through his attorneys White Law PLLC, and hereby demands a trial by jury on all causes of action in this matter.

Respectfully Submitted,

Dated: _____

James White (P56946)
Alexander S. Rusek (P77581)
Daniel Sturdevant (P82936)
White Law PLLC
Attorneys for Plaintiff
2549 Jolly Road, Suite 340
Okemos, Michigan 48864
Ph.: (517) 316-1195
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E: jameswhite@whitelawpllc.com
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E: danielsturdevant@whitelawpllc.com
E: discovery@whitelawpllc.com

EXHIBIT 2

Approved, SCAO

Original - Return
1st copy - Witness
2nd copy - File
3rd copy - Extra

STATE OF MICHIGAN JUDICIAL DISTRICT 30TH JUDICIAL CIRCUIT COUNTY PROBATE	SUBPOENA Order to Appear and/or Produce	CASE NO. 15-000696-FC Hon. Clinton Canady III

Court address: 313 W. Kalamazoo Street, Lansing, MI 48933

Court telephone no.: (517) 483-6500

Police Report No. (if applicable): LLA111018064958

Plaintiff(s)/Petitioner(s)		Defendant(s)/Respondent(s)
☑ People of the State of Michigan ☐ _____	v	Herbert Maurice Alford c/o James White (P56946), White Law PLLC 2549 Jolly Rd., Suite 340, Okemos, MI 48864
☐ Civil ☑ Criminal		Charge: Open Murder, Possesion of Firearm by Felon, Felony Firearm
☐ Probate In the matter of _____		

In the Name of the People of the State of Michigan. TO:

The Hertz Corporation, c/o The Corporation Company, 30600 Telegraph Road, Ste 2345, Bingham Farms, MI 48025

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

YOU ARE ORDERED TO:

☑ 1. Appear personally at the time and place stated below: You may be required to appear from time to time and day to day until excused.

☑ The court address above ☐ Other:

Day	Date	Time
Tuesday	February 16, 2016	8:30 AM

☑ 2. Testify at trial / examination / hearing.

☑ 3. Produce/permit inspection or copying of the following items: See attached.

☐ 4. Testify as to your assets, and bring with you the items listed in line 3 above.

☐ 5. Testify at deposition.

☐ 6. Abide by the attached prohibition against transferring or disposing of property. (MCL 600.6104(2), 600.6116, or 600.6119.)

☐ 7. Other: _____

☑ 8.

Person requesting subpoena	Telephone no.
James White (P56946)	(517) 316-1195
Address: 2549 Jolly Road, Suite 340	
City: Okemos, MI 48864	State: Zip:

NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

FAILURE TO OBEY THE COMMANDS OF THIS SUBPOENA OR TO APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.

1/20/16 — Date

Hon. Clinton Canady III — Judge/Clerk/Attorney

P23262 — Bar no.

Court use only: ☐ Served ☐ Not served

MC 11 (3/15) **SUBPOENA, Order to Appear and/or Produce**

MCL 600.1455, 600.1701, 600.6110, 600.6119, MCR 2.506

AFFIDAVIT OF SERVICE

State of MICHIGAN County of 54-A Judicial District Court

Case Number: 15-000696-FC

Plaintiff:
PEOPLE OF THE STATE OF MICHIGAN
vs.
Defendant:
HERBERT MAURICE ALFORD, ET AL.

For:
James White
WHITE LAW PLLC
2549 Jolly Road
Suite 340
Okemos, MI 48864

Received by ABC PROCESS SERVICE on the 20th day of January, 2016 at 1:51 pm to be served on **THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, 30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025.**

I, Gina Sharbowski, being duly sworn, depose and say that on the **21st day of January, 2016 at 11:28 am, I:**

AUTHORIZED: served by delivering a true copy of the **LETTER; SUBPOENA ORDER TO APPEAR AND/OR PRODUCE; ATTACHMENT TO SUBPOENA;** with the date of service endorsed thereon by me, to: **JUDI SCHUETT** as **REGISTERED AGENT**, who stated they are authorized to accept service for: **THE HERTZ CORPORATION C/O THE CORPORATION COMPANY** at the address of: **30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025**, and informed said person of the contents therein, in compliance with state statutes.

I certify that I am over the age of 18, have no interest in the above action, and am a ~~certified~~ process server, in good standing, in the Judicial Circuit in which the process was served.

Subscribed and Sworn to before me on the _____ day of JAN 22 2016 by the affiant who is personally known to me.

NOTARY PUBLIC

STEVEN CHAMPAGNE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Comm. Exp. 10/2/2020
Acting in the County of
Date 1/22/16

Gina Sharbowski
Process Server

ABC PROCESS SERVICE
4834 Swiss Ave.
Dallas, TX 75204
(214) 220-0226

Gina Sharbowski
Process Server

Our Job Serial Number: ABC-2016000112

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Approved, SCAO

Original - Court
1st copy - Subject

2nd copy - Return
Additional copies as needed
PROBATE OSM CODE: MOT, OSC

STATE OF MICHIGAN 30th JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	MOTION AND ORDER TO SHOW CAUSE	CASE NO. 15-696-FC Hon. Clinton Canady III

Court address
313 W. Kalamazoo, Lansing, MI 48933

Court telephone no.
(517) 483-6500

Plaintiff(s)/Petitioner(s) People of the State of Michigan	v	Defendant(s)/Respondent(s)/Probationer Herbert Maurice Alford

☐ Probate ☐ Juvenile In the matter of _____

MOTION AND AFFIDAVIT

1. I am interested in this matter as Attorney for Defendant Herbert Maurice Alford, Alexander S. Rusek.

2. The Hertz Corporation and Judi Schuett (Name (type or print)) has not complied with an order dated January 20, 2016

by failing to: See attached.

3. I request an order directing The Hertz Corporation and Judi Schuett, Registered Agent, (Name (type or print)) to show cause why:

☑ a. s/he should not be found in ☑ civil ☐ criminal contempt of court.
☐ b. judgment should not be entered against him/her (as surety/agent) for the full amount of recognizance.
☐ c. judgment should not be entered against him/her for failure to file a garnishee disclosure.

_____
Signature

Subscribed and sworn to before me on 2-8-16 (Date) Ingham County, Michigan.

My commission expires: April 17, 2022 (Date) Signature: _____

Notary public, State of Michigan, County of Ingham

ORDER

TO: The Hertz Corporation C/O The Corporation Company
Registered Agent: Judi Schuett
30600 Telegraph Road, Ste. 2345
Bingham Farms, MI 48025

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

IT IS ORDERED:

4. You are ordered to appear before this court on March 16, 2016 (Date) at 10:30 a.m. (Time)
   ☑ the court address above
   at ☐ courtroom number _____
   ☐ _____
   to show cause why
   ☑ you should not be held in ☑ civil ☐ criminal contempt for failure to comply with the order of this court
   ☐ a judgment should not be entered against you
   ☐ your case should not be dismissed
   ☐ other: _____
   for the reasons stated in the motion.
5. Failure to appear for a contempt hearing may result in a bench warrant being issued for your arrest.
6. A copy of this must be served ☐ personally ☐ by mail on the person ordered to appear at least _____ days before the hearing.

2/18/16
Date

CLINTON CANADY III
Judge

Bar no.

MC 230 (6/04) **MOTION AND ORDER TO SHOW CAUSE**

MCR 2.108(D), MCR 3.606(A), MCR 5.108

MOTION AND ORDER TO SHOW CAUSE
Case No.

PROOF OF SERVICE

TO PROCESS SERVER: You must make and file your return with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NON-SERVICE

☐ **OFFICER CERTIFICATE**
I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)

OR

☐ **AFFIDAVIT OF PROCESS SERVER**
Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

☐ I certify that on this date a copy of the motion and order to show cause was sent by ordinary mail on:
☐ I personally served a copy of the motion and order to show cause on:

Name(s)	Complete address(es) of service	Day, date, time

☐ I have personally attempted to serve the motion and order to show cause on the following person(s) and have been unable to complete service.

Name(s)	Complete address(es) of service	Day, date, time

Service fee	Miles traveled	Mileage fee	Total fee
$		$	$

Signature

Title

Subscribed and sworn to before me on _____ (Date), _____ County, Michigan.

My commission expires: _____ (Date) Signature: _____ (Deputy court clerk/Notary public)

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of this motion and order to show cause on _____ (Day, date, time)

on behalf of _____.

_____
Signature

for use by court clerk only when motion is initiated by the court

CERTIFICATE OF MAILING

I certify that on this date a copy of this notice was served upon the party ordered to appear by ordinary mail at his/her last known address.

_____ Date

_____ Deputy clerk

MCR 2.105

AFFIDAVIT OF SERVICE

State of MICHIGAN **County of INGHAM** **30th Circuit Court**

Case Number: 15-696-FC

Plaintiff:
THE PEOPLE OF THE STATE OF MICHIGAN

vs.

Defendant:
HERBERT MAURICE ALFORD

For:
Alexander S. Rusek
WHITE LAW PLLC
2549 Jolly Road
Suite 340
Okemos, MI 48864

Received by ABC PROCESS SERVICE on the 29th day of March, 2016 at 8:28 am to be served on **THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, REGISTERED AGENT: JODI SCHUETT, 30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025**.

I, Gina Sharbowski, being duly sworn, depose and say that on the **31st day of March, 2016** at **2:33 pm**, I:

AUTHORIZED: served by delivering a true copy of the **MOTION AND ORDER TO SHOW CAUSE; DEFENDANT'S MOTION AND ORDER TO SHOW CAUSE; EXHIBITS A-C; RE-NOTICE OF HEARING**;with the date of service endorsed thereon by me, to: **ELENA BOUTAKOVA** as **AGENT**, who stated they are authorized to accept service for: **THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, REGISTERED AGENT: JODI SCHUETT**at the address of: **30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025** and informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 50, Sex: F, Race/Skin Color: WHITE, Height: 5'5", Weight: 140, Hair: BLONDE, Glasses:

I certify that I am over the age of 18, have no interest in the above action, and am a ~~certified~~ process server, in good standing, in the Judicial Circuit in which the process was served.

Gina Sharbowski
Process Server

ABC PROCESS SERVICE
4834 Swiss Ave.
Dallas, TX 75204
(214) 220-0226

Gina Sharbowski
Process Server

Our Job Serial Number: ABC-2016000730

Subscribed and Sworn to before me on the _____ day of APR 04 2016 by the affiant who is personally known to me.

NOTARY PUBLIC

NATASHA ZAFAR
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Comm. Exp. 11/23/2022
Acting in the County of Oakland
Date 4/4/16

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STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM

THE PEOPLE OF THE STATE OF MICHIGAN, Plaintiff; v. HERBERT MAURICE ALFORD, Defendant.	Case No.: 15 – 696 – FC Honorable Clinton Canady III Order Regarding Defendant's Motion to Show Cause

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ORDER REGARDING DEFENDANT'S MOTION TO SHOW CAUSE

AT A SESSION OF THE 30TH CIRCUIT COURT
FOR THE COUNTY OF INGHAM, STATE OF MICHIGAN
ON THIS 12th DAY OF APRIL 2016

PRESENT: Hon. Clinton Canady III
Circuit Court Judge

The Court having heard Defendant's Motion to Show Cause on April 6, 2016 and the Court otherwise being fully informed of the matter before it, it is ordered that:

1. Defendant's Motion to Show Cause is **GRANTED IN PART** and **DENIED IN PART**.

2. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation shall not be held in contempt of this Honorable Court at this time.
3. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, shall produce the documents to White Law PLLC that were demanded in the attached subpoena issued by this Honorable Court on January 20, 2016.
4. The documents requested shall be produced to White Law PLLC by the Hertz Corporation within 14 days of service of this Order or May 2, 2016, whichever date is sooner.

IT IS SO ORDERED.

DATED: April 12, 2016

FOR **Hon. Clinton Canady III**
Circuit Court Judge

Countersigned:

_____
Deputy Clerk

Prepared By:

Dated: 4/12/16

Alexander S. Rusek (P77581)
White Law PLLC
Attorneys for the Defendant
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AFFIDAVIT OF SERVICE

State of MICHIGAN **County of INGHAM** **30th Circuit Court**

Case Number: 15-696-FC

Plaintiff:
THE PEOPLE OF THE STATE OF MICHIGAN

vs.

Defendant:
HERBERT MAURICE ALFORD

For:
Alexander S. Rusek
WHITE LAW PLLC
2549 Jolly Road
Suite 340
Okemos, MI 48864

Received by ABC PROCESS SERVICE on the 12th day of April, 2016 at 12:05 pm to be served on **THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, REGISTERED AGENT: JUDI SCHUETT, 30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025.**

I, Gina Sharbowski, being duly sworn, depose and say that on the **13th day of April, 2016 at 11:53 am, I:**

AUTHORIZED: served by delivering a copy of the **ORDER REGARDING DEFENDANT'S MOTION TO SHOW CAUSE**with the date of service endorsed thereon by me, to: **JUDI SCHUETT** as **REGISTERED AGENT**, who stated they are authorized to accept service for: **THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, REGISTERED AGENT: JUDI SCHUETT** at the address of: **30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025** and informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 60, Sex: F, Race/Skin Color: WIFE, Height: 5'6", Weight: 145, Hair: AUBURN, Glasses: -

I certify that I am over the age of 18, have no interest in the above action, and am a process server, in good standing, in the Judicial Circuit in which the process was served.

Subscribed and Sworn to before me on the _____ day of APR 26 2016 by the affiant who is personally known to me.

NOTARY PUBLIC

AIRIELLE KAROUTSOS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Comm. Exp. 08/20/22
Acting in the County of macomb
Date 4 /26 / 16

Gina Sharbowski
Process Server

Gina Sharbowski
Process Server

ABC PROCESS SERVICE
4834 Swiss Ave.
Dallas, TX 75204
(214) 220-0226

Our Job Serial Number: ABC-2016000828

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EXHIBIT 3

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Case Summary

Case Title:	THE STATE OF MICHIGAN vs ALFORD, HERBERT MAURICE
Case Number:	15-000696-FC
Judge:	CLINTON CANADY
DEFENDANT:	HERBERT ALFORD
Case Status:	CLOSED
Disposition:	4BC-NOLLE PROS - 12/08/2020
File Date:	08/06/2015

Charge, Disposition & Sentencing

Charge 1:	HOMICIDE - MURDER - SECOND DEGREE
Disposition:	C30 GUILTY VERDICT BY JURY
Sentence:	Fines, Costs & Restitution: $ 4,715.00 Remarks: (365) MOS TO (730) MOS MDOC; STATE COST: $204; CRIME $130; RESTITUTION $3,515 PAYABLE TO EDWARD ADAMS; DNA $60; COURT COST $1200 Prison: Minimum - 365 (months) ; Maximum - 730 (months) ; Credit for - 0 (days)
Charge 2:	WEAPONS - FIREARMS - POSSESSION BY FELON
Disposition:	C30 GUILTY VERDICT BY JURY
Sentence:	Remarks: (365) MOS TO (730) MOS MDOC; STATE COST: $204; CRIME $130; RESTITUTION $3,515 PAYABLE TO EDWARD ADAMS; DNA $60; COURT COST $1200 Prison: Minimum - 24 (months) ; Maximum - 60 (months) ; Credit for - 0 (days)
Charge 3:	WEAPONS - FELONY FIREARM
Disposition:	C30 GUILTY VERDICT BY JURY
Sentence:	Remarks: (365) MOS TO (730) MOS MDOC; STATE COST: $204; CRIME $130; RESTITUTION $3,515 PAYABLE TO EDWARD ADAMS; DNA $60; COURT COST $1200

Case Events

296 12/09/2020	CASE CLOSED C30
295 12/08/2020	EVENT CANCELLED. CASE DISMISSED THE FOLLOWING EVENT: MOTION TO SUPPRESS SCHEDULED FOR 12/09/2020 AT 3:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: CANCELLED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
294 12/08/2020	ORDER OF NOLLE PROS
293 12/03/2020	EXHIBIT LIST
292 12/01/2020	ORDER
291 11/24/2020	RE-NOTICE OF HEARING OF DF'S MOTION TO SUPPRESS THE PEOPLE'S WITNESSES STATEMENT OF IDENTIFICATION W/PS

290 11/19/2020	HEARING SET: EVENT: MOTION TO SUPPRESS DATE: 12/09/2020 TIME: 3:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: CANCELLED
289 11/04/2020	HEARING IN OPEN COURT ON 11/4/2020 - MOTION TO MODIFY/ REMOVE TETHER - DENIED
288 11/04/2020	STIPULATION AND ORDER DENYING DEF'S MOTION TO MODIFY BOND
287 11/04/2020	DENIED ON THE RECORD THE FOLLOWING EVENT: MOTION TO MODIFY SCHEDULED FOR 11/04/2020 AT 11:45 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: DENIED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
286 11/02/2020	DEFENDANT HERBERT M ALFORDS MOTION TO MODIFY BOND CONDITIONS W/ NOH AND POS
285 10/23/2020	PERMISSION TO TRAVEL OUT OF STATE - APPROVED
284 10/14/2020	HEARING SET: EVENT: MOTION TO MODIFY DATE: 11/04/2020 TIME: 11:45 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: DENIED
283 10/02/2020	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 09/24/2020 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
282 10/02/2020	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 09/24/2020 AT 9:00 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 01/21/2021 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL
281 09/22/2020	ORDER ADJOURNING TRIAL
280 09/18/2020	EVENT CANCELLED THE FOLLOWING EVENT: MOTION TO SUPPRESS SCHEDULED FOR 09/22/2020 AT 3:30 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: CANCELLED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
279 09/11/2020	MOTION TO SUPPRESS THE PEOPLE'S WITNESSES' STATEMENTS OF IDENTIFICATION
278 09/11/2020	DEF'S NOTICE OF INTENT TO PRESENT AN ALIBI DEFENSE
277 09/02/2020	HEARING SET: EVENT: MOTION TO SUPPRESS DATE: 09/22/2020 TIME: 3:30 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: CANCELLED
276 07/07/2020	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 09/21/2020 AT 8:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 09/24/2020 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
275 07/07/2020	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 09/21/2020 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
274 07/07/2020	ORDER (NOTICE OF JURY TRIAL)
273 03/02/2020	ARREST BOND UPDATED ARREST BOND MODIFIED WITH: BOND AMOUNT: 50,000.00
272 03/02/2020	ARREST BOND UPDATED ARREST BOND MODIFIED WITH: BOND TYPE:

