STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF MACOMB

KAREN SPRANGER, individually and in her official capacity as Macomb County Clerk/Register of Deeds,

Plaintiff/Counter-Defendant,

-vs- Case No. 17-002261-CZ

MACOMB COUNTY, MACOMB COUNTY BOARD OF COMMISSIONERS, MARK HACKEL, in his official capacity as Macomb County Executive, MACOMB COUNTY EXECUTIVE, and MACOMB COUNTY ETHICS BOARD,

Defendants/Counter-Plaintiffs.

OPINION ON MOTIONS FOR SUMMARY DISPOSITION

This case arises out of a dispute between the Macomb County Clerk/Register of Deeds and Macomb County. Karen Spranger was elected Macomb County Clerk/Register of Deeds in the 2016 general election. She was placed on the ballot as the result of the payment of the applicable fee and an Affidavit of Identity to which she swore that her residence was 7520 Hudson Street, Warren, Michigan. Subsequent to her assuming office Macomb County, through its Board of Commissioners and County Executive, filed a complaint seeking her removal from office based upon the allegation that she did not reside at that address at the time of the filing of the affidavit and therefore was ineligible to have been on the ballot or to assume that office.

Ms. Spranger owned that house and used the address to obtain her driver's license and to register to vote. She asserts that she met the requirements of MCL 168. 191 which states:

> A person shall not be eligible for the office of county clerk, county treasurer, register of deeds, prosecuting attorney, sheriff, drain commissioner, surveyor, or coroner if the person is not a registered and qualified elector of the county in which election is sought by the filing deadline.

However, the County asserts that she was not a qualified elector as defined by MCL 168.10(1), which requires that the person in addition to meeting the constitutional requirements must also have resided in the election district for 30 days. It is asserted that the house in Warren was vacant for several years prior to the election and that Ms. Spranger thus failed to meet the residency requirement as set forth in MCL 168.11(1) which provides:

> "Residence," as used in this act, for registration and voting purposes means that place at which a person habitually sleeps, keeps his or her personal effects, and has a regular place of lodging. If a person has more than 1 residence, or if a person has a residence separate from that of his or her spouse, that place at which the person resides the greater part of the time shall be his or her official residence for the purposes of this act. This section does not affect existing judicial interpretation of the term residence.

Ms. Spranger has never claimed to have been physically living at that address in 2016 but rather has asserted by affidavit that she resided there as "judicially determined" or as "defined by Michigan law." She argues that she never adopted a different address or renounced her residency, and, therefore, she is entitled to use that address even though she was not living there. At the same time, she has never indicated that she lived at a different address within Macomb County.

For reasons set forth in this opinion, her argument fails to satisfy the specific requirements of the election law. While the specific residency requirements are more commonly applied to circumstances where an individual fraudulently claims an address other than their principal home in order to run for office in a different district, the principle remains the same. Voters are entitled to be assured that the candidate for whom they are voting actually and verifiably resides in the same election district.

Basic Facts and Procedural History

On April 6, 2016, Spranger signed an affidavit of identity with the Macomb County clerk in order to run for the Macomb County Clerk/Register of Deeds position in the upcoming election. In accordance with election requirements, Spranger claimed on her affidavit of identity that she had been a resident of Macomb County for over 60 years and that she resided on April 6, 2016, at 7520 Hudson in Warren. The general election took place on November 8, 2016, and Spranger won by 635 votes.

Macomb County, believing that Spranger did not reside at 7520 Hudson and, therefore, did not truthfully complete her affidavit of identity or meet the residency requirements to be on the ballot for election as Macomb County Clerk/Register of Deeds, asked this Court for leave to file a quo warranto action against Spranger. On September 22, 2017, this Court granted Macomb County's motion for leave to file a counter-complaint for quo warranto.

