

**In the Supreme Court of the State of Michigan**

Supreme Court Case #: \_\_\_\_\_

Associated Cases: (MI)  
COA:202804; COA:282820;  
CC: 07-1256-AW;  
CC: 06-633604-NO;  
SC:131803; COA:267023;  
CC:04-000577-CL

The Constitutional “**State of Michigan**”, and all proceeding “**State-Ex-Rel**” and “**Quo-Warranto**” through **David Schied**, and numerous other honorably concerned Michiganders, too numerous to list here, of which are including John and Jane Does, 1-1,000. All Co-Plaintiffs herein are proceeding:  
**Rex, Sui-Juris, & Propria-Persona;**

Associated Cases: (US)  
09cv12374; 09cv11307;  
08-14944;  
08cv10005; 08-1879;  
08-1895

**Plaintiffs, Demandants, & Accusers,**

Vs

The private corporation of the *defacto* “**STATE OF MICHIGAN**”, in persons who are known, among others, as:

Jennifer Granholm; Kelley Keenan; Michelle Rich; Mike Cox; Frank Monticello, Patrick O'Brien, Thomas Cameron, Paul Goodrich, Wanda Stokes, David Tanay;

**Michigan and U.S. District Court Judges and State Court Administrator:** Deborah Servitto, Mark Cavanagh, Karen Fort Hood, Cynthia Stephens, Donald Owens, Pat Donofrio, Richard Bandstra; Melinda Morris, William Collette; Paul Borman, Lawrence Zatkoff, Steven Murphy; Carl Gromek;

**U.S. Attorneys, FBI and USDOJ Agents:** Terrance Berg; Andrew Arena, Rod Charles, Walt Kennedy;

**State Prosecutors:** Brian Mackie, Joseph Burke; Robert Donaldson, James Gonzales, Maria Miller, Kym Worthy;

**Attorneys for the Michigan State Bar:** Michael Weaver, Richard Fanning , Gary King, Bruce Bagdady;

**State Police; Local and County Sheriffs:** Fred Farkas, Ann McCaffery, Darryl Hill, Lynn Huggins, Beth Moranty, Karla Christiansen, Dan Pekrul, Liz Canfield, Robert Grounds, Tim Bolles, Charles Bush; Michael Carlton, Greg Hannewald, Anthony Tilger; Warren Evans, James Hines, Larry Crider, Michael Sawaya; Jerry Clayton, Jeff Saren, Bob Bezotte, Robert Hudecek, Scott Domine;

**Michigan OCR, DOE and RESA:** Donna Paruszkiewicz, Joan Blair, Harvalee Saunto, Ann Omans, Jackie Thompson, Susan Liebetreu, Wayne County RESA Officers David Soebbing, Mary Fayad, Kevin Magin, Marlene Davis;

**County Commissions:** Laura Cox, John Sullivan, Rolland Sizemore, Jr., Robert Guenzel, & others of the Wayne and Washtenaw County Commission;

**School district administrators:** Sandra Harris, Fred Williams, Lynn Cleary, Cathy Secor, Sherry Gerlofs, Leonard Rezmierski, David Bolitho, Katy Parker, Scott Snyder, Lynn Mossoian; Ronald Ward, Ken Hamman, Patricia Meyer, Kirk Hobson, Laura Surrey, teacher Jennifer Bouhana, Karen Ellsworth, Jessica Murray, Patricia Ham; and,

**Other Public-Offices Holders at All Levels,** as well as their representative attorneys; & including John & Jane Does 1-300; many of whom are named more fully later in this complaint, or will be added by amendment to this complaint as they become known; & all named in their Private & Public Capacities.

**Accused Criminal Defendants.**

**MOTION FOR SERVICE OF PROCESS TO BE MADE BY  
PUBLICATION OR POSTING UNDER MCR 2.105(I) IN COMBINATION WITH  
E-MAIL UNDER 2.107 (C)(4),**

and

**“FILING OF PLEADING AND SERVICE ON AN ADVERSE PARTY  
CONSTITUTES NOTICE OF IT TO ALL PARTIES” UNDER 2.107 (F)(4)**

Whereas the *Plaintiffs, Demandants, and Accusers* come now before this Michigan Supreme Court in *propria persona* and by “*State-Ex-Rel*” with a “*Quo-Warranto*” proceeding and with CRIMINAL allegations submitted by Sworn and Notarized “*Complaint*”, it is within the discretion of this Court to define what constitutes a “*reasonably calculated*” attempt to give the defendants “*actual notice of the proceedings and an opportunity to be heard*”. MCR 2.105(I)(1) provides that, “*On showing that service of process cannot reasonably be made as provided by Rule 2.105*”, that the Court may draft an Order for “*service of process to be made in another manner*”, such as by “**Posting or Publication**” (Rule 2.106) and/or by “**E-mail**” [Rule 2.107(C)(4)]. MCR 2.105(I)(2) maintains that such an Order “*must be made in a verified Motion dated not more than 14 days before (service of process) is filed*”.