	CR CASH/SURETY
271 03/02/2020	ARREST BOND UPDATED ARREST BOND MODIFIED WITH: BOND STATUS: C30 BOND POSTED STATUS DATE: 02/20/2020 BONDING CO.: LONE WOLF BAIL BONDS COMMENTS: RELEASED ON CASH/SURETY BOND ON 2/202/2020 BOND AGENCY LONE WOLF BAIL BONDS LLC PO BOX 12027 LANSING, MI 48901 (517)755-0911
270 02/21/2020	ORDER AMENDING BOND CONDITIONS
269 02/19/2020	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 03/02/2020 AT 8:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 09/21/2020 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
268 02/19/2020	ORDER AMENDING BOND CONDITIONS
267 02/19/2020	HEARING SET: EVENT: MOTION FOR BOND DATE: 02/19/2020 TIME: 11:15 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
266 02/19/2020	GRANTED ON THE RECORD THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 02/19/2020 AT 11:15 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
265 02/19/2020	ADJOURNED ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 03/02/2020 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED - ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
264 02/19/2020	HEARING IN OPEN COURT ON 2/19/20 - PEOPLE'S MOTION TO ADJOURN - GRANTED - JURY TRIAL SET FOR SEPTEMBER 21, 2020 AT 8:30 AM - DEF'S ORAL REQUEST FOR BOND GRANTED - BOND MODIFIED TO $50,000 CASH/SURETY - REPORT TO PRETRIAL SERVICES - PLACE ON GPS TETHER
263 02/19/2020	GRANTED ON THE RECORD THE FOLLOWING EVENT: MOTION TO ADJOURN SCHEDULED FOR 02/19/2020 AT 11:15 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
262 02/18/2020	DEF'S RESPONSE TO THE PEOPLE'S MOTION TO ADJOURN TRIAL
261 02/12/2020	PEOPLE'S MOTION TO ADJOURN TRIAL W/ PS - NOH SET FOR FEB 19, 2020 AT 11:00 AM
260 02/04/2020	HEARING SET: EVENT: MOTION TO ADJOURN DATE: 02/19/2020 TIME: 11:15 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
259 11/22/2019	ENTERED IN ERROR
258 11/22/2019	ORDER AND NOTICE OF JURY TRIAL
257 07/31/2019	GRANTED ON THE RECORD THE FOLLOWING EVENT: MOTION TO ADJOURN SCHEDULED FOR 07/31/2019 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
256 07/31/2019	GRANTED ON THE RECORD THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 07/31/2019 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445

255 07/31/2019	HEARING SET: EVENT: MOTION TO COMPEL DATE: 07/31/2019 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
254 07/31/2019	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 08/12/2019 AT 8:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 03/02/2020 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED - ON THE RECORD
253 07/31/2019	ADJOURNED ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 08/12/2019 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED - ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
252 07/31/2019	HEARING IN OPEN COURT ON 7/31/19 - PEOPLE'S MOTION TO ADJOURN TRIAL - GRANTED - TRIAL ADJOURNED TO 3/2/2020
251 07/29/2019	DEF HERBERT M. ALFORD'S EMERGENCY MOTION TO COMPEL DISCOVERY- NOH SET FOR JULY 31, 2019 AT 11:00 AM W/PS
250 07/26/2019	PEOPLE'S MOTION TO ADJOURN TRIAL - NOH SET FOR WEDNESDAY JULY 31, 2019 AT 11:00 AM - W/PS
249 07/26/2019	DEF'S RESPONSE TO PEOPLE'S MOTION TO ADJOURN TRIAL W/ PS
248 07/25/2019	DEF HERBERT M. ALFORD'S AMENDED TRIAL WITNESS LIST W/PS
247 07/25/2019	DEF HERBERT M. ALFORD'S TRIAL WITNESS LIST
246 07/23/2019	HEARING SET: EVENT: MOTION TO ADJOURN DATE: 07/31/2019 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
245 07/09/2019	CASE REOPENED
244 07/09/2019	EMAIL NOTICE FROM CLERICAL SERVICES SUPERVISOR TO REOPEN THE CASE
243 02/19/2019	ORDER DEFENDANT'S MOTION FOR EXTRAORDINARY EXPENSES IS GRANTED
242 02/19/2019	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 02/21/2019 AT 8:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 08/12/2019 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED - ON THE RECORD
241 02/19/2019	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 02/21/2019 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
240 02/11/2019	DEFENDANT HERBERT M. ALFORD'S EXPARTE MOTION FOR EXTRAORDINARY EXPENSES; WITH PROOF OF SERVICE
239 01/02/2019	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 08/12/2019 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
238 01/02/2019	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 08/12/2019 AT 8:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 02/21/2019 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
237 11/26/2018	ORDER VACATING CONVICTION AND SENTENCE - IT IS ORDERED THAT

	THE CONVICTION AND SENTENCE IN THIS MATTER IS VACATED. DEFENDANT SHALL BE RELEASED FROM THE MICHIGAN DEPARTMENT OF CORRECTIONS TO THE INGHAM COUNTY SHERIFF'S DEPARTMENT AND IS TO BE HELD WITHOUT BOND PENDING A NEW TRIA. W/PROOF OF SERVICE
236 11/07/2018	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 02/21/2019 AT 8:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 08/12/2019 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
235 11/07/2018	ADJOURNED ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 02/21/2019 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED - ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: PAUL BRANDELL
234 11/07/2018	C30 HEARING HELD ON THE RECORD. DEFENDANT WAIVED RIGHT TO SPEEDY TRIAL. TRIAL SCHEDULED FOR 08/12/2019 AND 08/19/2019. THE FOLLOWING EVENT: STATUS CONFERENCE SCHEDULED FOR 11/07/2018 AT 10:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: PAUL BRANDELL
233 11/07/2018	HEARING IN OPEN COURT - HEL DON THE RECORD - DEF WAIVED RIGHT TO SPEEDY TRIAL - TRIAL SCHEDULED WEEK OF AUGUST 12, 2019 AND AUGUST 19, 2019 - DEFENDANT TO BE TRANSFERRED TO THE INGHAM COUNTY JAIL FROM MDOC PENDING TRIAL
232 10/29/2018	APPEARANCE OF COUNSEL, DEMAND FOR JURY TRIAL, DEMAND FOR SPEEDY TRIAL, DEMAND FOR RES GESTAE WITNESSES, AND DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE
231 10/25/2018	WRIT HABEAS CORPUS - DEF TO APPEAR FOR STATUS CONFERENCE ON WEDNESDAY, NOVEMBER 7, 2018 AT 10:00 A.M. BEFORE HON. CLINTON CANADY, III
230 10/22/2018	HEARING ADJOURNED (WRIT NOT PREPARED) THE FOLLOWING EVENT: STATUS CONFERENCE SCHEDULED FOR 10/24/2018 AT 10:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
229 10/22/2018	HEARING SET: THE FOLLOWING EVENT: STATUS CONFERENCE SCHEDULED FOR 10/24/2018 AT 10:00 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: STATUS CONFERENCE DATE: 11/07/2018 TIME: 10:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
228 09/13/2018	ORDER - MICHIGAN COURT OF APPEALS - ON THE COURT'S OWN MOTION, THIS APPEAL IS DISMISSED AS MOOT IN LIGHT OF THE TRIAL COURT'S AUGUST 6, 2018 ORDER GRANTING DEFENDANT'S MOTION FOR A NEW TRIAL. SEE MCR 7.211(C)(2)(C); MCR 7.216(A)(7)
227 08/14/2018	EVENT CANCELLED THE FOLLOWING EVENT: HEARING SCHEDULED FOR 08/30/2018 AT 9:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: CANCELLED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
226 08/06/2018	OPINION / ORDER (10 PAGES - IT IS ORDERED THAT DEFENDANT'S REQUEST FOR EVIDENTIARY HEARING IS HEREBY DENIED. IT IS FURTHER ORDERED THAT DEFENDANT'S AMENDED MOTION FOR NEW TRIAL IS HEREBY GRANTED AND A NEW JURY TRIAL HAS BEEN SCHEDULED TO BEGIN FEBRUARY 21, 2019 AT 8:15 A.M. A STATUS CONFERENCE HAS BEEN SCHEDULED FOR OCTOBER 24, 2018 AT 10:00

	A.M. IT IS FURTHER ORDERED THAT UPON RETURN TO THE INGHAM COUNTY CIRCUIT COURT, DEFENDANT WILL BE HELD WITHOUT BOND IN THE CUSTODY OF THE INGHAM COUNTY SHERRIF AWAITING TRIAL; W/ PROOF OF SERVICE
225 07/23/2018	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 02/21/2019 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED - ON THE RECORD
224 07/23/2018	SCHEDULED IN ERROR THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 02/19/2019 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: SCHEDULED IN ERROR JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
223 07/23/2018	HEARING SET: EVENT: STATUS CONFERENCE DATE: 10/24/2018 TIME: 10:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
222 07/23/2018	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 02/19/2019 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: SCHEDULED IN ERROR
221 07/03/2018	WRIT OF HABEAS CORPUS - DEFENDANT SHALL APPEAR BEFORE HON. CLINTON CANADY, III ON AUGUST 30, 2018 AT 9:00 A.M. ON HEARING FOR MOTION FOR NEW TRIAL
220 07/02/2018	NOTICE OF HEARING - DEFENDANT'S MOTION FOR NEW TRIAL WILL BE HEARD BEFORE HON. CLINTON CANADY, III ON AUGUST 30, 2018 AT 9:00 A.M.; W/ PROOF OF SERVICE
219 06/28/2018	HEARING ADJOURNED THE FOLLOWING EVENT: HEARING SCHEDULED FOR 07/25/2018 AT 11:15 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
218 06/28/2018	HEARING SET: THE FOLLOWING EVENT: HEARING SCHEDULED FOR 07/25/2018 AT 11:15 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: HEARING DATE: 08/30/2018 TIME: 9:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: CANCELLED
217 06/28/2018	HEARING SET: EVENT: HEARING DATE: 07/25/2018 TIME: 11:15 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
216 06/22/2018	PEOPLE'S ANSWER TO DEFENDANT'S AMENDED MOTION FOR NEW TRIAL ATTORNEY: ALLEN, ELIZABETH (75179)
215 06/04/2018	AMENDED MOTION FOR NEW TRIAL; W/PROOF OF SERVICE ATTORNEY: BREMER, DANIEL D. (23554)
214 03/15/2018	HEARING ADJOURNED THE FOLLOWING EVENT: MOTION FOR NEW TRIAL SCHEDULED FOR 03/16/2018 AT 3:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
213 03/13/2018	PEOPLE'S ANSWER TO DEFENDANT'S MOTION FOR NEW TRIAL; W/ PROOF OF SERVICE
212 03/12/2018	PROOF OF SERVICE - COPY OF SUBPOENA TOGETHER WITH WITNESS FEE ($13.00) PERSONALLY SERVED UPON HERTZ CORPORATION ON FEBRUARY 28, 2018 AT 1:03 P.M.
211 03/05/2018	WRIT OF HABEAUS CORPUS - DEF TO BE DELIVERED INTO THE CUSTODY OF INGHAM COUNTY CIRCUIT COURT TO APPEAR BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, MARCH 16, 2018 AT 3:00 P.M.
210 02/22/2018	NOTICE OF HEARING - DEFENDANT'S MOTION FOR NEW TRIAL WILL BE

	HEARD BEFORE HON. CLINTON CANADY, III ON MARCH 15, 2018 AT 10:00 A.M.; W/ PROOF OF SERVICE
209 02/21/2018	HEARING SET: THE FOLLOWING EVENT: MOTION FOR NEW TRIAL SCHEDULED FOR 03/15/2018 AT 10:00 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: MOTION FOR NEW TRIAL DATE: 03/16/2018 TIME: 3:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
208 02/21/2018	HEARING ADJOURNED THE FOLLOWING EVENT: MOTION FOR NEW TRIAL SCHEDULED FOR 03/15/2018 AT 10:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
207 02/21/2018	PROOF OF SERVICE - COPY OF MOTION FOR NEW TRIAL; NOTICE OF HEARING AND PROOF OF SERVICE SERVED UPON CAROL A. SIEMON, PROSECUTING ATTORNEY BY FIRST CLASS MAIL ON 2/15/18
206 02/21/2018	NOTICE OF HEARING DEFENDANT'S MOTION FOR NEW TRIAL WILL BE HEARD BEFORE HON. CLINTON CANADY, III ON MARCH 16, 2018 AT 10:00 A.M.
205 02/21/2018	MOTION FOR NEW TRIAL ATTORNEY: BREMER, DANIEL D. (23554)
204 02/15/2018	HEARING SET: EVENT: MOTION FOR NEW TRIAL DATE: 03/15/2018 TIME: 10:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
203 02/12/2018	DECISION FROM COURT OF APPEALS - THE COURT ORDERS THAT THE MOTION TO REMAND IS GRANTED AND THIS CASE IS REMANDED TO THE TRIAL COURT SO THAT DEFENDANT MAY BRING A MOTION FOR A NEW TRIAL AND HAVE AN EVIDENTIARY HEARING REGARDING THE CLAIMS RAISED IN HIS MOTION TO REMAND. THE TIME FOR PROCEEDING WITH THE APPEAL SHALL BEGIN TO RUN 14 DAYS AFTER THE DATE OF THIS ORDER IF A MOTION TO INITIATE THE PROCEEDINGS ON REMAND IS NOT FILED IN THE TRIAL COURT WITHIN THAT 14 DAY PERIOD.
202 07/18/2017	CERTIFICATE OF APPEAL OF COURT REPORTER - TRUE AND CORRECT COPY OF TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON JANUARY 27, 2016. REPORTED BY TERESA J. ABRAHAM, CSR-3445
201 07/17/2017	TRANSCRIPT OF PROCEEDINGS - PRETRIAL HELD BEFORE HON. CLINTON CANADY, III ON TUESDAY, SEPTEMBER 8, 2015. REPORTED BY TERESA J. ABRAHAM, CSR-3445
200 07/17/2017	CERTIFICATE OF APPEAL OF COURT REPORTER - TRUE AND CORRECT TRANSCRIPT OF PROCEEDING HELD BEFORE HON. CLINTON CANADY, III ON SEPTEMBER 8, 2015. TERESA J. ABRAHAM, CSR-3445
199 07/12/2017	CERTIFICATE OF APPEAL OF COURT REPORTER TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON JANUARY 27, 2016 - UNABLE TO FIND STENO NOTES FOR THE REQUESTED HEARING DATE OF JANUARY 27, 2016 ON THE MOTION TO ADJOURN. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
198 07/11/2017	CERTIFICATE OF APPEAL OF COURT - TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON APRIL 6, 2016 AND NOVEMBER 30, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
197 07/11/2017	TRANSCRIPT OF PROCEEDINGS - MOTION - HELD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, NOVEMBER 30, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
196 07/11/2017	RECORDER/REPORTER'S NOTICE OF FILING OF TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON APRIL 6, 2016 AND NOVEMBER 30, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
195 07/11/2017	CERTIFICATE OF APPEAL OF COURT REPORTER TRANSCRIPT OF

	PROCEEDINGS HELD BEFORE HON. CLINTON CANADY ON NOVEMBER 16, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
194 07/11/2017	TRANSCRIPT OF PROCEEDINGS - AMENDED DAUBERT HEARING HELD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, NOVEMBER 16, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
193 07/11/2017	TRANSCRIPT OF PROCEEDINGS - PRETRIAL - HELD BEFORE HON. CLINTON CANADY, III ON WEDENSDAY, APRIL 6, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
192 07/10/2017	TRANSCRIPT OF PROCEEDINGS - SENTENCE - HELD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, JANUARY 18, 2017. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
191 07/10/2017	RECORDER/REPORTER'S NOTICE OF FILING OF TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON DECEMBER 5, 6 AND 9, 2016 AND JANUARY 18, 2017. REPORTED BY: TERESA J. ABRAHAM
190 07/10/2017	TRANSCRIPT OF PROCEEDINGS - MOTION HELD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, NOVEMBER 9, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
189 07/10/2017	RECORDER/REPORTER'S NOTICE OF FILING OF TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON NOVEMBER 9, 2016. FOR THE HEARING DATE REQUESTED OF AUGUST 12, 2015, THERE WAS NO HEARING HELD, A WRITTEN WAIVER WAS FILED. FOR THE DATE REQUESTED OF NOVEMBER 10, 2015, THE HEARING WAS ADJOURNED. FOR THE REQUESTED DATE OF JANUARY 20, 2016, THERE WAS NO HEARING HELD ON THE RECORD. FOR THE OUTSTANDING HEARING DATES OF JANUARY 27, 2016, APRIL 6, 2016, NOVEMBER 16, 2016 AND NOVEMBER 30, 2016 ALL TRANSCRIPTS SHALL BE FILED WITHIN THIS WEEK. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
188 07/06/2017	TRANSCRIPT OF PROCEEDINGS - CRIMINAL JURY TRIAL HELD BEFORE HON. CLINTON CANADY, III ON TUESDAY, DECEMBER 6, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
187 07/06/2017	TRANSCRIPT OF PROCEEDINGS - CRIMINAL JURY TRIAL HELD BEFORE HON. CLINTON CANADY, III ON FRIDAY, DECEMBER 9, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
186 05/25/2017	TRANSCRIPT OF PROCEEDINGS - CRIMINAL JURY TRIAL - HELD BEFORE HON. CLINTON CANADY, III ON MONDAY, DECEMBER 5, 2016. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
185 05/08/2017	MOTION TO WAIVE COURT COSTS AND RESTITUTION FEES
184 03/16/2017	WAIVER/SUSPENSION OF FEES AND COSTS
183 03/09/2017	TRANSCRIPT OF PROCEEDINGS - TRIAL HELD BEFORE HON. CLINTON CANADY, III ON DECEMBER 12, 2016. REPORTED BY: GENEVIEVE A. HAMLIN, CSR-3218
182 03/09/2017	TRANSCRIPT OF PROCEEDINGS - TRIAL HELD BEFORE HON. CLINTON CANADY, III ON DECEMBER 8, 2016. REPORTED BY: GENEVIEVE A. HAMLIN, CSR-3218
181 03/09/2017	RECORDER/REPORTER'S NOTICE OF FILING OF TRANSCRIPT OF HEARINGS HELD ON DECEMBER 8, 2016, DECEMBER 12, 2016 AND DECEMBER 13, 2016 BEFORE HON. CLINTON CANADY, III; W/AFFIDAVIT OF MAILING. REPORTED BY: GENEVIEVE A. HAMLIN, CSR-3218
180 03/09/2017	TRANSCRIPT OF PROCEEDINGS - TRIAL HELD BEFORE HON. CLINTON CANADY, III ON DECEMBER 13, 2016. REPORTED BY: GENEVIEVE A. HAMLIN, CSR-3218
179 03/06/2017	TRANSCRIPT OF PROCEEDINGS - MOTION HEARING HELD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, JULY 6, 2016. REPORTED BY: JODY A. LARSEN, CSR-4224
178 02/24/2017	COPY FURNISHED OF ENTIRE FILE TOGETHER WITH ROA TO DANIEL D