On March 19, 2018, this Court heard oral arguments on the current motion for summary disposition. Macomb County argues that being a registered voter and qualified elector alone are not enough to qualify a candidate to run for office. The County avers that candidates for public office are held to strict compliance with all provisions of election law, including filing a truthful affidavit of identity. At oral arguments, the County provided evidence that it claims shows that there is no genuine issue of material fact as to whether Spranger resided at 7520 Hudson on April 6, 2016, when she signed the affidavit of identity.

This evidence includes utility records that show that 7520 Hudson last had electrical service in April 2015 and last had natural gas service in July 2015. Beyond the absence of utility services at 7520 Hudson, Macomb County also offered further evidence to show Spranger did not reside at that address on the date in question, including:

- Proof that City of Warren Department of Property Maintenance Inspector Craig Garwood visited the Hudson

address on March 28, 2016, and issued a warning notice for clutter and debris littering the front porch and backyard. On April 6, 2016 (the day the affidavit of identity was filed), Garwood again visited the property and issued a citation to Spranger for violation of Warren City Ordinance 308.1 (junk on property) and 106.3 (ignore 5 day warning). In an email provided by Macomb County, Garwood states that approximately one week after he issued the citation, Spranger's sister, Sharon Schmidt, contacted him to express her concern about the fine and claimed that she was the one caring for the property – not Spranger

- Copies of mail directed to the Hudson address that were returned to sender by the United States Post Office because the property was vacant.
- Records from the Department of Health and Human Services that show that Spranger used her Bridge Card exclusively in western Wayne County from November 2015 through the end of 2016. Specifically, the records show that although Spranger regularly used her Bridge Card, she only shopped at five different stores during that time:
    - Zerbos Health Foods at 34164 Plymouth Road in Livonia;
    - Kroger at 36430 Ford Road in Westland;
    - Better Health Market at 42875 Grand River in Novi;
    - Better Health Market at 44427 Ann Arbor Road in Plymouth; and
    - Costco at 13700 Middlebelt Road in Livonia.
- Witness statements from three different neighbors of the Hudson address that say that no one has lived at 7520 Hudson for years.

- An affidavit from Sergeant Mark Morfino of the Macomb County Sheriff's Department, stating that he was part of a team of investigators that executed a search warrant at 7520 Hudson on October 25, 2017. Sgt. Morfino avers that the search team found the entryways barricaded from the inside by wall-to-wall garbage, feces, and animals to a depth of four to five feet. Macomb County also attached a video of the search warrant being executed to its motion. Sgt. Morfino further states in his affidavit that the search team found mail that had been sent to Spranger at her sister's Clinton Township address, but they did not find any artifacts at 7520 Hudson that were dated after 2011.

Based on this evidence, Macomb County argues that it is clear that Spranger did not reside at 7520 Hudson at the time she signed her affidavit of identity. Thus, Macomb County ultimately argues that because Spranger did not comply with the legal requirements to run for the office of Macomb County Clerk/Register of Deeds, she is unlawfully holding that office.

In response, Spranger argues that the County's use of the term "residence address" in relation to the affidavit of identity is disingenuous because the form only requires an "address," which Spranger argues is different than a "residence." In any case, Spranger also argues that the County's allegation of falsification of "residence address" without showing a violation of the eligibility statute (MCL 168.191) is not sufficient under Michigan law to sustain a claim for quo warranto. Spranger argues that a writ of quo warranto can only be issued in this case if the County proves that Spranger did not meet the eligibility requirements of MCL 168.191. The County has not raised the argument that Spranger was not a "registered and qualified elector" as required by MCL 168.191. Spranger claims that by not raising the argument, the County concedes that Spranger met the eligibility requirements of MCL

168.191. Nevertheless, Spranger argues that she met all of the requirements of MCL 168.191 because she was registered to vote at 7520 Hudson – and did vote using that address many times. Further, Spranger argues that she has presented unrefuted prima facie evidence establishing that she was a qualified elector in Macomb County because she never renounced her residency from 7520 Hudson and claimed residency elsewhere. In support of her arguments, Spranger supplied a signed affidavit.