**The documents in accompaniment of this “Quo-Warranto Complaint”**, all submitted by Sworn and Notarized Affidavits, **serve three primary purposes**: **First**, is to notify this Court that the nature of this Complaint involves **criminal allegations** for which the State of Michigan has a **fiduciary duty** to provide both a practical and a legal remedy; **Second**, is to put this Court on notice that the named government Co-Defendants are all already familiar with the ongoing nature of this case, and that it is precisely because they have not properly performed their fiduciary functions that the number of people and crimes against the “*Plaintiff(s)*” have grown beyond anything considered “*reasonable*”; **Third**, is to inform this Court that the scope and duration of these crimes continuing for the past six (6) years has financially devastated Plaintiff David Schied (and others), forcing him as a “*crime victim*” to proceed with these ongoing criminal allegations as a “*indigent*” litigant without enough resources to “*serve*” all of these “Accused” who have for so long refused their own duties as “*public servants*”.

As shown on the “Cover Page” of the Complaint, as well as on the cover of this “Motion for Service of Process...”, the Co-Defendants have been apprised of the allegations in numerous previous State and Federal court cases, some of which remain pending as various “*civil*” lawsuits. In 2006, even this Michigan Supreme Court had the opportunity to rectify the

“miscarriages of justice” that were just beginning to play out when they were presented with the case of “David Schied v. Sandra Harris and the Lincoln Consolidated Schools et al” (SC:131803; COA:267023; CC:04-000577-CL) but they turned that down without any apparent reason.

Since then the Attorney General and many of his various Bureau and Division “chiefs” have adopted the role as “counsel” for many of the more prominent co-defendants, including the Governor Jennifer Granholm and Attorney General Mike Cox, both also named as a co-defendant in this case. The Office of the Michigan Attorney General is therefore well acquainted with the allegations and, in fact, has been consistently relying upon the Court of Appeals’ 2006 ruling, and the Supreme Court’s denial of that “David Schied v. Sandra Harris and the Lincoln Consolidated Schools et al” case (COA:267023), as the basis for their refusal to take any legal action to prosecute the misdemeanor and felony crimes associated with that earlier “gross miscarriage of justice”, which otherwise resulted from the Court of Appeals’ own refusal to “litigate” the clear conflict of laws at play in that civil case. Thus, the Office of the Attorney General is in a key position for communicating anything and everything about this case to the majority of the “Accused” residing and working for the government here in Michigan.

**MCL 14.143** and **MCL 21.47** [Act 52 of 1929 and Act 71 of 1919] (Examination of records; Removal for “neglect”) holds that,

*“ If any such investigation, examination and/or audit discloses **malfeasance, misfeasance, nonfeasance or gross neglect of duty on the part of any officer or officers of the political unit being examined, for which a criminal penalty is provided by law, the attorney general or upon his direction the prosecuting attorney of the county wherein such examination is had SHALL, within 60 days after receipt of such report, institute criminal proceedings against such officer or officer. It shall also be the DUTY of the attorney general or the prosecuting attorney, as the case may be, to institute civil action in any court of competent jurisdiction for the recovery of any public moneys disclosed by any such investigation, examination and/or audit to have been illegally expended, or***

*collected and not accounted for; also for the recovery of any **public** money or **property disclosed to have been converted and misappropriated**. Refusal or neglect to comply with the requirements of this section on the part of the attorney general or on the part of the prosecuting attorney shall be sufficient cause for his removal from office by the governor.”*

As shown by the attachments of Evidence accompanying the “Complaint” and this “Motion”, the Michigan State Police have only just recently finally recognized and determined that the administrators and business office employees of the Lincoln Consolidated Schools have “*misappropriated*” and “*converted*” for their own private use, an FBI criminal history report they had obtained in 2003 for which evidence was long ago furnished to the Michigan Attorney General to show that for nearly six years now these school district officials have been criminally disseminating that and other “*nonpublic*” documents to the public under FOIA request. In fact, the criminal allegations and evidence show that the Northville Public Schools has been following suit with the dissemination of other “*nonpublic*” clemency documents too that Mr. Schied had used to prove that **the FBI reports being disseminated in 2003 and 2004 were inaccurate and in need of “challenge and correction”**.