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177 02/22/2017	CERTIFICATE OF APPEAL OF COURT REPORTER - TRANSCRIPT OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON AUGUST 12, 2015; SEPTEMBER 8, 2015, NOVEMBER 10, 2015, JANUARY 5, 2016, JANUARY 20, 2016, JANUARY 27, 2016, JANUARY 27, 2016, APRIL 6, 2016, NOVEMBER 9, 2016, NOVEMBER 16, 2016 AND NOVEMBER 30, 2016 WILL BE FURNISHED NO LATER THAN MAY 30, 2017. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
176 02/16/2017	AMENDED CLAIM OF APPEAL AND ORDER APPOINTING COUNSEL
175 02/10/2017	CERTIFICATE OF APPEAL OF COURT REPORTER - TRANSCRIPTS OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON DECEMBER 5, 6, 9 OF 2016 AND JANUARY 18, 2017. TRANSCRIPTS WILL BE FURNISHED NO LATER THAN MAY 10, 2017. REPORTED BY: TERESA J. ABRAHAM, CSR-3445
174 02/06/2017	CERTIFICATE OF APPEAL OF COURT REPORTER - TRANSCRIPTS OF PROCEEDINGS HELD BEFORE HON. CLINTON CANADY, III ON DECEMBER 8, 2016, DECEMBER 12, 2016 AND DECEMBER 13, 2016. TRANSCRIPTS WILL BE FILED ON OR ABOUT MAY 1, 2017. REPORTED BY: GENEVIEVE A HAMLIN, CSR-3218
173 02/03/2017	ORDER REGARDING APPOINTMENT OF APPELLATE COUNSEL AND TRANSCRIPT; W/ PROOF OF MAILING
172 01/26/2017	HERBERT ALFORD PAYMENT TO EDWARD ADAMS RECEIPT: 471375 DATE: 10/21/2020 CHECK ISSUED: 11/12/20 CHECK #42366 $102.19 PAYABLE TO: EDWARD ADAMS.
171 01/23/2017	NOTICE OF RIGHT TO APPELLATE REVIEW AND REQUEST FOR APPOINTMENT OF ATTORNEY - SIGNED BY DEF 1/19/17
170 01/23/2017	ORDER TO REMIT PRISONER FUNDS FOR FINES, COSTS, AND ASSESSMENTS - THE DEFENDANT OWES $1,594 - IT IS ORDERED THAT MDOC SHALL COLLECT 50% OF ALL FUNDS COLLECTED BY DEFENDANT OVER $50 EACH MONTH; W/ PROOF OF MAILING
169 01/18/2017	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: SENTENCING SCHEDULED FOR 01/18/2017 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
168 01/18/2017	FELONY MINIMUM COST RECEIPT: 406130 DATE: 03/22/2017
167 01/18/2017	CRIME VICTIM'S RIGHTS ASSESSMENT - CIRCUIT COURT RECEIPT: 406130 DATE: 03/22/2017
166 01/18/2017	DNA RECEIPT: 406130 DATE: 03/22/2017
165 01/18/2017	PA 352 COSTS - CIRCUIT COURT
164 01/18/2017	C30 - SENTENCE INFORMATION - CT 1 (365) MOS TO (730) MOS MDOC; STATE COST: $204; CRIME $130; RESTITUTION $3,515 PAYABLE TO EDWARD ADAMS; DNA $60; COURT COST $1200
163 01/18/2017	C30 - SENTENCE INFORMATION - CT 2 (24) MOS TO (60) MOS MDOC; STATE COST: $204; CRIME $130; RESTITUTION $3,515 PAYABLE TO EDWARD ADAMS; DNA $60; COURT COST $1200
162 01/18/2017	JUDGMENT OF SENTENCE / COMMITMENT TO CORRECTIONS DEPARTMENT
161 01/18/2017	SENTENCING INFORMATION REPORT
160 01/18/2017	CASE CLOSED C30
159 01/18/2017	C30 - SENTENCE INFORMATION - CT 3 (24) MOS TO (24) MOS MDOC; STATE COST: $204; CRIME $130; RESTITUTION $3,515 PAYABLE TO EDWARD ADAMS; DNA $60; COURT COST $1200
158 12/16/2016	ORDER TO SEAL RECORD - IT IS ORDERED THAT PURSUANT TO MCR 8.119(D) AND MCR 8.119(I)(4), THE WITNESS'S PROBATION RECORDS,

	TETHER RECORDS, AND ALL RELATED CORRESPONDENCE SHALL BE FILED UNDER SEAL. W/PROOF OF SERVICE
157 12/13/2016	GUILTY VERDICT BY JURY - CT 2 GUILTY VERDICT BY JURY; AS TO CTS 1, 2, 3; REF PROBATION; DNA; SENTENCE: JANUARY 18, 2017 AT 8:30 A.M.
156 12/13/2016	GUILTY VERDICT BY JURY - CT 3 GUILTY VERDICT BY JURY; AS TO CTS 1, 2, 3; REF PROBATION; DNA; SENTENCE: JANUARY 18, 2017 AT 8:30 A.M.
155 12/13/2016	GUILTY VERDICT BY JURY - CT 1 GUILTY VERDICT BY JURY; AS TO CTS 1, 2, 3; REF PROBATION; DNA; SENTENCE: JANUARY 18, 2017 AT 8:30 A.M.
154 12/13/2016	HEARING SET: EVENT: SENTENCING DATE: 01/18/2017 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
153 12/13/2016	C30 HEARING HELD ON THE RECORD. TRIAL, CLOSING, DELIVERATION AND VERDICT THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 12/13/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: JEAN ANN HAMLIN
152 12/13/2016	JURY TRIAL CONTINUED - STRIKE AND SWEAR @ 11:50 A.M. AS TO JURORS 9 AND 11 - JURY DELIBERATIONS BEGIN AT 11:55 A.M. (JURORS SERVED 1 FULL DAY)
151 12/13/2016	GUILTY VERDICT BY JURY AS TO CTS 1, 2 AND 3 - SENTENCEING: JANUARY 18, 2017 @ 8:30 A.M.
150 12/12/2016	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 12/12/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: JEAN ANN HAMLIN
149 12/12/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 12/13/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
148 12/12/2016	JURY TRIAL CONTINUED (JURORS SERVED 1 FULL DAYS)
147 12/09/2016	JURY TRIAL CONTINUED (JURORS SERVED 1 FULL DAY)
146 12/09/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 12/12/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
145 12/09/2016	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 12/09/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
144 12/09/2016	HEARING IN OPEN COURT - HELD ON THE RECORD - COURT APPOINTED ATTORNEY STEVEN FIEGELSON TO REPRESENT GILBERT BAILEY (WITNESS), FOR TESTIMONY IN THIS MATTER.
143 12/08/2016	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 12/08/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
142 12/08/2016	JURY TRIAL CONTINUED - JURORS SERVED (1 FULL DAY)
141 12/08/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 12/09/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
140 12/06/2016	JURY TRIAL CONTINUED (JURORS SERVED 1 FULL DAY)
139 12/06/2016	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: JURY

	TRIAL CRIMINAL SCHEDULED FOR 12/06/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
138 12/06/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 12/08/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
137 12/05/2016	DEFENDANT HERBERT MAURICE ALFORD'S REQUESTED JURY INSTRUCTIONS; W/ PROOF OF SERVICE
136 12/05/2016	JURY TRIAL COMMENCED AT 10:00 A.M. - JURY SERVED (1 FULL DAY)
135 12/05/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 12/06/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
134 12/05/2016	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 12/05/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
133 12/02/2016	ORDER REGARDING DEFENDANT'S MOTION TO SHOW CAUSE - DEFENDANT'S MOTION TO SHOW CAUSE IS GRANTED.
132 12/02/2016	DEFENDANT HERBERT MAURICE ALFORD'S TRIAL EXHIBIT LIST; W/ PROOF OF SERVICE
131 12/02/2016	DEFENDANT HERBERT MAURICE ALFORD'S TRIAL WITNESS LIST; W/ PROOF OF SERVICE
130 11/30/2016	HEARING IN OPEN COURT - HELD ON THE RECORD - MOTION TO HOLD HERTZ IN CONTEMPT/SHOW CAUSE. DEF TO SUBMIT ORDER HOLDING HERTZ IN CONTEMPT - DEF TO SUBMIT BILL OF COSTS AND REASONABLE ATTORNEY FEES - JURY TRIAL TO BEGIN 12/5/16 AT 8:30 A.M.
129 11/30/2016	GRANTED ON THE RECORD. DEFENDANT TO SUBMIT ORDER HOLDING HERTZ IN CONTEMPT AND REASONABLE ATTORNEY FEES AWARDED THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 11/30/2016 AT 3:45 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
128 11/30/2016	SECOND NOTICE OF INTENT TO AMEND WITNESSES THE PEOPLE INTEND TO PRODUCE FOR TRIAL PURSUANT TO MCL 767.40A(4); W/ PROOF OF SERVICE
127 11/22/2016	SUBPOENA//ORDER TO APPEAR AND/OR PRODUCE ON FRIDAY, NOVEMBER 25, 2016 AT 11:00 A.M. BEFORE HON. CLINTON CANADY, III
126 11/21/2016	PEOPLE'S REQUESTED JURY INSTRUCTIONS; W/ PROOF OF SERVICE
125 11/21/2016	MOTION AND ORDER TO SHOW CAUSE
124 11/16/2016	UNDER ADVISEMENT ON THE RECORD THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 11/16/2016 AT 2:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: UNDER ADVISEMENT JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
123 11/16/2016	UNDER ADVISEMENT ON THE RECORD THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 11/16/2016 AT 2:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: UNDER ADVISEMENT JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445

122 11/16/2016	HEARING ADJOURNED THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 11/16/2016 AT 2:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
121 11/16/2016	HEARING SET: THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 11/16/2016 AT 2:00 PM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: MOTION (MISC) DATE: 11/30/2016 TIME: 3:45 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
120 11/16/2016	MOTION TO COMPEL TAKEN UNDER ADVISEMENT
119 11/16/2016	MOTION TO HOLD HERTZ IN COMTEMPT - ADJOURNED
118 11/16/2016	HEARING IN OPEN COURT - HELD ON THE RECORD - MOTION IN LIMINE TO EXCLUDE EXPERT TESTIMONY PURSUANT TO MRE 702 AND DAUBERT TAKEN UNDER ADVISEMENT - COURT WILL ISSUE WRITTEN OPINION - CONTINUED IN CUSTODY OF SHERIFF TRIAL DATE - 12/5/16
117 11/14/2016	PEOPLE'S RESPONSE TO DEFENDANT'S MOTION IN LIMINE TO EXCLUDE EXPERT TESTIMONY PURSUANT TO MRE 702 AND DAUBERT; W/ PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
116 11/09/2016	DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S EIGHT SUPPLEMENTAL DISCOVERY DEMAND; NOTICE OF HEARING, W/PROOF OF SERVICE
115 11/09/2016	DEFENDANT'S MOTION IN LIMINE TO EXCLUDE EXPERT TESTIMONY PURSUANT TO MRE 702 AND DAUBERT
114 11/09/2016	GRANTED ON THE RECORD. PARTIES AGREED TO TURN OVER REQUESTED REPORTS. ORDER TO COME. THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 11/09/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
113 11/09/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 11/16/2016 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: UNDER ADVISEMENT
112 11/09/2016	STIPULATION AND PROTECTIVE ORDER REGARDING DEFENDANT'S DEMAND FOR COMPETENCY TESTS OF MICHIGAN STATE POLICE FORENSIC SCIENTIST AMBER L. SMITH - IT IS HEREBY ORDERED THAT STRMIX COMPETENCY TESTS OF MSP FORENSIC SCIENTIST AMBER L. SMITH BE TURNED OVER TO DEFENSE COUNSEL AND KEPT BY THE DEFENSE IN ACCORDANCE WITH THE STIPULATION AND AGREEMENT OF THE PARTIES.
111 11/08/2016	PEOPLE'S RESPONSE TO DEFENDANT'S DEMAND FOR COMPETENCY TESTS OF MICHIGAN STATE POLICE FORENSIC SCIENTIST AMBER L. SMITH; W/ PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
110 11/07/2016	DEFENDANT'S EIGHT SUPPLEMENTAL DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE ATTORNEY: WHITE, H JAMES (56946)
109 11/07/2016	MOTION AND ORDER TO SHOW CAUSE
108 10/26/2016	ADJOURNED ON THE RECORD THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 10/26/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED - ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
107 10/26/2016	HEARING SET: THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 10/26/2016 AT 11:00 AM HAS BEEN RESCHEDULED AS

		FOLLOWS: EVENT: MOTION TO COMPEL DATE: 11/09/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
106	10/25/2016	HEARING SET: THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 11/02/2016 AT 11:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: MOTION (MISC) DATE: 11/16/2016 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
105	10/25/2016	HEARING ADJOURNED THE FOLLOWING EVENT: MOTION (MISC) SCHEDULED FOR 11/02/2016 AT 11:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
104	10/25/2016	PEOPLE'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S THIRD, FIFTH, SIXTH, AND SEVENTH SUPPLEMENT DISCOVERY DEMANDS; W/PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
103	10/21/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 10/26/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED - ON THE RECORD
102	10/21/2016	SCHEDULED IN ERROR THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 10/18/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: SCHEDULED IN ERROR JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
101	10/19/2016	PROOF OF SERVICE - COPY OF DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S THIRD, FIFTH, SIXTH AND SEVENTH SUPPLEMENTAL DISCOVERY DEMANDS, NOTICE OF HEARING AND PROOF OF SERVICE FILED WITH THE COURT CLERK VIA HAND DELIVERY AND COPIES SERVED ON THE PEOPLE BY EMAIL ON 10/19/16
100	10/19/2016	NOTICE OF HEARING - DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S THIRD, FIFTH, SIXTH AND SEVENTH SUPPLEMENTAL DISCOVERY DEMANDS WILL BE HEARD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, OCTOBER 26, 2016 AT 11:00 A.M.
99	10/19/2016	DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S THIRD, FIFTH, SIXTH, AND SEVENTH SUPPLEMENTAL DISCOVERY DEMANDS ATTORNEY: WHITE, H JAMES (56946)
98	10/18/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 10/18/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: SCHEDULED IN ERROR
97	10/11/2016	HEARING SET: EVENT: MOTION (MISC) DATE: 11/16/2016 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: UNDER ADVISEMENT
96	09/27/2016	HEARING SET: EVENT: MOTION (MISC) DATE: 11/02/2016 TIME: 11:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
95	09/23/2016	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 09/26/2016 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
94	08/12/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 09/26/2016 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 -

		VETERANS MEMORIAL RESULT: C30 ADJOURNED
93	07/22/2016	NOTICE OF INTENT TO USE TECHNICIAN'S REPORT IN LIEU OF TESTIMONY; W/ PROOF OF SERVICE
92	07/18/2016	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 07/25/2016 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
91	07/18/2016	SCHEDULED IN ERROR THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 07/25/2016 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: SCHEDULED IN ERROR JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
90	07/18/2016	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 07/25/2016 AT 9:00 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 12/05/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
89	07/11/2016	DEFENDANT HERBER MAURICE ALFORD'S SEVENTH SUPPLEMENTAL DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE ATTORNEY: RUSEK, ALEXANDER S (77581)
88	07/06/2016	HEARING IN OPEN COURT - HELD ON THE RECORD - REQUEST FOR ADJOURNMENT GRANTED
87	07/06/2016	GRANTED ON THE RECORD THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 07/06/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: JODY LARSEN
86	07/05/2016	PEOPLE'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S THIRD, FIFTH, AND SIXTH SUPPLEMENTAL DISCOVERY DEMAND; W/ PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
85	07/01/2016	DEFENDANT HERBERT MAURICE ALFORD'S SIXTH SUPPLEMENTAL DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE
84	07/01/2016	DEFENDANT HERBERT M. ALFORD'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S THIRD, FIFTH, AND SIXTH SUPPLEMENTAL DISCOVERY DEMANDS; W/PROOF OF SERIVCE ATTORNEY: WHITE, H JAMES (56946)
83	06/30/2016	DEFENDANT HERBERT MAURICE ALFORD'S FIFTH SUPPLEMENTAL DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE ATTORNEY: RUSEK, ALEXANDER S (77581)
82	06/28/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 07/06/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
81	06/27/2016	ENTRY ERROR
80	06/27/2016	NOTICE OF INTENT TO AMEND WITNESSES THE PEOPLE INTEND TO PRODUCE FOR TRIAL PURSUANT TO MCL 767.40A(4); W/ PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
79	06/10/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 07/25/2016 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
78	06/02/2016	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 05/23/2016 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF:

		STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
77	06/02/2016	HEARING SET: THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 05/23/2016 AT 9:00 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: JURY TRIAL CRIMINAL DATE: 07/25/2016 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: SCHEDULED IN ERROR
76	05/31/2016	PEOPLE'S SECOND DEMAND FOR DISCOVERY PURSUANT TO MCR 6.201; W/PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
75	05/11/2016	REQUEST FOR FILM AND ELECTRONIC MEDIA COVERAGE OF COURT PROCEEDINGS - WLNS TV 6
74	05/10/2016	EVENT CANCELLED THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 05/11/2016 AT 11:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: CANCELLED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
73	05/09/2016	PEOPLE'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL DISCOVERY; W/ PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
72	04/25/2016	DEFENDANT HERBERT M. ALFORD'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S FOURTH SUPPLEMENTAL DISCOVERY DEMAND ATTORNEY: WHITE, H JAMES (56946)
71	04/25/2016	NOTICE OF HEARING - DEFENDANT'S MOTION TO COMPEL DISCOVERY REGARDING DEFENDANT'S FOURTH SUPPLEMENTAL DISCOVERY DEMAND WILL BE HEARD BEFORE HON. CLINTON CANADY, III ON WEDNESDAY, MAY 11, 2016 AT 11:30 A.M.; W/ PROOF OF SERVICE ATTORNEY: WHITE, H JAMES (56946)
70	04/21/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 05/18/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL
69	04/21/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 05/11/2016 TIME: 11:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: CANCELLED
68	04/14/2016	ORDER REGARDING DEFENDANT'S MOTION TO SHOW CAUSE - DEFENDANT'S MOTION TO SHOW CAUSE IS GRANTED IN PART AND DENIED IN PART. THE HERTZ CORPORATION AND JUDI SCHUETT OF THE CORPORATION COMPANY, REGISTERED AGENT FOR THE HERTZ CORPORATION SHALL PRODUCE THE DOCUMENTS TO WHITE LAW PLLC THAT WERE DEMANDED IN THE ATTACHED SUBPOENA ISSUED BY THIS HONORABLE COURT ON JANUARY 20, 2016. THE DOCUMENTS REQUESTED SHALL BE PRODUCED TO WHITE LAW PLLC BY THE HERTZ CORPORATION WITHIN 14 DAYS OF SERVICE OF THIS ORDER OR MAY 2, 2016, WHICHEVER DATE IS SOONER.
67	04/07/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 05/23/2016 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
66	04/06/2016	HEARING IN OPEN COURT - HELD ON THE RECORD - MOTION FOR SHOW CAUSE - GRANTED
65	04/06/2016	HEARING HELD ON RECORD THE FOLLOWING EVENT: MOTION TO SHOW CAUSE SCHEDULED FOR 04/06/2016 AT 10:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
64	04/06/2016	AFFIDAVIT OF SERVICE - COPY OF MOTION AND ORDER TO SHOW CAUSE, DEFENDANT'S MOTION AND ORDER TO SHOW CAUSE; EXHIBITS A-C; RE-NOTICE OF HEARING SERVED UPON ELENA BOUTAKOVA AS