Law and Analysis

Currently before this Court is Defendants' ("Macomb County") Motion for Summary Disposition pursuant to MCR 2.116(C)(10), arguing that there is no genuine issue of material fact for trial and asking that this Court enter a Writ of Quo Warranto against Spranger and in Macomb County's favor. In response to Macomb County's motion, Spranger asks that this Court instead grant summary disposition in her favor, pursuant to MCR 2.116(I)(2). Separately, Spranger moves for summary disposition pursuant to MCR 2.116(C)(7) and (10), arguing that the applicable statute of limitations bars this action and that there are no issues of material fact as to the doctrine of laches.

This Court finds that there is no merit to Spranger's motion, as the alleged "wrong" occurred when Spranger filed her affidavit of identity – not when she registered to vote. Further, laches is not applicable in this case. In an action for quo warranto, the rule to apply is "whether the action is commenced within a reasonable time, taking into account the excuse for delay, the probable harm to the defendant, and the detriment to the public." *Gallagher v Keefe*, 232 Mich App 363, 369; 591 NW2d 297 (1998). Here, like in *Gallagher*, Spranger has not shown that Macomb County lacked due diligence in pursuing its quo warranto claim. Moreover, Spranger has not shown that any delay resulted in prejudice as

she cannot claim prejudice where she has wrongfully held office during the duration of Macomb County's suit.

Turning next to the County's Motion for Summary Disposition, summary disposition of all or part of a claim or defense may be granted when "there is no genuine issue as to any material fact, and the moving party is entitled to judgment or partial judgment as a matter of law." MCR 2.116(C)(10). A genuine issue of material fact exists when the record, giving the benefit of reasonable doubt to the opposing party, leaves open an issue upon which reasonable minds could differ. *Debano–Griffin v. Lake Co*, 493 Mich. 167, 175; 828 NW2d 634 (2013). Given that Spranger also asks that judgment be granted in her favor, pursuant to MCR 2.116(I)(2), it is apparent that all parties agree that there is no genuine issue of material fact left for trial. Essentially, the parties agree that only questions of law remain for this Court to decide.

This Court originally granted leave to file the application for quo warranto because the County's application disclosed sufficient facts concerning Spranger's putative residence justifying further inquiry into Spranger's residency status. Now before this Court are multiple issues:

1) Whether there is a difference between "address" and "residence" for the purposes of the affidavit of identity;
2) If so, whether a lie on the affidavit of identity disqualifies a person from holding office and justifies a writ of quo warranto; and
3) In the alternative, whether Spranger met the requirements of MCL 168.191 at the time of the filing deadline in this case.

This Court will address each issue in turn.

"Address" vs "Residence"

MCL 168.558 requires all potential candidates for a federal, county, state, city, township, village, metropolitan district, or school district to file an affidavit of identity. MCL 168.558(2) states:

> An affidavit of identity **shall contain the candidate's name, address, and ward and precinct where registered**, if qualified to vote at that election; a statement that the candidate is a citizen of the United States; the candidate's number of years of residence in the state and county; other information that may be required to satisfy the officer as to the identity of the candidate; the manner in which the candidate wishes to have his or her name appear on the ballot; and a statement that the candidate either is or is not using a name, whether a given name, a surname, or otherwise, that is not a name that he or she was given at birth. If a candidate is using a name that is not a name that he or she was given at birth, the candidate shall include on the affidavit of identity the candidate's full former name. [Emphasis supplied.]

Macomb County argues that "address" and "residence" are used interchangeably in election law. Therefore, although the affidavit of identity expressly requires a candidate to provide their "address," the legal definition of "residence" should apply when determining whether the candidate was truthful.