**MCL 767.3** (Proceedings before trial; inquiry; summoning witnesses; notification to judge; taking testimony; legal counsel; disqualification of judge) holds:

*“Whenever by reason of the filing of any complaint, which may be upon information and belief, or upon the application of the prosecuting attorney or attorney general, any judge of a court of law and of record **SHALL have probable cause to suspect that any crime, offense or misdemeanor has been committed within his jurisdiction and that any persons may be able to give any material evidence respecting such suspected crime, offense or misdemeanor, such judge in his discretion may make an order directing that an inquiry be made into the matters relating to such complaint.**”*

**MCL 762.3** (Jurisdiction) holds:

*“(2) If it appears to the attorney general that a felony has been committed within the state and that it is impossible to determine within which county it occurred, the offense may be alleged in the indictment to have been committed and may be*

*prosecuted and punished in such county as the attorney general designates. The state shall bear all expenses of such prosecution. The **responsibility** and the authority with reference to all steps in the prosecution of such case shall be the same, as between the prosecuting attorney of the county so designated and the attorney general, **as though it were an established fact that the alleged criminal acts, if committed at all, were committed** within that county.*

**MCL 775.21** (Proceeding instituted by attorney general) holds:

*“Whenever the attorney general shall institute criminal proceedings in any county in this state, all costs incurred in such proceedings, except the pay of circuit judges, prosecuting attorneys, and circuit court stenographers, may be paid by the state with the approval of the STATE ADMINISTRATIVE BOARD”.*

Clearly then, the Michigan Attorney General not only is in the best position to contact his Michigan government co-defendants, but he has the **DUTY to prosecute** against the Lincoln school district’s “*conversion*” of that “*public property*” (i.e., the FBI report) for personal uses (i.e., in retaliation) against Mr. Schied, in misdemeanor violation of Criminal Justice Information System (CJIS) Advisory Board policies. (Refer to 28 U.S.C. § 534, 28 CFR § 20.33, 42 U.S.C. § 14616, 5 U.S.C. § 552a (i)(1), and to the details of the “Complaint” and the other supporting “Exhibits” for more information about this.) The Attorney General also has the duty to investigate and prosecute all of the other FELONY allegations of “*perjury of crime reports*”, “*abuses of prosecutorial discretion*”, “*obstruction*”, “*tampering*”, and other “*aiding and abetting*” and “*cover up*” types of crimes for which various Michigan courts have long known about and for which this Supreme Court is now in possession of Evidence. As shown, when such duties are properly executed, **it is the State – not the “victim” – that supports the costs associated with those proceedings.**

MCR 2.105(J) explains that “*service of process contained in these Rules are intended to satisfy the due process requirement that a defendant be informed of an action by the best means available under the circumstances*”. By definition of what constitutes a “Complaint” (see MCR

Rule 6.101), it simply makes no sense for this court to force alleged “*crime victims*” to act on their own accord, and at their own cost, to confront their “Accused” outside of the criminal courtroom.

Therefore, a “*reasonable*” solution here is for the *Plaintiffs, Demandants, and Accusers* to demonstrate their “*good faith*” attempt to give the co-defendants actual notice of these Supreme Court proceedings by means of the following combination of actions supported by the Michigan Rules of Civil Procedure:

Rule 2.107 (Service and Filing of Pleadings and Other Papers) provides that,

“(E) (*Service Prescribed by Court*) – *When service of papers after the original complaint cannot reasonably be made because there is no attorney of record, because the party cannot be found, or for any other reason, the court, for good cause on ex parte application, may direct in what manner and on whom service may be made...*(F) (*Numerous Parties*) – **In an action in which there is an unusually large number of parties on the same side, the court on motion or on its own initiative may order that...(4) the filing of a pleading and service on an adverse party constitutes notice of it to all parties...**”

And,

“(C)(*Manner of Service*) – (4) (*E-mail*) – *...Some or all of the parties may agree to e-mail service by a court by filing an agreement with the court to do so...subject to (certain stated) conditions...*”

Rule 2.106 (Notice by Posting or Publication) provides that,

“(A) (*Availability*) – *“This rule governs service of process by publication or posting pursuant to an order under MCR 2.105(1)...(B) (Procedure) A request for an Order permitting service under this rule shall be made by motion in the manner provided by MCR 2.105(1)...(D) (Publication of Order; Mailing) If the court orders notice by publication, the defendant shall be notified of the action by...(E) (Posting; Mailing) – ...Only a person listed in MCR 2.103(B)(1), (2), or (3) may be designated...”*<sup>1</sup>

**Given the above-referenced statutes, the *Plaintiffs, Demandants, and Accusers*, as**

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<sup>1</sup> MCR 2.103(B)(1) refers to a sheriff or deputy, or bailiff or court officer; MCR 2.103(B)(1) refers to an officer of the Department of State Police in an action in which the state is a party; and MCR 2.103(B)(1) refers to a police officer of an incorporated city in an action where the city is a party.