		AGENT, FOR THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, REGISTERED AGENT, JODI SCHUETTE ON MARCH 31, 2016 AT 2:33 P.M.
63	04/01/2016	RE-NOTICE OF HEARING - DEFENDANT'S MOTION AND ORDER TO SHOW CAUSE HAS BEEN RESCHEDULED FOR WEDNESDAY, APRIL 6, 2016 AT 10:30 A.M. OR 10:30 A.M.; W/ PROOF OF SERVICE
62	03/18/2016	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 03/21/2016 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
61	03/16/2016	HEARING ADJOURNED THE FOLLOWING EVENT: MOTION TO SHOW CAUSE SCHEDULED FOR 03/16/2016 AT 10:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
60	03/16/2016	HEARING SET: THE FOLLOWING EVENT: MOTION TO SHOW CAUSE SCHEDULED FOR 03/16/2016 AT 10:30 AM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: MOTION TO SHOW CAUSE DATE: 04/06/2016 TIME: 10:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED RESULT: HEARING HELD ON THE RECORD
59	02/29/2016	PROOF OF SERVICE - COPY OF MOTION AND ORDER TO SHOW CAUSE DIRECTED TO THE HERTZ CORPORATION TOGETHER WITH PROOF OF SERVICE SERVED UPON PLAINTIFF, INGHAM COUNTY PROSECUTOR VIA FIRST CLASS MAIL ON 2/24/16
58	02/18/2016	MOTION TO SHOW CAUSE
57	02/18/2016	ORDER TO SHOW CAUSE - IT IS ORDERED THAT THE HERTZ CORPORATION C/O THE CORPORATION COMPANY IS ORDERED TO APPEAR BEFORE HON. CLINTON CANADY, III ON MARCH 16, 2016 AT 10:30 A.M.
56	02/11/2016	DEFENDANT HERBERT MAURICE ALFORD'S FOURTH SUPPLEMENTAL DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE
55	02/10/2016	DEFENDANT HERBERT MAURICE ALFORD'S THIRD SUPPLEMENTAL DEMAND FOR DISCOVERY; W/ PROOF OF SERVICE ATTORNEY: RUSEK, ALEXANDER S (77581)
54	02/10/2016	PROOF OF SERVICE - COPY OF DEFENDANT'S MOTION AND ORDER TO SHOW CAUSE TOGETHER WITH PROOF OF SERVICE SERVED UPON THE COURT CLERK VIA FIRST CLASS MAIL ON 2/8/16
53	02/08/2016	HEARING SET: EVENT: MOTION TO SHOW CAUSE DATE: 03/16/2016 TIME: 10:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
52	02/04/2016	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 03/21/2016 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
51	01/29/2016	DEFENDANT HERBERT MAURICE ALFORD'S MOTION TO DISMISS; W/PROOF OF SERVICE ATTORNEY: RUSEK, ALEXANDER S (77581)
50	01/27/2016	DEFENDANT HERBERT MAURICE ALFORD'S RESPONSE TO THE PEOPLE'S MOTION TO ADJOURN TRIAL; W/ PROOF OF SERVICE ATTORNEY: WHITE, H JAMES (56946)
49	01/27/2016	GRANTED ON THE RECORD THE FOLLOWING EVENT: MOTION TO ADJOURN SCHEDULED FOR 01/27/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: GRANTED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT

		STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
48	01/27/2016	ADJOURNED, WITHOUT DATE THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 02/16/2016 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: ADJOURNED WITHOUT DATE JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
47	01/27/2016	ORDER TO ADJOURN TRIAL - IT IS HEREBY ORDERED THAT THE PEOPLE'S REQUEST TO ADJOURN THE JURY TRIAL SCHEDULED FOR FEBRUARY 16, 2016 IS GRANTED SO THAT FURTHER DNA TESTING MAY BE CONDUCTED. THE COURT HEREBY ALSO GRANTS AN ADJOURNMENT TO THE DEFENSE IN ORDER TO REVIEW RECENTLY RECEIVED DISCOVERY MATERIALS.
46	01/26/2016	NOTICE OF INTENT TO USE TECHNICIAN'S REPORT IN LIEU OF TESTIMONY; W/PROOF OF SERVICE
45	01/26/2016	HEARING SET: EVENT: MOTION TO ADJOURN DATE: 01/27/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: GRANTED
44	01/26/2016	EVENT CANCELLED THE FOLLOWING EVENT: MOTION TO SUPPRESS SCHEDULED FOR 01/27/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: CANCELLED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
43	01/26/2016	PEOPLE'S MOTION TO ADJOURN JURY TRIAL; W/PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
42	01/25/2016	DEFENDANT HERBERT M. ALFORD'S REPLY TO THE PEOPLE'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL DISCOVERY; W/ PROOF OF SERVICE ATTORNEY: WHITE, H JAMES (56946)
41	01/21/2016	TRANSCRIPT OF PROCEEDINGS - PRELIMINARY EXAMATION (VOL. II) HELD BEFORE HON. JUDGE DELUCA ON JULY 12, 2015. REPORTED BY: JULIA M. CHERRY, CER-5287
40	01/21/2016	TRANSCRIPT OF PROCEEDINGS - PRELIMINARY EXAMATION (VOL. I) HELD BEFORE HON. JUDGE DELUCA ON JULY 13, 2015. REPORTED BY: JULIA M. CHERRY, CER-5287
39	01/20/2016	HEARING IN OPEN COURT - MOTION TO COMPEL DISCOVERY - WITHDRAWN
38	01/20/2016	HEARING HELD ON THE RECORD THE FOLLOWING EVENT: MOTION TO COMPEL SCHEDULED FOR 01/20/2016 AT 11:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: WITHDRAWN JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL
37	01/19/2016	PEOPLE'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL DISCOVERY; W/PROOF OF SERVICE ATTORNEY: CHELTENHAM, MICHAEL (57245)
36	01/19/2016	NOTICE OF WITNESSES THE PEOPLE INTEND TO PRODUCE FOR TRIAL PURSUANT TO MCL 767.40A(3) ATTORNEY: CHELTENHAM, MICHAEL (57245)
35	01/13/2016	NOTICE OF INTENT TO USE TECHNICIAN'S REPORT IN LIEU OF TESTIMONY; W/PROOF OF SERVICE
34	01/12/2016	DEFENDANT HERBERT M. ALFORD'S MOTION TO COMPEL DISCOVERY; BRIEF IN SUPPORT OF MOTION ATTORNEY: WHITE, H JAMES (56946)
33	01/05/2016	HEARING IN OPEN COURT - HELD ON THE RECORD - PLEA OFFER READ ON THE RECORD - JURY TRIAL SET FOR FEBRUARY 16, 2016 AT 8:30 A.M.
32	01/05/2016	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 01/05/2016 AT 2:00 PM HAS

		BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
31	01/04/2016	HEARING SET: EVENT: MOTION TO COMPEL DATE: 01/20/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: WITHDRAWN
30	01/04/2016	HEARING SET: EVENT: MOTION TO SUPPRESS DATE: 01/27/2016 TIME: 11:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: CANCELLED
29	12/04/2015	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 02/16/2016 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: CANCELLED RESULT: C30 ADJOURNED
28	11/10/2015	HEARING ADJOURNED THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 11/10/2015 AT 2:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
27	11/10/2015	HEARING SET: THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 11/10/2015 AT 2:00 PM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: CRIMINAL PRETRIAL CONFERENCE DATE: 01/05/2016 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
26	11/10/2015	HEARING IN OPEN COURT - HELD ON THE RECORD - MATTER ADJOURNED TO JANUARY 5, 2016 @ 2:00 P.M.
25	11/10/2015	ORDER SETTING SECOND CRIMINAL PRETRIAL CONFERENCE; W/ PROOF OF SERVICE
24	11/02/2015	HEARING SET: EVENT: CRIMINAL PRETRIAL CONFERENCE DATE: 11/10/2015 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
23	11/02/2015	SCHEDULED IN ERROR THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 02/16/2016 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: SCHEDULED IN ERROR JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
22	10/30/2015	HEARING ADJOURNED THE FOLLOWING EVENT: JURY TRIAL CRIMINAL SCHEDULED FOR 11/02/2015 AT 9:00 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
21	10/15/2015	HEARING SET: THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 11/10/2015 AT 2:00 PM HAS BEEN RESCHEDULED AS FOLLOWS: EVENT: CRIMINAL PRETRIAL CONFERENCE DATE: 02/16/2016 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: SCHEDULED IN ERROR
20	10/15/2015	HEARING ADJOURNED THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 11/10/2015 AT 2:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: C30 ADJOURNED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
19	10/08/2015	DISCLOSURE DEMANDS

18	10/01/2015	PROOF OF SERVICE - COPY OF SUBPOENA SERVED UPON MICHELE DELL ON 9/23/15
17	10/01/2015	PROOF OF SERVICE - COPY OF SUBPOENA ORDER TO APPEAR AND/OR PRODUCE DIRECTED TO UNIVERSITY OF PHOENIX TOGETHER WITH PROOF OF SERVICE SERVED WITH THE COURT CLERK VIA UNITED STATES MAIL FIRST CLASS ON 9/28/15
16	09/21/2015	DEFENDANT HERBERT MAURICE ALFORD'S FIRST SUPPLEMENTAL DEMAND FOR DISCOVERY; W/PROOF OF SERVICE ATTORNEY: WHITE, H JAMES (56946)
15	09/18/2015	HEARING SET: EVENT: JURY TRIAL CRIMINAL DATE: 11/02/2015 TIME: 9:00 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
14	09/09/2015	ORDER SETTING SECOND CRIMINAL PRETRIAL CONFERENCE; W/PROOF OF SERVICE
13	09/08/2015	C30 HEARING HELD ON THE RECORD THE FOLLOWING EVENT: CRIMINAL PRETRIAL CONFERENCE SCHEDULED FOR 09/08/2015 AT 2:00 PM HAS BEEN RESULTED AS FOLLOWS: RESULT: HEARING HELD ON THE RECORD JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445
12	09/08/2015	CRIMINAL PRE-TRIAL CONFERENCE ORDER
11	09/08/2015	HEARING IN OPEN COURT: HELD ON THE RECORD: FINAL PRETRIAL SET FOR 11/10/15 @ 2:00 PM
10	09/08/2015	HEARING SET: EVENT: CRIMINAL PRETRIAL CONFERENCE DATE: 11/10/2015 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: C30 ADJOURNED
9	08/12/2015	ORDER SETTING CRIMINAL PRETRIAL CONFERENCE; W/POS
8	08/12/2015	HEARING SET: EVENT: CRIMINAL PRETRIAL CONFERENCE DATE: 09/08/2015 TIME: 2:00 PM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: HEARING HELD ON THE RECORD
7	08/12/2015	HEARING IN OPEN COURT: HELD ON THE RECORD: WAIVER OF ARRAIGNMENT; INFORMATION RECEIVED; PRETRIAL SET FOR 9/8/15 @ 2:00 PM
6	08/12/2015	INFORMATION FELONY
5	08/10/2015	ARREST BOND ARREST BOND ADDED TO CASE WITH: ACTION CODE: HOMICIDE - OPEN MURDER - STATUTORY SHORT FORM ARREST DATE: 10/18/2011 BOND STATUS: C30 BOND NOT POSTED STATUS DATE: 08/10/2015 BLANKET BOND: NO OKAY TO APPLY: NO BOND TYPE: DENIED BOND AMOUNT: 0
4	08/06/2015	HEARING SET: EVENT: ARRAIGNMENT DATE: 08/12/2015 TIME: 8:30 AM JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL RESULT: WRITTEN WAIVER FILED
3	08/06/2015	WRITTEN WAIVER OF ARRAIGNMENT
2	08/06/2015	WRITTEN WAIVER OF ARRAIGNMENT THE FOLLOWING EVENT: ARRAIGNMENT SCHEDULED FOR 08/12/2015 AT 8:30 AM HAS BEEN RESULTED AS FOLLOWS: RESULT: WRITTEN WAIVER FILED JUDGE: CANADY III, CLINTON LOCATION: COURTROOM 6 - VETERANS MEMORIAL
1	08/06/2015	DISTRICT COURT BINDOVER RECEIVED RESULT STAFF: STAFF: COURT REPORTER: ABRAHAM, TERESA CERTIFICATION NUMBER: 3445

Return to Case Summary

EXHIBIT 4

Approved, SCAO | Original - Court; 1st copy - Subject | 2nd copy - Return; Additional copies as needed

PROBATE JIS CODE: MOT, OSC

STATE OF MICHIGAN 30th JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	MOTION AND/OR ORDER TO SHOW CAUSE	CASE NO. 15-696-FC Hon. Clinton Canady III

Court address: 313 W. Kalamazoo, Lansing, MI 48933 — Court telephone no.: (517) 483-6500

Plaintiff(s)/Petitioner(s)		Defendant(s)/Respondent(s)/Probationer
People of the State of Michigan	v	Herbert Maurice Alford

☐ Probate ☐ Juvenile In the matter of _____

MOTION AND AFFIDAVIT

1. I am interested in this matter as Attorney for Defendant Herbert Maurice Alford, Alexander S. Rusek.

2. The Hertz Corporation and Judi Schuett (Name (type or print)) ☑ has failed to comply with an order dated Jan. 20, 2016 & April 12, 2016 ☐ is in contempt for _____.
   State with particularity admissible facts establishing this motion.
   See attached.

3. I request an order directing The Hertz Corporation and Judi Schuett, Registered Agen (Name (type or print)) to show cause why
   ☑ a. he/she should not be found in ☑ civil ☐ criminal contempt of court.
   ☐ b. judgment should not be entered against him/her (as surety/agent) for the full amount of recognizance.
   ☐ c. judgment should not be entered against him/her for failure to file a garnishee disclosure.
4. This affidavit is made on my personal knowledge and, if sworn as a witness, I can testify competently to the facts in this motion and affidavit.

Subscribed and sworn to before me on 11-21-16 (Date) Signature _____ Ingham County, Michigan.

My commission expires: 4-17-2022 (Date) Signature: _____

Notary public, State of Michigan, County of Ingham

JOHN FRASER
NOTARY PUBLIC
COUNTY OF INGHAM
My Commission Expires
April 17, 2022
Acting in the County of
Ingham

ORDER

TO: The Hertz Corporation and Judi Schuett

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

IT IS ORDERED:

5. You must appear before this court on 11-30-16 (Date) at 3:45 p.m. (Time) at ☑ the court address above ☐ courtroom no. _____
   ☐ _____
   to show cause why
   ☑ you should not be held in ☑ civil ☐ criminal contempt
   ☐ for failure to comply with the order of this court as follows:
   ☑ for the reasons stated in the motion.
   ☐ a judgment should not be entered against you.
   ☐ your case should not be dismissed.
   ☐ other: _____
6. Failure to appear for a contempt hearing may result in a bench warrant being issued for your arrest.
7. A copy of this must be served ☐ personally ☐ by mail on the person ordered to appear at least _____ days before the hearing.

Date _____ Judge _____ Bar no.

MC 230 (5/13) **MOTION AND/OR ORDER TO SHOW CAUSE** MCR 2.107(B), MCR 2.108(D), MCR 3.606(A), MCR 5.108

STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM

THE PEOPLE OF THE
STATE OF MICHIGAN,

Plaintiff;

v.

HERBERT MAURICE ALFORD,

Defendant.

Case No.: 15 – 696 – FC

Hon. Clinton Canady III

Defendant's Motion and Order to Show Cause

Gretchen E. Whitmer (P58112)
Ingham County Prosecutor's Office
Attorney for the People
303 W. Kalamazoo, 4R
Lansing, MI 48933
Ph.: (517) 483-6205
Fax: (517) 483-6397
E: PA_POLICERPT@ingham.org

James White (P56946)
Alexander S. Rusek (P77581)
White Law PLLC
Attorney for Defendant
2549 Jolly Road, Suite 340
Okemos, Michigan 48864
Ph.: (517) 316-1195
Fax: (517) 316-1197
W: www.whitelawpllc.com
E: james@whitelawpllc.com
E: alexrusek@whitelawpllc.com

DEFENDANT HERBERT MAURICE ALFORD'S MOTION AND ORDER TO SHOW CAUSE

NOW COMES Defendant Herbert Maurice Alford ("Alford"), by and through his attorneys White Law PLLC, and for his Motion and Order to Show Cause states:

2. The Hertz Corporation and Judi Schuett have not complied with the April 12, 2016 Order Regarding Defendant's Motion to Show Cause by failing to produce the documents requested in the subpoena. (Exhibit A). Pursuant to the Court's order, these documents were to be produced no later than May 2, 2016. To date, neither party has produced the demanded records. These records were previously ordered via a subpoena issued by the Honorable Clinton Canady III on January 20, 2016.

(Exhibit B). The Hertz Corporation was served with a copy of the Subpoena on January 21, 2016. (Exhibit C). Per the terms of the Subpoena, The Hertz Corporation had three days to produce the requested records to Alexander S. Rusek of White Law PLLC. To date, The Hertz Corporation has made no contact with Alexander S. Rusek or White Law PLLC regarding the Subpoena. Prior to the January 20, 2016 Subpoena being issued by the Honorable Clinton Canady III, Attorney for Alford, James White, issued a Subpoena to The Hertz Corporation on June 30, 2015. (Exhibit D). To date, The Hertz Corporation has refused to comply with the April 12, 2016 or either Subpoena by not producing the requested information.

Respectfully Submitted,

Dated: 11/21/16

Alexander S. Rusek (P77581)
White Law PLLC
Attorneys for Defendant
2549 Jolly Road, Suite 340
Okemos, MI 48864
Ph.: (517) 316-1195
Fax: (517) 316-1197
E: alexrusek@whitelawpllc.com
W: www.whitelawpllc.com

Subscribed and sworn by Alexander S. Rusek before me this 21st day of November, 2016, in Ingham County, Michigan.

/s/
Printed Name: John Fraser
Notary Public, State of Michigan, County of Ingham.
My commission expires: April 17, 2022.

