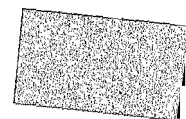


Exhibit

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June 4, 2007

**RE: Conflicts between Federal Statutes, Texas Statutes and Michigan Statutes
Adversely Affecting David Schied**

TO WHOM IT MAY CONCERN:

Perhaps you will glean from this request enough information to pique your interest in helping David Schied challenge and contest a series of State (Michigan and Texas) and Federal statutes that when juxtaposed provide conflicting and so far, detrimental, application to David Schied's life and employment.

It does seem that with these inopposite statutes being applied in different contexts, in different state Courts, that David Schied's equal protection and due process rights are being subverted by each Court picking and choosing which state's statute is superior, in a given situation, without examining the effect and intent of the pardon, set-aside and expungement statutes and the statutory protections afforded a person in David Schied's situation.

That situation, in summary, is as follows:

1. On December 14, 1977 David Schied was a 20-year old Texas citizen who plead guilty to a Texas felony arrest at the age of 19.
2. That on December 20, 1979 in Houston, Texas there was a formal set aside/dismissal of the December 14, 1977 plea that withdrew David's plea, dismissed the indictment and set aside the conviction for which David Schied had been placed on probation.
3. That on June 1, 1983 the Texas governor, Mark White, granted David Schied a full pardon of that crime. (Under Texas law that also granted a "set-aside" which appears analogous to Michigan's "Holmes Youthful Trainee Act").
4. That in addition, on October 1, 2004, David Schied obtained a Texas expungement of his December 14, 1977 criminal felony conviction.
5. That Lincoln Consolidated Schools and Northville Schools were provided with all the above information and did hire David Schied.

- a. However, the Lincoln Consolidated Schools Administration representative misinterpreted the Texas information and failed to examine the complete and correct information and instead placed the misleading interpreted information to the public employment record of this teacher so as to place David Schied in a "false light" that he then had to aggressively overcome in order to become employed.
- b. That when David Schied applied for a job at Northville Public Schools in 2004 the Administration representative requested copies of the Texas set aside and pardon documents, promising to keep those documents sealed until they were later exchanged for proof that Texas had expunged the record completely; and that after that exchange later in 2004 David Schied paid \$54.00 to the Northville Public School District in exchange for the promise that the above information would not be made available to anyone.
- c. That David Schied felt he was finely protected and free of this "false light" burden by the Northville Public Schools until 2005 when, instead of honoring their promise, the Northville Public School District sent the Texas expungement document to his new employers at Brighton Area Schools and placed two additional copies into his public personnel file held at that District, releasing it to others under the Freedom of Information Act.
- d. The release of that information (which is contrary to the Northville District's agreement and contrary to other Michigan Statutes) caused, and continues to cause, David Schied much consternation, emotional grief and family turmoil.
- e. The release of that information has also caused, and continues to cause, David Schied damage to his hard-earned professional and personal integrity and has placed David in a "false light" with his current employer. This "false light" concept is particularly distressing to David since the information released failed to include over 30 letters of recommendation along with Northville Public School District commendations that he had received.

David Schied's pardoned and expunged criminal past continues to dog him and frustrate him even though the following statutes appear to offer David Schied protection and relief from that very history, to wit:

- a. Federal law Title VII of the Civil Rights Act, regarding unlawful employment practices specifically includes a provision that "employers are prohibited from excluding individuals based upon a record of arrest(s) that never led to conviction absent a business justification."
- b. Chapter 55 of the Texas Code of Criminal Procedure, Article 55.01 provides, in relevant part, [that a person is] entitled to have all records and files relating to the arrest expunged if ... (b) convicted and subsequently pardoned. (This is exactly what occurred with regard to David Schied.)
- c. Also, Article 55.03 provides that once an expunging order is final, "(1) the release, maintenance, dissemination, or use of the expunged records and files for any purpose is prohibited.

- d. Michigan statutes regarding expungement such as MCL 780.661 *et. seq.* provide that upon entry of an order ... for purposes of the law, shall be considered not to have been previously convicted. The import of that statute is that once a set aside or expunction is entered, the conviction is deemed not to have occurred.
- e. MCL 780.623 (5) also prohibits disseminating information relating to a conviction which has been set aside and provides for incarceration and civil fines for those who improperly disseminate such information.
- f. That Michigan's recently revised School Code Criminal History Check law, to wit, MCL 380.1230, provides, in relevant part, "that an applicant being considered for employment...who agrees in writing to allow a district...to share...only [the Michigan State Police history check report] with another school district...[also provides that] an employee of a district...shall not disclose [that specific information] to any person who is not directly involved in evaluating the applicant's qualifications for employment...[and that] a person who violates this [statute]...is guilty of a misdemeanor."

However, none of those State statutes have protected David Schied and prevented his 30-year old felony guilty plea from following him from Michigan school district to school district like a dog on a leash.

Such application of the Michigan School Code Criminal History Check (*i.e.* MCL 380.1230) ignores both the meaning and intent of Michigan expungement statutes and Michigan's full faith and credit application of the Texas set-aside, Texas Governor's pardon and Texas expungement statutes.

This dichotomy in applying these different Michigan and Texas statutes to David Schied's situation certainly raises due process and equal protection concerns and raises a federal question regarding the Title VII of the Civil Rights act Provisions referred to above.

Are you able to help David Schied in challenging and contesting the application of these Michigan and Texas statutes when juxtaposed with the Federal statute?

Very truly yours,

DARYLE SALISBURY

DS/sh