**“Co-Plaintiffs” proceeding in “Quo-Warranto” through David Schied and others, have taken the following steps of action to move this Court toward the issuance of an Order compelling the criminal co-defendants to accept terms of the following:**

- 1) David Schied, on behalf of the *Plaintiffs, Demandants, and Accusers*, has provided a “*certificate of service*” showing that he has provided a copy of this “*Motion for Service of Process...*”, as well as a copy of all accompanying documents associated with the adjoining “Quo-Warranto / State-Ex-Rel” complaint, to C. Adam Purnell (P52634), the attorney employed by the Michigan Attorney General (Public Employment, Elections, & Tort Defense Division) for handling the most recent court action that was dismissed on May 19, 2009 by the Michigan Court of Appeals (282804). *Plaintiffs, Demandants, and Accusers* expect the Attorney General to take appropriate action, as is his duty, to contact each of the criminally “*Accused*”, and to use these allegations of the Complaint as “*probable cause*” for an investigation and questioning of the co-defendants for proof of their “*affirmative defenses*”;
- 2) David Schied, on behalf of the *Plaintiffs, Demandants, and Accusers*, has posted downloadable copies of all of the documents he is currently filing with this Supreme Court. Those downloadable “.pdf” files will be found at:  
  
<http://michigan.constitutionalgov.us/Cases/DavidSchiedQW/>  
  
by any law enforcement personnel appointed by this Supreme Court to “Post” or “Publish” these documents according to the Michigan Court Rules. Those digital files will be made available within seven (7) days of the date of filing of this “*Motion for Service of Process...*” and likely sooner.
- 3) David Schied, on behalf of the *Plaintiffs, Demandants, and Accusers*, has written a letter, which he will also provide to the Adam Purnell by mail and by email at the

attorney general's office. That letter will include a list of the known or suspected addresses of all co-defendants of this case. The letter will include the location of the website for direct download of the case files being provided herein to this Supreme Court, and for the Attorney General himself to use for copying and printing paper documents for "*service*" on these other government defendants. Again, that letter will be made available within seven (7) days of the date of filing of this "*Motion for Service of Process...*" and likely sooner.

I solemnly declare that the above statements are true to the best of my information, knowledge and belief.

Respectfully submitted,



Dated: 6/30/09

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David Schied



**In the Supreme Court of the State of Michigan**

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**U.S. Attorneys, FBI and USDOJ Agents:** Terrance Berg; Andrew Arena, Rod Charles, Walt Kennedy;

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**Attorneys for the Michigan State Bar:** Michael Weaver, Richard Fanning , Gary King, Bruce Bagdady;

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**Michigan OCR, DOE and RESA:** Donna Paruszkiewicz, Joan Blair, Harvalee Saunto, Ann Omans, Jackie Thompson, Susan Liebetreu, Wayne County RESA Officers David Soebbing, Mary Fayad, Kevin Magin, Marlene Davis;

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**Other Public-Offices Holders at All Levels,** as well as their representative attorneys; & including John & Jane Does 1-300; many of whom are named more fully later in this complaint, or will be added by amendment to this complaint as they become known; & all named in their Private & Public Capacities.

**Accused Criminal Defendants.**

**CERTIFICATE OF SERVICE**

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I certify that on this 30<sup>th</sup> day of June, 2009, I mailed a true and exact copy of the following documents to C. Adam Purnell (P52634) at the address listed below:

- 1) “Quo-Warranto/State-Ex-Rel” Complaint entitled, “Felony Criminal Complaint of Racketeering, Conspiracy, Fraud, Theft, Bribery, Perjury..etc.”; inclusive of all “Exhibits” referenced by that Complaint as “A through J”
- 2) “Motion for Service of Process to be Made by Publication or Posting Under MCR 2.105(I) in Combination with Email under 2.107(C)(4) and, “Filing of Pleading and Service on an Adverse Party Constitutes Notice of It to All Parties” Under 2.107 (F)(4)”;
- 3) Certificate of Service;

Sent to:

C. Adam Purnell  
c/o Assistant Attorney General  
State of Michigan  
525 W Ottawa St Fl 5  
PO Box 30736  
Lansing, MI 48909  
Phone: (517) 373-6434  
Fax: (517) 373-2454  
e-Mail: [purnella@michigan.gov](mailto:purnella@michigan.gov)



By: \_\_\_\_\_

Dated: June 30, 2009

David Schied – Pro Per  
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[deschied@yahoo.com](mailto:deschied@yahoo.com)