JOHN FRASER
NOTARY PUBLIC
COUNTY OF INGHAM
My Commission Expires
April 17, 2022
Acting in the County of Ingham
STATE OF MICHIGAN

WHITE LAW PLLC
WWW.WHITELAWPLLC.COM
2549 JOLLY ROAD, SUITE 340
OKEMOS, MI 48864
PH.: 517.316.1195 • FAX: 517.316.1197

EXHIBIT A

EXHIBIT A

STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM

THE PEOPLE OF THE STATE OF MICHIGAN, Plaintiff, v. HERBERT MAURICE ALFORD, Defendant.	Case No.: 15 – 696 – FC Honorable Clinton Canady III Order Regarding Defendant's Motion to Show Cause

Stuart J. Dunnings III (P31089)
Ingham County Prosecuting Attorney
Attorney for the People
303 W. Kalamazoo St.
Lansing, Michigan 48933
Ph.: (517) 483-6108
Fax: (517) 483-6118
E: PA_POLICERPT@ingham.org

H. James White (P56946)
Alexander S. Rusek (P77581)
White Law PLLC
Attorney for Defendant
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Okemos, Michigan 48864
Ph.: (517) 316-1195
Fax: (517) 316-1197
W: www.whitelawpllc.com
E: alexrusek@whitelawpllc.com

ORDER REGARDING
DEFENDANT'S MOTION TO SHOW CAUSE

AT A SESSION OF THE 30TH CIRCUIT COURT
FOR THE COUNTY OF INGHAM, STATE OF MICHIGAN
ON THIS 12th DAY OF APRIL 2016

PRESENT: Hon. Clinton Canady III
Circuit Court Judge

The Court having heard Defendant's Motion to Show Cause on April 6, 2016 and the Court otherwise being fully informed of the matter before it, it is ordered that:

1. Defendant's Motion to Show Cause is GRANTED IN PART and DENIED IN PART.

2. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation shall not be held in contempt of this Honorable Court at this time.

3. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, shall produce the documents to White Law PLLC that were demanded in the attached subpoena issued by this Honorable Court on January 20, 2016.

4. The documents requested shall be produced to White Law PLLC by the Hertz Corporation within 14 days of service of this Order or May 2, 2016, whichever date is sooner.

IT IS SO ORDERED.

DATED: April 12 2016

FOR Hon. Clinton Canady III
Circuit Court Judge

Countersigned:

Deputy Clerk

Prepared By:

Dated: 4/13/16

Alexander S. Rusek (P77581)
White Law PLLC
Attorneys for the Defendant
2549 Jolly Rd., Ste. 340
Okemos, Michigan 48864
Ph.: (517) 316-1195
Fax: (517) 316-1197
E: alexrusek@whitelawpllc.com
W: www.whitelawpllc.com

WHITE LAW PLLC
WWW.WHITELAWPLLC.COM
2549 JOLLY ROAD, SUITE 340
OKEMOS, MI 48864
PH.: 517.316.1195 • FAX: 517.316.1197

EXHIBIT B

EXHIBIT B

Approved, SCAO

STATE OF MICHIGAN 30TH JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	SUBPOENA Order to Appear and/or Produce	CASE NO. 15-000696-FC Hon. Clinton Canady III

Original - Return
1st copy - Witness
2nd copy - File
3rd copy - Extra

Court address: 313 W. Kalamazoo Street, Lansing, MI 48933

Court telephone no.: (517) 483-6500

Police Report No. (if applicable): LLA111018064958

Plaintiff(s)/Petitioner(s)		Defendant(s)/Respondent(s)
☑ People of the State of Michigan ☐	v	Herbert Maurice Alford c/o James White (P56946), White Law PLLC 2549 Jolly Rd., Suite 340, Okemos, MI 48864
☐ Civil ☑ Criminal		Charge: Open Murder, Possession of Firearm by Felon, Felony Firearm
☐ Probate In the matter of		

In the Name of the People of the State of Michigan. TO:

The Hertz Corporation, c/o The Corporation Company, 30600 Telegraph Road, Ste 2345, Bingham Farms, MI 48025

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

YOU ARE ORDERED TO:

☑ 1. Appear personally at the time and place stated below: You may be required to appear from time to time and day to day until excused.

☑ The court address above ☐ Other:

Day	Date	Time
Tuesday	February 16, 2016	8:30 AM

☑ 2. Testify at trial / examination / hearing.

☑ 3. Produce/permit inspection or copying of the following items: See attached.

☐ 4. Testify as to your assets, and bring with you the items listed in line 3 above.

☐ 5. Testify at deposition.

☐ 6. Abide by the attached prohibition against transferring or disposing of property. (MCL 600.6104(2), 600.6116, or 600.6119.)

☐ 7. Other:

☑ 8.

Person requesting subpoena	Telephone no.
James White (P56946)	(517) 316-1195
Address: 2549 Jolly Road, Suite 340	
City: Okemos	State: MI Zip: 48864

NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

FAILURE TO OBEY THE COMMANDS OF THIS SUBPOENA OR TO APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.

1/20/16
Date

Judge/Clerk/Attorney: Hon. Clinton Canady III P23262
Bar no.

Court use only: ☐ Served ☐ Not served

MC 11 (3/15) SUBPOENA, Order to Appear and/or Produce

MCL 600.1455, 600.1701, 600.6110, 600.6119, MCR 2.506

ATTACHMENT TO SUBPOENA

3. Produce/permit inspection or copying of the following items: For the date of October 18, 2011 from 10:00 a.m. EST until 8:00 p.m. EST for the Hertz Rent-a-Car location at 4100 Capital City Blvd, Lansing, MI 48906, produce copies of any and all: (1) sign-in sheets; (2) transactional information, such as invoices and credit card receipts; (3) security camera footage; (4) lists of employees who worked during that time, including their timecards and addresses; and (5) other information that identifies in any way Herbert Maurice Alford. Send copies of these documents within three (3) days of receipt of this subpoena to: White Law PLLC, ATTN: Alexander S. Rusek, 2549 Jolly Road, Suite 340, Okemos, MI 48864 or to alexrusek@whitelawpllc.com.

WHITE LAW PLLC
WWW.WHITELAWPLLC.COM
2549 JOLLY ROAD, SUITE 340
OKEMOS, MI 48864
PH.: 517.316.1195 • FAX: 517.316.1197

EXHIBIT C

EXHIBIT C

AFFIDAVIT OF SERVICE

State of MICHIGAN County of 54-A Judicial District Court

Case Number: 15-000696-FC

Plaintiff:
PEOPLE OF THE STATE OF MICHIGAN
vs.
Defendant:
HERBERT MAURICE ALFORD, ET AL.

For:
James White
WHITE LAW PLLC
2549 Jolly Road
Suite 340
Okemos, MI 48864

Received by ABC PROCESS SERVICE on the 20th day of January, 2016 at 1:51 pm to be served on THE HERTZ CORPORATION C/O THE CORPORATION COMPANY, 30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025.

I, Gina Sharbowski, being duly sworn, depose and say that on the 21st day of January, 2016 at 11:28 am, I:

AUTHORIZED: served by delivering a true copy of the LETTER; SUBPOENA ORDER TO APPEAR AND/OR PRODUCE; ATTACHMENT TO SUBPOENA; with the date of service endorsed thereon by me, to: JUDI SCHUETT as REGISTERED AGENT, who stated they are authorized to accept service for: THE HERTZ CORPORATION C/O THE CORPORATION COMPANY at the address of: 30600 TELEGRAPH ROAD, STE. 2345, BINGHAM FARMS, MI 48025, and informed said person of the contents therein, in compliance with state statutes.

I certify that I am over the age of 18, have no interest in the above action, and am a certified process server, in good standing, in the Judicial Circuit in which the process was served.

Subscribed and Sworn to before me on the _____ day of JAN 22 2016 by the affiant who is personally known to me.

NOTARY PUBLIC

STEVEN CHAMPAGNE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Comm. Exp. 10/22/2020
Acting in the County of Macomb
Date 1/22/16

Gina Sharbowski
Process Server

ABC PROCESS SERVICE
4834 Swiss Ave.
Dallas, TX 75204
(214) 220-0226

Gina Sharbowski
Process Server

Our Job Serial Number: ABC-2016000112

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WHITE LAW PLLC
WWW.WHITELAWPLLC.COM
2549 JOLLY ROAD, SUITE 340
OKEMOS, MI 48864
PH.: 517.316.1195 • FAX: 517.316.1197

EXHIBIT D

EXHIBIT D

Approved, SCAO

Original - Return
1st copy - Witness
2nd copy - File
3rd copy - Extra

STATE OF MICHIGAN 54-A JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	SUBPOENA Order to Appear and/or Produce	CASE NO. 11-4478-FY Hon. Frank J. DeLuca

Court address: 124 W. Michigan Ave., 6th Floor, Lansing, MI 48933

Court telephone no.: (517) 483-4433

Police Report No. (if applicable): LLA111018064958

Plaintiff(s)/Petitioner(s)		Defendant(s)/Respondent(s)
☒ People of the State of Michigan ☐	v	Herbert Maurice Alford James White (P56946), White Law PLLC 2400 Science Pkwy, Ste. 201 Okemos, MI 48864
☐ Civil ☑ Criminal		Charge: Open Murder, Possesion of Firearm by Felon, Felony Firearm
☐ Probate In the matter of		

In the Name of the People of the State of Michigan. TO:

The Hertz Corporation, c/o The Corporation Company, 30600 Telegraph Road, Ste 2345, Bingham Farms, MI 48025

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

YOU ARE ORDERED TO:

☐ 1. Appear personally at the time and place stated below. You may be required to appear from time to time and day to day until excused.

☒ The court address above ☐ Other:

Day	Date	Time

☐ 2. Testify at trial / examination / hearing.

☑ 3. Produce/permit inspection or copying of the following items: See attached.

☐ 4. Testify as to your assets, and bring with you the items listed in line 3 above.

☐ 5. Testify at deposition.

☐ 6. Abide by the attached prohibition against transferring or disposing of property. (MCL 600.6104(2), 600.6116, or 600.6119.)

☐ 7. Other:

☑ 8.

Person requesting subpoena	Telephone no.
James White (P56946)	(517) 316-1195
Address: 2400 Science Pkwy, Ste. 201	
City: Okemos, MI 48864	State: Zip:

NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

FAILURE TO OBEY THE COMMANDS OF THE SUBPOENA OR TO APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.

6/30/15
Date

Judge/Clerk/Attorney

Bar no.

Court use only
☐ Served ☐ Not served

MC 11 (3/15) SUBPOENA Order to Appear and/or Produce

MCL 600.1455, 600.1701, 600.6110, 600.6119, MCR 2.506

ATTACHMENT TO SUBPOENA

3. Produce/permit inspection or copying of the following items: For the date of October 18, 2011 from 10:00 a.m. until 8:00 p.m. for the Hertz Rent-a-Car location at 4100 Capital City Blvd, Lansing, MI 48906, produce copies of any and all: (1) sign-in sheets; (2) transactional information, such as invoices and credit card receipts; (3) security camera footage; (4) lists of employees who worked during that time, including their timecards and addresses; and (5) other information that identifies Herbert Maurice Alford. Send copies of these documents within 14 days of receipt of this subpoena to: White Law PLLC, ATTN: Alexander S. Rusek, 2400 Science Pkwy, Ste. 201, Okemos, MI 48864.

SUBPOENA

Case No. 11-4478-FY

PROOF OF SERVICE

TO PROCESS SERVER: You must make and file your return with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE/AFFIDAVIT OF SERVICE/NONSERVICE

☐ **OFFICER CERTIFICATE**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)

OR

☒ **AFFIDAVIT OF PROCESS SERVER**

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

☐ I served a copy of the subpoena, together with attachment #3 (Attachment) (including any required fees) by

☐ personal service ☒ registered or certified mail (copy of return receipt attached) on:

Name(s)	Complete address(es) of service	Day, date, time
Hertz Corporation	30600 Telegraph Rd St 2345 Bingham Farms, MI 48025	Mon. July 6

☐ I have personally attempted to serve the subpoena and required fees, if any, together with _____ (Attachment) on the following person(s) and have been unable to complete service.

Name(s)	Complete address(es) of service	Day, date, time

Service fee	Miles traveled Fee	
$		$
Incorrect address fee	Miles traveled Fee	TOTAL FEE
$		$

Signature

Ashley M Somers
Name (type or print)

Legal assistant
Title

Subscribed and sworn to before me on _____ (Date), _____ County, Michigan.

My commission expires: _____ (Date) Signature: _____ (Deputy court clerk/Notary public)

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the subpoena and required fees, if any, together with _____ (Attachment)

_____ on _____ (Day, date, time)

_____ (Signature) on behalf of _____

AFFIDAVIT FOR JUDGMENT DEBTOR EXAMINATION

I request that the court issue a subpoena that orders the party named on this form to be examined under oath before a judge concerning the money or property of:

for the following reasons:

_____ (Signature)

Subscribed and sworn to before me on _____ (Date), _____ County, Michigan.

My commission expires: _____ (Date) Signature: _____ (Deputy court clerk/Notary public)

Notary public, State of Michigan, County of _____

MCR 2.105

STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM

THE PEOPLE OF THE STATE OF MICHIGAN,	**Case No.: 15 – 696 - FC**
	Hon. Clinton Canady III
Plaintiff;	
v.	
HERBERT MAURICE ALFORD,	
Defendant.	**Proof of Service**

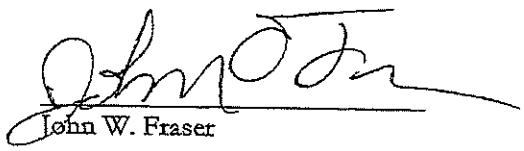
Gretchen E. Whitmer (P58112)
Ingham County Prosecutor's Office
Attorney for the People
303 W. Kalamazoo, 4R
Lansing, MI 48933
Ph.: (517) 483-6205
Fax: (517) 483-6397
E: PA_POLICERPT@ingham.org

James White (P56946)
White Law PLLC
Attorney for Defendant
2549 Jolly Road, Suite 340
Okemos, Michigan 48864
Ph.: (517) 316-1195
Fax: (517) 316-1197
W: www.whitelawpllc.com
E: jameswhite@whitelawpllc.com

PROOF OF SERVICE

I certify that on the date below I filed a copy of **Defendant's Motion and Order to Show Cause** together with this **Proof of Service** with the Court Clerk via hand delivery. I further certify that on the date below I served a copy of all the above-listed documents together with a copy of this Proof of Service upon Plaintiff, Ingham County Prosecutor, via e-mail at PA_POLICERPT@ingham.org. I declare under the penalty of perjury that the above-statements are true to the best of my information, knowledge, and belief.

Date: November 21, 2016



John W. Fraser

STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM

THE PEOPLE OF THE STATE OF MICHIGAN, **Plaintiff;** v. HERBERT MAURICE ALFORD, **Defendant.**	Case No.: 15 – 696 – FC Honorable Clinton Canady III Order Regarding Defendant's Motion to Show Cause

Gretchen E. Whitmer (P58112)
Ingham County Prosecutor's Office
Attorney for the People
303 W. Kalamazoo, 4R
Lansing, MI 48933
Ph.: (517) 483-6205
Fax: (517) 483-6397
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H. James White (P56946)
Alexander S. Rusek (P77581)
White Law PLLC
Attorney for Defendant
2549 Jolly Road, Suite 340
Okemos, Michigan 48864
Ph.: (517) 316-1195
Fax: (517) 316-1197
W: www.whitelawpllc.com
E: alexrusek@whitelawpllc.com

ORDER REGARDING DEFENDANT'S MOTION TO SHOW CAUSE

AT A SESSION OF THE 30TH CIRCUIT COURT
FOR THE COUNTY OF INGHAM, STATE OF MICHIGAN
ON THIS 2nd DAY OF DECEMBER 2016

PRESENT: Hon. Clinton Canady III
Circuit Court Judge

The Court having heard Defendant's Motion to Show Cause on November 30, 2016 and the Court otherwise being fully informed of the matter before it, it is ordered that:

1. Defendant's Motion to Show Cause is **GRANTED.**
2. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, are hereby held in contempt of this Honorable Court.

3. The Hertz Corporation and Judi Schuett of The Corporation Company shall produce the documents requested in the attached subpoena to White Law PLLC immediately.
4. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, shall pay the reasonable attorney fees and costs incurred by Defendant Herbert M. Alford in connection with obtaining documents and records in the possession of the Hertz Corporation.

IT IS SO ORDERED.

DATED: 12/2/16

FOR **Hon. Clinton Canady III**
Circuit Court Judge

Countersigned:

Deputy Clerk

Prepared By:

Dated: 12/2/16

Alexander S. Rusek (P77581)
White Law PLLC
Attorneys for the Defendant
2549 Jolly Rd., Ste. 340
Okemos, Michigan 48864
Ph.: (517) 316-1195
Fax: (517) 316-1197
E: alexrusek@whitelawpllc.com
W: www.whitelawpllc.com

EXHIBIT 5

Lansing State Journal

LOCAL

'We believed in his innocence the entire time.' Charges dropped against man accused of 2011 Lansing murder

Megan Banta Lansing State Journal

Published 8:07 a.m. ET Dec. 9, 2020 | **Updated 7:12 p.m. ET Dec. 9, 2020**

LANSING – A Detroit man won't face a second trial for a nearly decade-old murder.

In 2018, more than a year after a jury found Herbert Alford, 47, guilty of what Ingham County prosecutors called an "execution" over 50 pounds of stolen marijuana, his conviction was overturned.

Alford was released on bond earlier this year following more than 1,700 days in prison and jail after a rental car receipt served as an alibi that his attorneys say exonerated him in the 2011 murder of Michael Adams.

He was set to face a new trial until Tuesday, when the charges were dismissed.

"We believed in his innocence the entire time, and we're happy prosecutors finally conceded there wasn't proof of his guilt," his attorney, Jamie White, said in a statement.

Alford said he's thankful to his family for "sticking with me through this nightmare" and White and the rest of his legal team for not giving up.

"They saved my life," he said in a statement White emailed late Wednesday morning.

Ingham County Prosecuting Attorney Carol Siemon said in an emailed statement Wednesday night that evidence from a rental car company that had not been available at the original trial was a key factor.

"... We do not believe that we can prove Mr. Alford's legal culpability by the 'beyond a reasonable doubt' standard," she write. "Therefore, the Ingham County Prosecutor's Office is dismissing the case against Herbert Alford."

Siemon wrote that the prosecutor's office met with the victim's family prior to the announcement of the dismissal "to regretfully inform them that due to this court decision and the evidence we have at this time, we do not believe that this case can be re-tried."

"We have an ethical burden not to present cases that we do not believe can be proven at trial, regardless of any ambiguity about what happened on October 18, 2011," Siemon wrote.

Court of Appeals sent case back

The Court of Appeals sent the case back to Ingham County Circuit Court in early 2018. Ingham County Circuit Court Judge Clinton Canady III decided to grant Alford a new trial because the "verdict has resulted in a miscarriage of justice."

"(This new evidence) could have significantly aided (Alford) in refuting the prosecution's contention that (Alford) was the man who chased and gunned down the victim," Canady said.

Alford's appellate attorney, Daniel Bremer, wrote in a motion for a new trial that the evidence exonerates Alford of fatally shooting 23-year-old Adams in October 2011.

The evidence, Bremer said, shows that Alford was renting a car from Hertz Corporation at the Capital Region International Airport at approximately the same time Adams was shot.

Bremer said the records show Alford was at Hertz renting a car at 3 p.m. on Oct. 18, 2011. Five minutes earlier, a Lansing police officer was dispatched to the 3400 block of Pleasant Grove Road to investigate the shooting of Adams.

The two locations are 19 minutes apart, according to Google Maps.

Prosecutors argued Alford rented the car after shooting Adams and would have had enough time to drive from Pleasant Grove Road to Hertz.

Attorneys tried many times to get records

Prior to Alford's trial, White tried numerous times to obtain rental records from Hertz. The company did not respond to five subpoenas and court orders issued between June 2015 through November 2016, according to court records.

Because Alford had been in jail for more than a year pending trial, and White couldn't say when, or if, the records would come, the court went ahead with the jury trial in December 2016. A jury found him guilty of second-degree murder and two felony weapons charges.

Hertz released the records in early 2018 after Bremer again subpoenaed the company.

At that point, Alford was about a year into a prison sentence of 32 years and five months to 62 years and five months. He said he'll never forgive Hertz for ignoring the court orders and subpoenas.

"Almost five years of my life is gone from either sitting in jail waiting for trial or sitting in prison after the first trial," Alford said in his statement.

He was released on Nov. 26, 2018, according to the Michigan Department of Corrections. White clarified Wednesday that after his release from prison, Alford remained in custody until he was released on bond on Feb. 19, 2020.

Alford said he hopes police catch "the real shooter some day" and give the Adams family — who said during the sentencing in 2017 that they forgave him but were looking for justice and closure — some peace.

Former prosecutor Stuart Dunnings initially charged Alford before resigning amid criminal charges in July 2016. Gov. Gretchen Whitmer was Ingham County's prosecutor during Alford's trial.

Contact reporter Megan Banta at mbanta@lsj.com. Follow her on Twitter @MeganBanta_1.

EXHIBIT 6

Lansing, Michigan

April 6, 2016

at about 11:01 a.m.

****

MR. CHELTENHAM: People versus Herbert Alford, docket 15-696-FH. Mr. Rusek for the Defendant.

THE COURT: Mr. Rusek?

MR. RUSEK: Thank you, Your Honor. This is a hearing on an order to show cause that was issued by the Court on February 18, 2016. We were here in March. And unfortunately we didn't have service on the Hertz Corporation. We do now have service on the Hertz Corporation. That was effected on January 31st, 2016. Excuse me. That was March 31st, 2016. Nobody was here on behalf of Hertz. They have not produced the records that were requested. And the order to be produced, the subpoena that you issued to them back in January. We are asking that Hertz be held in civil contempt today.

THE COURT: Well, I mean, it's only 6 days, right, since they have been served?

MR. RUSEK: With the notice of hearing on the order to show cause. They were actually

served the original subpoena on January 21st, 2016.

THE COURT: Well, I don't think I want to hold them in contempt. I think you can prepare an order directing them to produce the documents.

MR. RUSEK: That will be appropriate, Your Honor. There was an order to show cause issued by the Court.

THE COURT: We have had the show cause. We can say they didn't appear. I will order that the document be produced. Make sure there's sufficient notice for them to respond. I will order them to produce documents had they been here anyways.

MR. RUSEK: Can we put a deadline?

THE COURT: Within 14 days of the receipt of the order. Maybe if you get it out soon enough, a week, say, on/or before May 1. On/or before May 2nd?

MR. RUSEK: I will work with Mr. Cheltenham to get a stipulated order to Your honor.

THE COURT: All right. Trial remains set for July the 25th.

MR. RUSEK: Thank you, Judge.

THE COURT: What was the response?

MR. WHTIE: Call corporate.

THE COURT: And what was that response?

MR. WHITE: Call the legal department.

THE COURT: What was the response?

MR. WHITE: Send them the subpoena, which I did. They have been in receipt of all these motions. They have yet to, even though the Court --

THE COURT: I guess I would suggest calling legal again. Because you know now they got the lightest subpoena. See what they come up with.

MR. WHITE: Okay. If I prepare an order, showing that they have been he held in contempt, can I present that to the Court today?

THE COURT: Yes. You might miss me today.

MR. WHITE: For the first --

THE COURT: First thing in the morning, right. Yes.

MR. WHITE: Okay. And if the Court would enter, Your Honor, I will submit a reasonable bill for attorneys fees for your review.

THE COURT: All right.

MR. WHITE: Including costs, thank you.

THE COURT: Any comments, Mr. Cheltenham?

> for evidence to be "newly discovered" the party could not have with reasonable diligence discovered it and produced it at trial . . . this test envisions that the evidence sought to be introduced existed at the time of trial, otherwise there would be no sense in having a requirement that a party show that even with due diligence, the evidence could not have been located and used at trial . . . [i]n other words, no amount of due diligence could ever uncover nonexistent evidence, so the due diligence requirement presumes the evidence existed at the time of trial.[10]

The Hertz records are newly discovered because Defendant could not have, with reasonable diligence, discovered and produced them at trial. Prior to trial, defense counsel made numerous motions before this Court attempting to obtain the records from Hertz. Defendant told the Lansing Police Department that he was renting a car at Hertz at the Airport on the day of the shooting and was "adamant [about] wanting to get his hands on . . . [the Hertz records] since the time he was arrested."[11] Defense counsel needed these records to corroborate Defendant's statement that he was, in fact, renting a car from Hertz at 3:00 p.m. on October 18, 2011.[12] In an attempt to acquire the records, Defense counsel hired a private process server and issued a subpoena to Hertz on June 30, 2015.[13] Hertz did not comply with defense counsel's subpoenas. This Court then issued a subpoena to Hertz on January 20, 2016; this Court issued an Order to Show Cause to Hertz on April 12, 2016; this Court issued a subsequent Order to Show Cause to Hertz on November 21, 2016; and this Court issued an Order to Hold Hertz in Contempt on November 30, 2016. In addition, Defense counsel made multiple attempts to acquire the records by calling Hertz Hotline, Hertz Corporate Department, and Hertz Legal Department.[14] However, Hertz did not comply and ultimately did not produce the records from October 18, 2011 at the time of trial.

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[10] *Cress*, 468 Mich. At 692.
[11] Tr. 11/30/2016, p 4.
[12] Tr. 12/05/2016, p 11.
[13] Tr. 11/30/2016, p 5.
[14] Tr. 11/30/2016, p 5, 6.

"[t]ough to [file an alibi defense] without having the corroboration."[21] Defense counsel additionally noted "I don't know what's in those records."[22] Defense counsel sought records relating to a transaction between Defendant and Hertz to corroborate Defendant's statement that he was, in fact, renting a car from Hertz at 3:00 p.m. on October 18, 2011. Defense counsel could not have been aware of the transaction at the time of trial because the record of the transaction between Defendant and Hertz was not produced until earlier this year.

This Court also finds that Defendant was deprived of presenting an alibi defense because he did not have access to the potentially exculpatory evidence because the evidence was not discovered at the time of trial. "An alibi makes it impossible for a defendant to be guilty of a crime because the alibi places the defendant at a place other than where the crime was committed at the time the alleged offense occurred."[23] The right to present a complete defense is a fundamental element of due process of law.[24] As such, Defendant is entitled to a new trial on the basis of the newly discovered evidence to exercise his right to present a defense.

Moreover, Defendant satisfies the second element of the *Cress* test because "the newly discovered evidence was not cumulative."[25] Cumulative evidence is defined as "additional evidence that supports a fact established by the existing evidence."[26] The newly discovered evidence is not cumulative because there is no indication that a theory based on the Hertz records was presented to the jury at trial. In other words, the newly discovered evidence provides information not testified to in this case.

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[21] Tr. 12/05/2016, p 12.
[22] Tr. 11/30/2016, p 4.
[23] *People v. Holland*, 179 Mich. App. 184, 192; 445 N.W.2d 206 (1989).
[24] *People v. Hayes*, 421 Mich. 271, 278-279; 364 N.W.2d 635 (1984) (quoting *Washington v. Texas*, 388 US 14, 19; 87 S. Ct. 1920; 18 L.Ed.2d 1019 (1967)).
[25] *Cress*, 468 Mich. At 692.
[26] Black's Law Dictionary (10th ed. 2014).

Finally, Defendant satisfies the fourth element of the *Cress* test because "the new evidence makes a different result probable on retrial."[27] "'Probable' means 'likely to occur' or 'having more evidence for than against.'"[28] It does not mean, however, certain to occur.[29] Much of the prosecution's case was focused on identifying Defendant as the man who chased and gunned down the victim. The prosecution maintained that Defendant was the man who chased and gunned down the victim because of two eyewitness accounts and the testimony of a witness pursuant to an agreement with the prosecution. The eyewitnesses, Curtis Lewis and Shalissa Kittle, saw the victim being chased and gunned down. Lewis told the Lansing Police Department about the incident that same day. Kittle, on the other hand, was questioned by police days later. Of the two eyewitnesses, only Kittle was able to identify the Defendant. Kittle's identification of Defendant was made only after she had watched a news broadcast showing a picture of Defendant. The other witness, Gilbert Bailey, was closely associated with Defendant.[30] Following a raid on his house, Bailey negotiated an agreement with the prosecution to testify against Defendant in exchange for a lesser charge.[31] This Court finds that the new evidence makes a different result probable on retrial because it could have significantly aided Defendant in refuting the prosecution's contention that Defendant was the man who chased and gunned down the victim. The newly discovered evidence could serve to create new suspects, could serve to

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[27] *Cress*, 468 Mich. At 692.

[28] Random House Webster's College Dictionary (1997). See also *Sutter Biggs*, 377 Mich. 80, 89; 139 N.W.2d 684 (1996) (observing that "probable" means "more likely than not" (internal quotation marks and citation omitted)).

[29] See The American Heritage Dictionary of the English Language (1996) (defining "probable," in part, to mean "[l]ikely but uncertain")

[30] Defendant was dating Bailey's mother, Willine Pentecost, at the time of the incident.

[31] Bailey had an agreement with the prosecution arising out of a raid on his house to testify in this case. He was initially charged with Delivery/Manufacturing Heroin, Delivery/Manufacturing Marijuana, Maintaining a Drug House, Felon in Possession of a Firearm, Receiving and Concealing a Stolen Firearm, and Felony Firearm, as a habitual forth offender. In exchange for his testimony in this case, the prosecution allowed him to plead guilty to Maintaining a Drug House, punishable by up to two years in prison. The balance of the charges were dismissed.

MR. WHITE: Thank you, Your Honor. Your Honor, I am 99 percent sure I think the message from your staff was that you didn't want to hear --

THE COURT: I don't know.

MR. WHITE: I didn't want to offend the Court.

THE COURT: I guess you can approach.

MR. WHITE: So this case is several years old. These reports would have been in existence of the Ingham county Prosecutor's office for some period of time. It's my understanding representations that were made by the Lansing police department to us as of yesterday , that these items were tested for Mr. Alford's DNA through COTIS. There was no match now. So it's extremely troubling to us those reports were not turned over.

THE COURT: I understand they were not turned over?

MR. WHITE: That's correct. I received all of this information yesterday. This is a very small piece of the information that we received yesterday that we believe has prejudiced Mr. Alford. That's correct.

THE COURT: You're saying that DNA testing of the substances under the fingernails has already occurred?

MR. WHITE: That is my understanding we're working with 12 hours of information. My understanding, not only that piece of DNA located and tested through the coded systems, 12 other samples we just learned yesterday had been tested and turned up, at least did not hit a match of COTIS in presence for Mr. Alford.

THE COURT: COTIS would not necessarily be the lab exam, correct?

MR. WHITE: I would defer to, you know, to the DNA expert that we use, yes. That is correct. A buccal swab would be another affirmative, actually required if there was a hit.

THE COURT: I guess it could be helpful.

MR. WHITE: It could, Judge. That's why I'm talking out of both sides of my mouth, quite frankly. We have a situation that I think warrants some consideration of sanctions by the court, you know, on behalf of the Defendant. I believe that his rights have been extremely prejudiced by failure to disclose these items.

I don't know if you have had a chance to review my response?

THE COURT: Let's assume there wasn't. Now there is a request for delay. How is the Defendant prejudiced if there was some information that you did not receive that you now have? If the trial is adjourned, how is the Defendant prejudiced?

MR. WHITE: Well, some of this is, I think, going to have to bear out into a hearing, maybe as early as next week. But in addition to the items that we've described to you that is unavailable, or was unavailable until yesterday, there are also various other items. I don't want to get ahead of the game too far. The Court is aware we've been attempting several months, attempting to obtain video exculpatory in nature. We submitted subpoenas in June of 2015. Hertz did not respond to.

THE COURT: Video? Who has the video?

MR. WHITE: Well, up until yesterday, we didn't know one existed. Your question is a segue into the problem that I think ultimately this Court's going to have to address, because yesterday we learned that, in fact, the video we

have been seeking, the video His Honor assigned a subpoena for us to obtain was, in fact, obtained by the Lansing Police Department some four years ago, was presented to the Detective Young from the State Police. That video not only has not been produced to us, it was not even in the physical exhibits that we reviewed yesterday. And I could go on. There is a phone that the cooperating witness in this matter alleges that he turned over to the police. We believe there is exculpatory.

THE COURT: I guess my question is, let's assume that's true, we aren't at the trial date yet. So, I mean, the cases say that you are entitled to have all their information before trial. I haven't seen anything that said that should the situation that you described occur before trial, that it would warrant a dismissal. Usually there are (ck) trial discovered after the trial or after some proceeding has taken place. But here it hasn't happened yet. That's what I am struggling with. Since it hasn't happened yet, then there is no prejudice if you get the information and have adequate time to review it.

Electronic Proof of Claim_MVAXY27433[[CSLT#4100#CF]]

Final Audit Report 2021-01-05

Created:	2021-01-05
By:	Prime Clerk E-Filing (efiling@primeclerk.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAANC_Vsi_mwUH-EvZrFPaRR4IjW6lLjatl

"Electronic Proof of Claim_MVAXY27433[[CSLT#4100#CF]]" History

Web Form created by Prime Clerk E-Filing (efiling@primeclerk.com)
2021-01-05 - 5:54:17 PM GMT

Herbert Alford (info@whitelawpllc.com) uploaded the following supporting documents:
Attachment
2021-01-05 - 6:07:23 PM GMT

Web Form filled in by Herbert Alford (info@whitelawpllc.com)
2021-01-05 - 6:07:23 PM GMT- IP address: 50.73.211.181

(User email address provided through API User-Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/87.0.4280.88 Safari/537.36)
2021-01-05 - 6:07:26 PM GMT- IP address: 50.73.211.181

Agreement completed.
2021-01-05 - 6:07:26 PM GMT

Exhibit J

STATE OF MICHIGAN
IN THE 30TH CIRCUIT COURT FOR THE COUNTY OF INGHAM

HERBERT MAURICE ALFORD,

An Individual,

Plaintiff,

v.

THE HERTZ CORPORATION,

A Delaware Corporation, and

THE CORPORATION COMPANY,

A Michigan Corporation, and

JUDITH SCHUETT,

An Individual, and

Defendants.

Case No.: 20 – –

Hon. _____

COMPLAINT AND JURY DEMAND

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The Hertz Corporation
Defendant *In Pro Per*
Registered Agent: The Corporation Company
40600 Ann Arbor Road East, Suite 201
Plymouth, Michigan 48170

The Corporation Company
Defendant *In Pro Per*
Registered Agent: CT Corporation System
40600 Ann Arbor Road East, Suite 201
Plymouth, Michigan 48170

Judith Schuett
Defendant *In Pro Per*
15558 Dixie
Redford, Michigan 48239

COMPLAINT

There is no other pending or resolved civil action arising out of the transaction or occurrence alleged in the complaint.

NOW COMES Plaintiff Herbert M. Alford ("Mr. Alford"), by and through his attorneys White Law PLLC, and hereby alleges and states as follows:

INTRODUCTION

1. In 2011, Michael Adams was murdered in Lansing, Michigan. Mr. Alford was accused of the crime, went to trial, and was convicted in 2016. However, his conviction was overturned when The Hertz Corporation records corroborating his alibi were finally produced to him in 2018 resulting in all charges against him being dismissed in 2020. Had the Defendants not ignored and disobeyed numerous court orders requiring them to produce the documentation that eventually free Mr. Alford, he would not have spent over 1,700 days incarcerated. Mr. Alford now brings this lawsuit to hold the Defendants accountable for their actions, inactions, and negligence.

PARTIES, JURISDICTION, & VENUE

2. This is a civil action for the recovery of damages pursuant to the statutory and common law of the State of Michigan as a result of the acts, conduct, negligence, and omissions of Defendant The Hertz Corporation ("Hertz"), Defendant The Corporation Company, and Defendant Judi Schuett ("Ms. Schuett") (collectively "Defendants").
3. Hertz is a for profit corporation incorporated in the State of Delaware.
4. Upon information and belief, Hertz's worldwide headquarters is located in Estero, Florida.

5. Hertz conducts business in the State of Michigan.

6. The Corporation Company is a for profit corporation incorporated in the State of Michigan.

7. The Corporation Company conducts business in the State of Michigan.

8. The Corporation Company serves as Hertz's Resident Agent in the State of Michigan.

9. Upon information and belief, Ms. Schuett is an individual currently residing at 15558 Dixie, Redford, Michigan 48239 and is a resident of Wayne County.

10. Mr. Alford is an individual currently residing in Ingham County, Michigan.

11. All or part of the causes of action alleged in this Complaint arose in Ingham County, Michigan.

12. The amount in controversy in this matter is in excess of $25,000.000, excluding interest, costs, and attorney fees.

13. This Honorable Court may exercise personal jurisdiction over Defendants pursuant to MCL 600.701 and MCL 600.705.

14. Venue is appropriate in this Honorable Court pursuant to MCL 600.1621, MCL 600.1627, and MCL 600.1629.

GENERAL ALLEGATIONS

15. Mr. Alford realleges and reincorporates all preceding paragraphs by reference.

16. On October 18, 2011, Michael Adams was murdered at or near 3434 Pleasant Grove, Lansing, Michigan 48910 at approximately 2:54 PM.

17. At the time of the murder, Mr. Alford was at the Hertz rental location at the Capital Region International Airport located at 4100 Capitol City Boulevard, Lansing, Michigan 48906 renting a vehicle.

18. Depending on the route taken, the Capital Region International Airport is approximately 8 miles away from 3434 Pleasant Grove, Lansing, Michigan 48910.

19. To drive from 3434 Pleasant Grove, Lansing, Michigan 48910 to the Capital Region International Airport takes approximately 20 minutes.

20. Despite the impossibility of Mr. Alford being at the Capital Region International Airport Hertz location and 3434 Pleasant Grove, Lansing, Michigan 48910 at the same time, Mr. Alford was a suspect in the murder of Mr. Adams.

21. Mr. Alford has continually asserted his innocence in the death of Mr. Adams.

22. On October 21, 2011, Mr. Alford was charged by the Ingham County Prosecutor's Office with: (1) Homicide – Open Murder contrary to MCL 750.316; (2) Weapons – Firearms – Possession by Felon contrary MCL 750.224f; and (3) Weapons – Felony Firearm contrary to MCL 750.227f.

23. When interviewed by police on May 23, 2015, Mr. Alford proclaimed his innocence and asserted that he was at the Capital Region International Airport Hertz location at the time of Mr. Adams murder renting a vehicle from Hertz.

24. On May 23, 2015, Mr. Alford was arraigned on the murder charges in the 54A District Court in Lansing, Michigan.

25. On June 30, 2015, a subpoena was issued to Hertz (the "First Subpoena").

26. The First Subpoena commanded Hertz to: "**3. Produce/permit inspection or copying of the following items:** For the date of October 18, 2011 from 10:00 a.m. EST until 8:00 p.m. EST for the Hertz Rent-a-Car location at 4100 Capital City Blvd, Lansing, MI 48906, produce copies of any and all: (1) sign-in sheets; (2) transactional information, such as invoices and credit card receipts; (3) security camera footage; (4) lists of employees who worked during that time, including their timecards and addresses; and (5) other information that identifies in any way Herbert Maurice Alford. Send copies of these documents within 14 days of receipt of

this subpoena to: White Law PLLC, ATTN: Alexander S. Rusek, 2400 Science Pkwy, Ste. 201, Okemos, MI 48864."

27. The First Subpoena was served on Hertz's Resident Agent in Michigan, The Corporation Company.

28. Foreign corporations are required to continuously maintain a Resident Agent and Registered Office in the State of Michigan pursuant to MCL 450.1241.

29. Pursuant to MCL 450.1246(1), "The resident agent appointed by a corporation is an agent of the corporation on which any process, notice, or demand required or permitted by law to be served upon the corporation may be served." MCL 450.1246(1).

30. Pursuant to MCL 450.1246(2), "If an individual, whether a resident or nonresident of this state, accepts election, appointment, or employment as a director or officer of a corporation formed under this act or in existence on the effective date of this act, the acceptance is considered an appointment of the resident agent of the corporation as his or her agent on which process may be served while he or she is a director or officer, in any action commenced in a court of general jurisdiction in this state, arising out of or founded on any action of the domestic corporation or of the individual as a director or officer of the domestic corporation. After accepting service of process, the resident agent shall promptly forward it to the director or officer at his or her last known address." MCL 450.1246(2).

31. Hertz and The Corporation Company did not respond to the First Subpoena.

32. Hertz did not produce any of the documents required to be produced under the First Subpoena.

33. The Corporation Company did not produce any of the documents required to be produced under the First Subpoena.

34. Following the issuance of the First Subpoena, Mr. Alford's attorneys attempted to contact and coordinate with the Defendants to secure the production of the requested documents. The Defendants continuously stonewalled their attempts to procure the documents that would eventually exonerate Mr. Alford.

35. On January 20, 2016, Judge Clinton Canady III of the 30th Circuit Court for Ingham County signed a subpoena ordering Hertz to produce documents regarding Mr. Alford (the "Second Subpoena").

36. The Second Subpoena ordered Hertz to "**3. Produce/permit inspection or copying of the following items:** For the date of October 18, 2011 from 10:00 a.m. EST until 8:00 p.m. EST for the Hertz Rent-a-Car location at 4100 Capital City Blvd, Lansing, MI 48906, produce copies of any and all: (1) sign-in sheets; (2) transactional information, such as invoices and credit card receipts; (3) security camera footage; (4) lists of employees who worked during that time, including their timecards and addresses; and (5) other information that identifies in any way Herbert Maurice Alford. Send copies of these documents within three (3) days of receipt of this subpoena to: White Law PLLC, ATTN: Alexander S. Rusek, 2549 Jolly Road, Suite 340, Okemos, MI 48864 or to alexrusek@whitelawpllc.com."

37. On January 21, 2016, Hertz was served with the Second Subpoena when process server Gina Sharbowski personally served Hertz's Resident Agent, The Corporation Company.

38. Ms. Sharbowski personally served the Second Subpoena on Judi Schuett of The Corporation Company, Hertz's Resident Agent in the State of Michigan.

39. Following the issuance of the Second Subpoena, Mr. Alford's attorneys attempted to contact and coordinate with the Defendants to secure the production of the requested documents. The Defendants continuously stonewalled their attempts to procure the documents that would eventually exonerate Mr. Alford.

40. Hertz did not produce the documents that it was ordered to produce by the Second Subpoena.

41. The Corporation Company did not produce the documents that were ordered to be produced by the Second Subpoena.

42. Ms. Schuett did not produce the documents that were ordered to be produced by the Second Subpoena.

43. On February 8, 2016, a verified Motion to Show Cause was filed by Mr. Alford setting forth that "The Hertz Corporation and Judi Schuett has not complied with an order dated January 20, 2016 by failing to: See attached." … "The Hertz Corporation has not complied with the Subpoena issued by the Honorable Clinton Canady III on January 20, 2016. (Exhibit A). The Hertz Corporation was served with a copy of the Subpoena on January 21, 2016. (Exhibit B). Per the terms of the Subpoena, The Hertz Corporation had three days to produce the requested records to Alexander S. Rusek of White Law PLLC. To date, The Hertz Corporation has made no contact with Alexander S. Rusek or White Law PLLC regarding the Subpoena. Prior to the January 20, 2016 Subpoena being issued by the Honorable Clinton Canady III, Attorney for Alford, James White, issued a Subpoena to The Hertz Corporation on June 30, 2015. (Exhibit C). To date, The Hertz Corporation has refused to comply with either Subpoena by not producing the requested information."

44. On February 18, 2016, Judge Clinton Canady III ordered Hertz and Ms. Schuett to appear before the Court on March 16, 2016 to show cause why they should not be held in civil contempt of the Court for not producing the documents ordered to be produced by the Second Subpoena.

45. On March 29, 2016, the Motion and Order to Show Cause was personally served on Elena Boutakova of The Corporation Company, who accepted service on behalf of Hertz and Ms. Schuett.

46. The Motion to Show Cause was heard by the Court on April 6, 2016.

47. On April 12, 2016, an Order Regarding Defendant's Motion to Show Cause was issued and granted in part and denied in part the Motion to Show Cause.

48. The Order Regarding Defendant's Motion to Show Cause ordered Hertz and Ms. Schuett to produce the documents set forth in the Second Subpoena within 14 days of the service of the Order Regarding Defendant's Motion to Show Cause or May 2, 2016, whichever date was sooner.

49. On April 13, 2016, the Order Regarding Defendant's Motion to Show Cause was personally served on Ms. Schuett, who stated that she was authorized to accept service for Hertz and The Corporation Company.

50. Hertz did not produce the documents that it was ordered to produce by the Order Regarding Defendant's Motion to Show Cause.

51. The Corporation Company did not produce the documents that were ordered to be produced by the Order Regarding Defendant's Motion to Show Cause

52. Ms. Schuett did not produce the documents that were ordered to be produced by the Order Regarding Defendant's Motion to Show Cause Subpoena.

53. The Defendants had a duty to abide by the Order Regarding Defendant's Motion to Show Cause.

54. The Defendants defied the Order Regarding Defendant's Motion to Show Cause.

55. The Defendants ignored the Order Regarding Defendant's Motion to Show Cause.

56. The Defendants neglected to abide by the Order Regarding Defendant's Motion to Show Cause.

57. On November 4, 2016, another Motion to Show Cause against Hertz and Ms. Schuett was filed by Mr. Alford and was set to be heard on November 16, 2016 at 2:00 PM.

58. On November 21, 2016, another Motion to Show Cause against Hertz and Ms. Schuett was filed by Mr. Alford and was set to be heard on November 30, 2016 at 3:45 PM.

59. On November 30, 2016, a hearing on the November 21, 2016 Motion to Show Cause was heard by Judge Clinton Canady III.

60. On December 2, 2016, an Order Regarding Defendant's Motion to Show Cause ("December 2, 2016 Order") was issued by Judge Clinton Canady III.

61. The December 2, 2016 Order ordered that:

> 1. Defendant's Motion to Show Cause is **GRANTED**.
>
> 2. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, are hereby held in contempt of this Honorable Court.
>
> 3. The Hertz Corporation and Judi Schuett of The Corporation Company shall produce the documents requested in the attached subpoena to White Law PLLC immediately.
>
> 4. The Hertz Corporation and Judi Schuett of The Corporation Company, Registered Agent for The Hertz Corporation, shall pay the reasonable attorney fees and costs incurred by Defendant Herbert M. Alford in connection with obtaining documents and records in the possession of the Hertz Corporation.

62. Hertz did not produce the documents that it was ordered to produce by the December 2, 2016 Order.

63. The Corporation Company did not produce the documents that were ordered to be produced by the December 2, 2016 Order.

64. Ms. Schuett did not produce the documents that were ordered to be produced by the December 2, 2016 Order.

65. Despite not having records from Hertz, Mr. Alford was forced to go to trial on December 5, 2016 in the 30th Circuit Court for the County of Ingham.

66. Without having the Hertz records, Mr. Alford was denied his ability to present a full and fair defense at trial as he did not have access to the Hertz records that proved his alibi defense and his innocence.

67. The Defendants had a duty to abide by the December 2, 2016 Order.

68. The Defendants defied the December 2, 2016 Order.

69. The Defendants ignored the December 2, 2016 Order.

70. The Defendants neglected to abide by the December 2, 2016 Order.

71. Mr. Alford's trial took place on December 5, 6, 8, 9, 12, and 13.

72. On December 13, 2016, Mr. Alford was convicted of (1) Homicide – Second Degree Murder contrary to MCL 750.317; (2) Weapons – Firearms – Possession by Felon contrary MCL 750.224f; and (3) Weapons – Felony Firearm contrary to MCL 750.227f.

73. On January 18, 2017, Mr. Alford was sentenced by Judge Clinton Canady III to serve 365 to 730 months, approximately 30.4 to 60.8 years, incarceration in the Michigan Department of Corrections.

74. Mr. Alford was 43 years old when he was sentenced. Had his conviction not been overturned, he would have been at least 73 years old before being eligible to be considered for parole. Mr. Alford would have had to reach the age of 103 to serve his full sentence if his conviction had not been overturned.

75. Mr. Alford was appointed appellate counsel following his conviction.

76. In early 2018, Mr. Alford's appellate counsel served a subpoena on Hertz through their registered agent requesting the documents that were ordered to be produced by the December 2, 2016 Order.

77. A hearing on Mr. Alford's Motion for a New Trial was scheduled to be heard by Judge Clinton Canady III on March 16, 2018.

78. On March 7, 2018, Mr. Alford's appellate counsel received a letter from Carolyn Fry, who claimed to be a legal assistant for Hertz.

79. Ms. Fry represented that a search for the documents was conducted, that none were found, and that the records were likely purged because of their age.

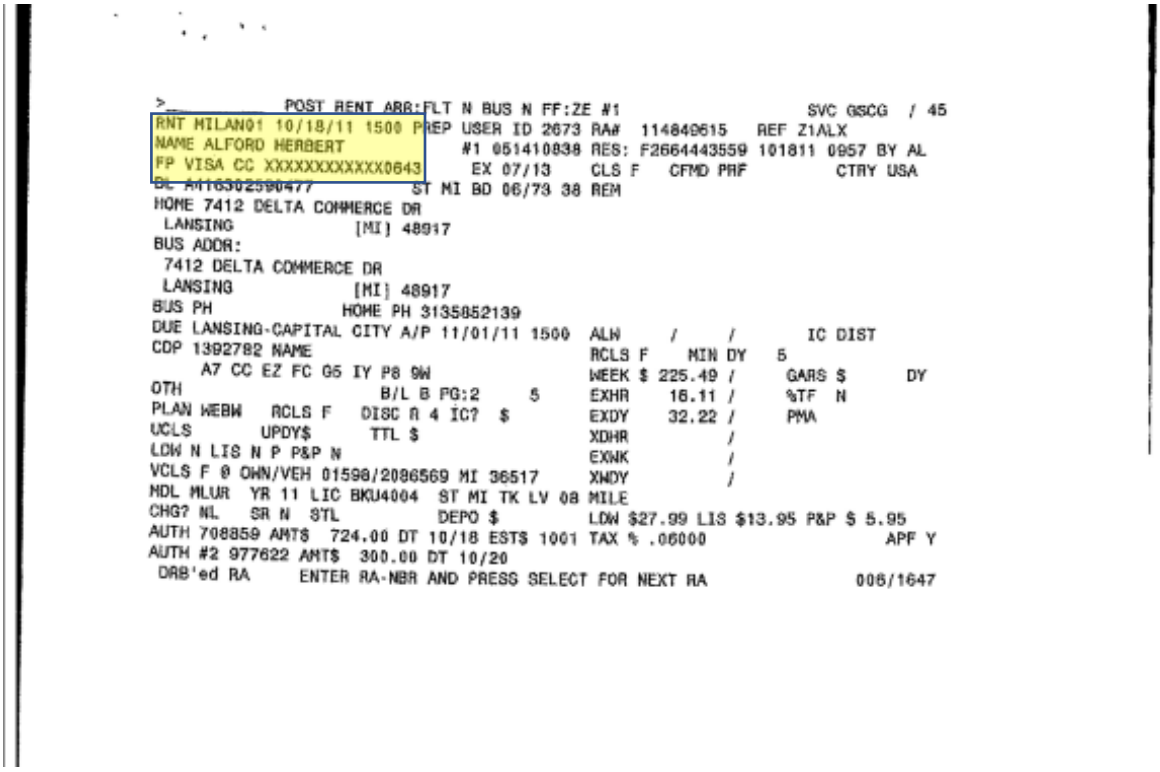
80. Ms. Fry's statements were false.

81. Mr. Alford's appellate counsel wrote back to Ms. Fry and demanded that a Hertz representative appear at the March 16, 2018 hearing.

82. Only a few days before the March 16, 2018 hearing, Hertz produced records to the Ingham County Prosecutor's Office that were then forwarded to Mr. Alford's appellate counsel.

83. Hertz was in possession of the exculpatory documents during the entire pendency of Mr. Alford's criminal case and failed or refused to produce them in violation of numerous court orders.

84. Included in the records produced by Hertz was a record/receipt showing that Mr. Alford used a Visa credit card to rent a vehicle from Hertz on October 18, 2011 at 1500 hours EST (3:00



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>_          POST RENT ARR:FLT N BUS N FF:ZE #1                    SVC GSCG  / 45
RNT MILAN01 10/18/11 1500 PREP USER ID 2673 RA#  114849615   REF Z1ALX
NAME ALFORD HERBERT          #1 051410838 RES: F2664443559 101811 0957 BY AL
FP VISA CC XXXXXXXXXXX0643     EX 07/13    CLS F   CFMD PRF          CTRY USA
DL A416302590477             ST MI BD 06/73 38 REM
HOME 7412 DELTA COMMERCE DR
 LANSING            [MI] 48917
BUS ADDR:
 7412 DELTA COMMERCE DR
 LANSING            [MI] 48917
BUS PH             HOME PH 3135852139
DUE LANSING-CAPITAL CITY A/P 11/01/11 1500  ALW     /     /       IC DIST
CDP 1392782 NAME                            RCLS F    MIN DY   5
    A7 CC EZ FC G5 IY P8 9W                 WEEK $ 225.49 /     GARS $      DY
OTH                  B/L B PG:2     5       EXHR    16.11 /     %TF  N
PLAN WEBW   RCLS F   DISC N 4 IC?  $        EXDY    32.22 /     PMA
UCLS       UPDY$     TTL $                  XDHR          /
LDW N LIS N P P&P N                         EXNK          /
VCLS F 0 OWN/VEH 01598/2086569 MI 36517     XNDY          /
MDL MLUR  YR 11 LIC BKU4004  ST MI TK LV 08 MILE
CHG? NL   SR N  STL          DEPO $         LDW $27.99 LIS $13.95 P&P $ 5.95
AUTH 708859 AMT$  724.00 DT 10/18 EST$ 1001 TAX % .06000                APF Y
AUTH #2 977622 AMT$  300.00 DT 10/20
 ORB'ed RA     ENTER RA-NBR AND PRESS SELECT FOR NEXT RA              006/1647
```

PM):

Exhibit 1 – Hertz Records.

85. 3:00 PM EST on October 18, 2011 was approximately 6 minutes after Mr. Adams was shot.

86. It is impossible to travel from 3434 Pleasant Grove, Lansing, Michigan 48910 to the Capital Region International Airport Hertz location in 6 minutes using any normal form of travel.

87. Thereafter, Mr. Alford's appellate counsel filed an Amended Motion for New Trial. An evidentiary hearing was scheduled for August 30, 2018.

88. Prior to the evidentiary hearing, Judge Clinton Canady III overturned Mr. Alford's conviction in an Opinion and Order dated August 6, 2018.

89. In the August 6, 2018 Opinion and Order, Judge Clinton Canady III wrote, in part, that: "This Court also finds that Defendant was deprived of presenting an alibi defense because he did not have access to the potentially exculpatory evidence because the evidence was not discovered at the time of trial. "An alibi makes it impossible for a defendant to be guilty of a crime because the alibi places the defendant at a place other than where the crime was committed at the time the alleged offense occurred." The right to present a complete defense is a fundamental element of due process of law. As such, Defendant is entitled to a new trial on the basis of the newly discovered evidence to exercise his right to present a defense." *Id.* at 7.

90. On February 19, 2020, Mr. Alford was granted a $50,000.00 cash surety bond by Judge Clinton Canady III and thereafter was released from custody.

91. In total, Mr. Alford spent over 1,733 days incarcerated for a crime that he did not commit.

92. On or about December 2, 2020, the Ingham County Prosecutor's Office filed a Motion for Nolle Prosequi that requested that all charges against Mr. Alford be dismissed.

93. The Ingham County Prosecutor's Office set forth in its Motion for Nolle Prosequi that it was "unable to sustain burden of proof at this time."

94. On December 8, 2020, Judge Clinton Canady III signed an Order dismissing all charges against Mr. Alford.

95. Ingham County Prosecutor Carol Siemon has stated that "The Hertz report legally is exculpatory evidence since it creates a timeline that would exclude Mr. Alford's involvement [in the death of Mr. Adams]."

96. As a direct result of the Defendants' actions, inactions, and negligence, Mr. Alford has suffered physical and emotional harm, economic damages, and will continue to suffer actual losses in the future.

97. Mr. Alford was incarcerated for over 1700 days in the Ingham County Jail and the Michigan Department of Corrections.

98. While incarcerated, Mr. Alford was unable to work and earn an income.

99. While incarcerated, Mr. Alford was denied the love and companionship of his family.

100. While incarcerated, Mr. Alford was denied the pleasures of a normal life that he had enjoyed prior to his incarceration.

101. While on bond from approximately February 19, 2020 until December 8, 2020, Mr. Alford was denied the ability to live a normal life and enjoy the pleasures of that normal life.

102. While on bond, Mr. Alford's movement were restricted and he was required to wear a GPS tether.

103. While on bond, Mr. Alford incurred significant costs related to the terms and conditions of his bond, such as the cost of wearing a GPS tether.

104. Since May 2013, Mr. Alford has incurred significant attorney fees and costs exceeding $100,000.00.

105. As a direct or proximate result of these actions and inactions by the Defendants, Mr. Alford sustained injuries, including but not limited to physical pain and suffering, mental anguish, fright, shock, embarrassment, humiliation, mortification, damage to reputation, disruption of personal life, loss of enjoyment of the ordinary pleasures of living, and other damages known and unknown.

106. As a direct or proximate result of these actions and inactions by the Defendants, Mr. Alford has been deprived of lost wages; loss of earning capacity; loss of employment benefits, including but not limited to retirement benefits, insurance, holiday and vacation pay, training opportunities, promotions, and fringe benefits; and other damages known and unknown, causing Mr. Alford to suffer considerable financial distress and hardship.

CAUSES OF ACTION

COUNT I – CIVIL CONTEMPT UNDER MCL 600.1721 AS TO ALL DEFENDANTS

107. Mr. Alford realleges and reincorporates all preceding paragraphs by reference.

108. MCL 600.1721 authorizes a civil cause of against a defendant whose misconduct in violating a court order causes actual loss or injury to a person.

109. The Defendants had a duty not to breach court orders relating to Mr. Alford.

110. The First Subpoena, Second Subpoena, Order Regarding Defendant's Motion to Show Cause, and the December 2, 2016 Order are court orders.

111. The Defendants had notice of the First Subpoena, Second Subpoena, Order Regarding Defendant's Motion to Show Cause, and the December 2, 2016 Order.

112. The Defendants were afforded hearings regarding their contemptuous actions and given multiple reasonable opportunities to defend against the allegations leading to them being held in contempt.

113. During the entire pendency of Mr. Alford's criminal matter, the Defendants had the ability to comply with the First Subpoena, Second Subpoena, Order Regarding Defendant's Motion to Show Cause, and the December 2, 2016 Order.

114. The Defendants had a duty to abide by the First Subpoena.

115. The Defendants defied the First Subpoena.

116. The Defendants ignored the First Subpoena.

117. The Defendants neglected to abide by the First Subpoena.

118. The Defendants had a duty to abide by the Second Subpoena.

119. The Defendants defied the Second Subpoena.

120. The Defendants ignored the Second Subpoena.

121. The Defendants neglected to abide by the Second Subpoena.

122. The Defendants had a duty to abide by the Order Regarding Defendant's Motion to Show Cause.
123. The Defendants defied the Order Regarding Defendant's Motion to Show Cause.
124. The Defendants ignored the Order Regarding Defendant's Motion to Show Cause.
125. The Defendants neglected to abide by the Order Regarding Defendant's Motion to Show Cause.
126. The Defendants had a duty to abide by the December 2, 2016 Order.
127. The Defendants defied the December 2, 2016 Order.
128. The Defendants ignored the December 2, 2016 Order.
129. The Defendants neglected to abide by the December 2, 2016 Order.
130. The Defendants' actions are punishable under MCL 600.1701, *et. seq.*
131. The Defendants were held in contempt for their actions related to the Hertz records that exonerated Mr. Alford.
132. But for the Defendants' misconduct, Mr. Alford would not have been incarcerated nor suffered the losses associated with his incarceration.
133. As a direct result of the Defendants' misconduct that violated the orders of the 30th Circuit Court for the County of Ingham, the Defendants caused actual loss and injury to Mr. Alford.

WHEREFORE, as a direct and/or proximate result of the Defendants' actions, inactions, and negligence, Mr. Alford has suffered and continues to suffer physical injuries, mental injuries, and other losses and will continue to suffer from those losses in the future. Therefore, Mr. Alford respectfully requests that this Honorable Court find the Defendants liable to Mr. Alford and award him damages in excess of $25,000.00 plus interest, costs, attorney fees, together with statutory costs and interest, and any other further relief that this Honorable Court deems just and equitable.

COUNT II – NEGLIGENCE AS TO ALL DEFENDANTS

134. Mr. Alford realleges and reincorporates all preceding paragraphs by reference.

135. MCL 600.1721 authorizes a civil cause of against a defendant whose misconduct in violating a court order causes actual loss or injury to a person.

136. The Defendants had a duty not to breach court orders relating to Mr. Alford.

137. The Defendants had a duty to Mr. Alford to not prevent him from exercising his constitutional right to present a full and fair defense to the homicide and firearms charges brought against him.

138. The First Subpoena, Second Subpoena, Order Regarding Defendant's Motion to Show Cause, and the December 2, 2016 Order are court orders.

139. The Defendants had notice of the First Subpoena, Second Subpoena, Order Regarding Defendant's Motion to Show Cause, and the December 2, 2016 Order.

140. The Defendants were afforded hearings regarding their contemptuous actions and given multiple reasonable opportunities to defend against the allegations leading to them being held in contempt.

141. During the entire pendency of Mr. Alford's criminal matter, the Defendants had the ability to comply with the First Subpoena, Second Subpoena, Order Regarding Defendant's Motion to Show Cause, and the December 2, 2016 Order and neglected to comply with all four.

142. The Defendants had a duty to abide by the First Subpoena.

143. The Defendants neglected to abide by the First Subpoena.

144. The Defendants had a duty to abide by the Second Subpoena.

145. The Defendants neglected to abide by the Second Subpoena.

146. The Defendants had a duty to abide by the Order Regarding Defendant's Motion to Show Cause.

147. The Defendants neglected to abide by the Order Regarding Defendant's Motion to Show Cause.

148. The Defendants had a duty to abide by the December 2, 2016 Order.

149. The Defendants neglected to abide by the December 2, 2016 Order.

150. The Defendants breached their duties to Mr. Alford by and through the aforementioned actions.

151. But for the Defendants' misconduct, Mr. Alford would not have been incarcerated nor suffered the losses associated with his incarceration and former criminal charges.

152. As a direct result of the Defendants' negligence, the Defendants caused actual loss and injury to Mr. Alford.

WHEREFORE, as a direct and/or proximate result of the Defendants' actions, inactions, and negligence, Mr. Alford has suffered and continues to suffer physical injuries, mental injuries, and other losses and will continue to suffer from those losses in the future. Therefore, Mr. Alford respectfully requests that this Honorable Court find the Defendants liable to Mr. Alford and award him damages in excess of $25,000.00 plus interest, costs, attorney fees, together with statutory costs and interest, and any other further relief that this Honorable Court deems just and equitable.

COUNT III – CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS IN VIOLATION OF 42 USC § 1985 AS TO ALL DEFENDANTS

153. Mr. Alford realleges and reincorporates all preceding paragraphs by reference.

154. 42 USC § 1985 sets forth that:

> (1)Preventing officer from performing duties
>
> If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of

the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties;

(2) Obstructing justice; intimidating party, witness, or juror

If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

(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.

> if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws; … 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.

42 USC § 1985.

155. Starting in 2015 in the State of Michigan, the Defendants entered into a conspiracy with one another and with other parties whose names are unknown to Mr. Alford for the purpose of impeding, hindering, obstructing, or defeating the due course of justice.

156. Defendants entered into a conspiracy with one another with the intent to deny Mr. Alford equal protection of the laws including but not limited to the intent to deny Mr. Alford due process and protections under the Fourth, Fifth, and Sixth Amendments to the United States Constitution.

157. Defendants entered into a conspiracy with one another with the intent to injure Mr. Alford lawfully attempting to enforce his right to equal protection of the law.

158. In furtherance of the objectives of the conspiracy referred to in the preceding paragraph, the Defendants either did or caused to be done the following overt acts:

    a. The Defendants defied the First Subpoena.

    b. The Defendants ignored the First Subpoena.

    c. The Defendants neglected to abide by the First Subpoena.

    d. The Defendants defied the Second Subpoena.

    e. The Defendants ignored the Second Subpoena.

    f. The Defendants defied the Order Regarding Defendant's Motion to Show Cause.

    g. The Defendants ignored the Order Regarding Defendant's Motion to Show Cause.

h. The Defendants neglected to abide by the Order Regarding Defendant's Motion to Show Cause.

i. The Defendants defied the December 2, 2016 Order.

j. The Defendants ignored the December 2, 2016 Order.

k. The Defendants neglected to abide by the December 2, 2016 Order.

l. The Defendants acted in concert to withhold the exculpatory evidence that proved Mr. Alford's alibi and innocence.

159. Each of the acts listed above committed by the Defendants were done in furtherance of the conspiracy referenced and described above.

160. As a result of the conspiracy committed by the Defendants, Mr. Alford was deprived of his civil rights, including the right to bodily integrity, and his rights under the Fourth, Fifth, Sixth, and Fourteenth Amendments to the United States Constitution.

161. Pursuant to provisions of 42 USC § 1985, Plaintiff demands judgment against the Defendants on account of the allegations in this Complaint, jointly and severally, in an amount in excess of $25,000.00, plus the costs of this action and any other relief that is just and proper to this Honorable Court.

162. But for the Defendants' misconduct, Mr. Alford would not have been incarcerated nor suffered the losses associated with his incarceration and former criminal charges.

163. As a direct or proximate result of these actions and inactions by the Defendants, Mr. Alford sustained injuries, including but not limited to physical pain and suffering, mental anguish, fright, shock, embarrassment, humiliation, mortification, damage to reputation, disruption of personal life, loss of enjoyment of the ordinary pleasures of living, and other damages known and unknown.

164. As a direct or proximate result of these actions and inactions by the Defendants, Mr. Alford has been deprived of lost wages; loss of earning capacity; loss of employment benefits, including but not limited to retirement benefits, insurance, holiday and vacation pay, training opportunities, promotions, and fringe benefits; and other damages known and unknown, causing Mr. Alford to suffer considerable financial distress and hardship.

165. But for the Defendants' misconduct, Mr. Alford would not have been incarcerated nor suffered the losses associated with his incarceration and former criminal charges.

WHEREFORE, as a direct and/or proximate result of the Defendants' actions, inactions, and negligence, Mr. Alford has suffered and continues to suffer physical injuries, mental injuries, and other losses and will continue to suffer from those losses in the future. Therefore, Mr. Alford respectfully requests that this Honorable Court find the Defendants liable to Mr. Alford and award him damages in excess of $25,000.00 plus interest, costs, attorney fees, together with statutory costs and interest, and any other further relief that this Honorable Court deems just and equitable.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff Herbert M. Alford respectfully requests that this Honorable Court enter judgment against the Defendants as follows:

A. Compensatory damages in whatever amount above $25,000.00 that the Plaintiff is found to be entitled to.

B. Exemplary damages in whatever amount above $25,000.00 that the Plaintiff is found to be entitled to.

C. All other damages in whatever amount above $25,000.00 that the Plaintiff is found to be entitled to.

D. Judgment for the value of mental and emotional distress in whatever amount above $25,000.00 that the Plaintiff is found to be entitled to.

E. An award of interest, costs, and reasonable attorney fees.

F. Any other relief that this Honorable Court deems just and equitable.

Respectfully Submitted,

Dated: _____

James White (P56946)
Alexander S. Rusek (P77581)
Daniel Sturdevant (P82936)
White Law PLLC
Attorneys for Plaintiff
2549 Jolly Road, Suite 340
Okemos, Michigan 48864
Ph.: (517) 316-1195
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E: alexrusek@whitelawpllc.com
E: danielsturdevant@whitelawpllc.com
E: discovery@whitelawpllc.com

JURY DEMAND

NOW COMES Plaintiff Herbert M. Alford, by and through his attorneys White Law PLLC, and hereby demands a trial by jury on all causes of action in this matter.

Respectfully Submitted,

Dated: _____

_____

James White (P56946)
Alexander S. Rusek (P77581)
Daniel Sturdevant (P82936)
White Law PLLC
Attorneys for Plaintiff
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E: danielsturdevant@whitelawpllc.com
E: discovery@whitelawpllc.com

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
THE HERTZ CORPORATION, *et al.*,[1]	Case No. 20-11218 (MFW)
Debtors.	(Jointly Administered)

AFFIDAVIT OF HERBERT M. ALFORD IN SUPPORT OF HERBERT M. ALFORD'S MOTION FOR ORDER (I) DEEMING HIS PROOF OF CLAIM TIMELY FILED, AND (II) GRANTING RELIEF FROM AUTOMATIC STAY

COUNTY OF INGHAM)
) SS
STATE OF MICHIGAN)

I, Herbert M. Alford, hereby swear under penalty of perjury as follows:

1. I am more than 18 years of age, and I submit this affidavit in support of Herbert M. Alford's Motion for Order (I) Deeming His Proof of Claim Timely Filed, And (II) Granting Relief From the Automatic Stay (the "Motion").

2. I have reviewed the Motion and believe the facts set forth therein are true and correct, to the best of my knowledge, information and belief.

3. I was not aware of the bankruptcy petition of The Hertz Corporation and its affiliates (the "Debtors") until December 11, 2020, at the earliest.

4. Criminal charges against me were dismissed on December 8, 2020 by the Ingham

[1] The last four digits of The Hertz Corporation's tax identification number are 8568. The location of the debtors' service address is 8501 Williams Road, Estero, FL 33928. Due to the large number of debtors in these chapter 11 cases, which are jointly administered for procedural purposes, a complete list of the debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the debtors' claims and noticing agent at https://restructuring.primeclerk.com/hertz.

County Prosecutor's Office due to the exculpatory evidence that was obtained from The Hertz Corporation. *See* Exhibits J and K to the Motion.

5. I learned of the Debtors bankruptcy petition on or about December 11, 2020, after the charges against me were dismissed by the Ingham County Prosecutor's Office. *Id.*

6. At no time did I receive actual notice of the Debtors' pending bankruptcy petition.

Herbert Alford

SWORN AND SUBSCRIBED BEFORE ME THIS 8 DAY OF January, 2021, IN INGHAM COUNTY, STATE OF MICHIGAN.

/s/ Blake Lertzman
Printed Name: Blake Lertzman
Notary Public, State of Michigan, County of Ingham.
My commission expires Oct 23, 2023
Acting in the County of Ingham, State of Michigan.

BLAKE LERTZMAN
NOTARY PUBLIC
COUNTY OF INGHAM
My Commission Expires
October 29, 2023
Acting in the County of
Ingham
STATE OF MICHIGAN

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
THE HERTZ CORPORATION, *et al.*,	Case No. 20-11218 MFW
	(Jointly Administered)
Debtors.	

AFFIDAVIT OF H. JAMES WHITE IN SUPPORT OF HERBERT M. ALFORD'S MOTION FOR ORDER (I) DEEMING HIS PROOF OF CLAIM TIMELY FILED, AND (II) GRANTING RELIEF FROM AUTOMATIC STAY

COUNTY OF INGHAM)
) SS
STATE OF MICHIGAN)

I, H James White, hereby swear under penalty of perjury as follows:

1. I am more than 18 years of age, and I submit this affidavit in support of Herbert M. Alford's Motion for Order (I) Deeming His Proof of Claim Timely Filed, And (II) Granting Relief From the Automatic Stay (the "Motion").

2. I was an attorney of record for Mr. Alford in the case captioned, *People v. Herbert Alford*, Case Number: 15-000696-FC previously pending before the Honorable Clinton Canady III in the Circuit Court for the County of Ingham, State of Michigan. I was retained to represent Mr. Alford in relation to a potential civil lawsuit against The Hertz Corporation and other entities on or about December 9, 2020.

3. I have reviewed the Motion and believe the facts set forth therein are true and correct, to the best of my knowledge, information and belief.

4. I was not aware of the bankruptcy petition of the Hertz Corporation and its affiliates (the "Debtors") until on or about December 11, 2020.

5. Criminal charges against Mr. Alford were dismissed on December 8, 2020 by the Ingham County Prosecutor's Office due to the exculpatory evidence that was obtained from The Hertz Corporation. *See* Exhibits J and K to the Motion.

6. I learned of the Debtors bankruptcy petition on or about December 11, 2020, after the charges against Mr. Alford were dismissed by the Ingham County Prosecutor's Office. *Id.*

7. At no time did I receive actual notice of the Debtors' pending bankruptcy petition.

SWORN AND SUBSCRIBED BEFORE ME THIS 7 DAY OF January, 2021, IN INGHAM COUNTY, STATE OF MICHIGAN.

/s/ _____
Printed Name: Blake Lertzman
Notary Public, State of Michigan, County of Ingham.
My commission expires 10/29/2023
Acting in the County of Ingham, State of Michigan.

BLAKE LERTZMAN
NOTARY PUBLIC
COUNTY OF INGHAM
My Commission Expires
October 29, 2023
Acting in the County of
Ingham
STATE OF MICHIGAN

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
THE HERTZ CORPORATION, *et al.*,[1]	Case No. 20-11218 (MFW)
Debtors.	(Jointly Administered)
	Re: Docket No. __

ORDER GRANTING HERBERT M. ALFORD'S MOTION FOR ORDER DEEMING HIS PROOF OF CLAIM TIMELY FILED AND RELIEF FROM AUTOMATIC STAY

Upon consideration of *Herbert M. Alford's Motion for Order Deeming His Proof of Claim Timely Filed and for Relief from Automatic Stay* (the "Motion")[2] and the Court having jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and due and proper notice of the Motion having been provided pursuant to Local Bankruptcy Rule 4001-1; and it appearing that no other or further notice being required; and upon consideration of any response timely filed with respect to the Motion; and after due deliberation and sufficient cause therefor,

IT IS HEREBY ORDERED,

1. The Motion is granted as hereinafter set forth.

2. Herbert Alford's Proof of Claim, Claim No. 14606, against The Hertz Corporation is hereby deemed timely filed for all purposes.

[1] The last four digits of The Hertz Corporation's tax identification number are 8568. The location of the debtors' service address is 8501 Williams Road, Estero, FL 33928. Due to the large number of debtors in these chapter 11 cases, which are jointly administered for procedural purposes, a complete list of the debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the debtors' claims and noticing agent at https://restructuring.primeclerk.com/hertz.

[2] Capitalized terms used herein but not otherwise defined shall have the meanings ascribed to them in the Motion.

3. Herbert Alford is granted relief from the automatic stay allowing him to file and liquidate the claims set forth his Proposed Complaint in the 30th Circuit Court for the County of Ingham, State of Michigan to final and non-appealable judgment.

CERTIFICATE OF SERVICE

I, Christopher P. Simon, hereby certify that, on this 8th day of January, 2021, and in addition to the service provided under the Court's CM/ECF system, I caused copies of the foregoing *Herbert Alford's Motion for Order (I) Deeming His Proof of Claim Timely Filed, and (II) Granting Relief from the Automatic Stay* to be served upon the parties listed on the attached service list by electronic mail and first class United States mail, postage prepaid.

/s/ Christopher P. Simon
Christopher P. Simon (No. 3697)

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