In support of their argument, the County relies heavily on *Anderson v Wayne County Clerk*, unpublished per curiam opinion of the Court of Appeals, issued February 18, 2000 (Docket No. 213191). In *Anderson*, the trial court granted a writ of mandamus, removing the candidate's name from the ballot before the election because the candidate had provided a false address on his affidavit of identity. *Id.* at 1. On appeal, the candidate argued that the trial court incorrectly determined that he provided a false address because it was improper for the trial court to use the definition of "residence" found in MCL 168.11. *Id.* at 2. The Court of Appeals, relying on *Gallagher* at 372, noted that the Court has previously used the statutory definition of "residence" when examining an

affidavit of identity. In any event, the Court stated, "[U]nder any reasonable understanding of residency, plaintiffs presented substantial evidence that appellant did not reside at the address he listed on the affidavit of identity." *Anderson* at 2.

Although not binding on this Court, the reasoning applied in *Anderson* is persuasive. Furthermore, the Court of Appeals in *Anderson* did rely on binding precedent in *Gallagher* when making their decision. In *Gallagher*, the Court of Appeals addressed both the affidavit of identity and the eligibility requirements for a candidate for the office of county commissioner. The Court used the terms "address" and "residence" interchangeably when referring to the affidavit of merit requirements. *Id.* at 371-72. Ultimately, the Court applied the statutory definition of "residence" found in MCL 168.11. *Id.* at 372. Based on the precedent set in *Gallagher* and the persuasive reasoning in *Anderson*, this Court holds that the definition of "residence" as found in MCL 168.11 should be applied to the "address" requirement of MCL 168.558, as the terms are interchangeable in this case.

Affidavit of Identity

Further, MCL 168.558(4) states, in relevant part, "An officer shall not certify to the board of election commissioners the name of a candidate who fails to comply with this section." Based on these requirements, the County argues that if a candidate lies or fails to fill out all of the required information on an affidavit of identity, then that candidate is not qualified to run for election. Therefore, according to Macomb County, if an officer fails to act on his or her duty to decertify a candidate based on noncompliance with MCL 168.558(2) and that candidate makes it onto the ballot and wins the election, then that person has usurped the elected office and may be removed by writ of quo warranto.

The County once again relies on *Anderson*, in which the Court of Appeals held: "Therefore, the providing of a false address on the affidavit

of identity clearly does not constitute compliance with the statute. ... if appellant provided a false address on the affidavit, the court properly issued the writ of mandamus." *Anderson* at 1. The County also cites to *Berry v Garrett*, 316 Mich App 37; 890 NW2d 882 (2016), in which the Court of Appeals held that because the language of MCL 168.558(4) gave Wayne County a clear legal duty to "not certify to the board of election commissioners the name of a candidate who [had] fail[ed] to comply" with all of the requirements of MCL 168.558(2), then the two candidates who failed to include their precinct numbers on their affidavits of identity should have been removed from the ballot. *Id.* at 44.

The difference between the cases relied upon by the County and the current case is that the election already took place and Spranger is already in office. In both *Berry* and *Anderson*, the plaintiffs were asking for a writ of mandamus to remove candidates from the ballot before the elections rather than a writ of quo warranto to remove an elected official from office. Macomb County argues that if a writ of mandamus would have issued before the election, then there are grounds for issuing a writ of quo warranto after the election. This Court agrees with Macomb County.

According to MCL 168.558(4), a candidate who does not correctly fill out the affidavit of merit should not be certified to the board of election commissioners. Further, MCL 168.550 states:

> No candidate shall have his name printed upon any official primary election ballot of any political party in any voting precinct in this state unless he shall have filed nominating petitions according to the provisions of this act, and all other requirements of this act have been complied with in his behalf, except in those counties qualifying candidates upon the payment of fees.

Thus, if Spranger did not comply with the affidavit of merit requirements stated in MCL 168.558(2), then she never should have been listed on the ballot for the position of Macomb County Clerk/Register of Deeds. Quo warranto is the appropriate remedy for determining the proper holder of a public office. *Davis v Chatman*, 292 Mich App 603, 612; 808 NW2d 555

(2011). A person who was elected to public office because of an improper ballot cannot be the proper holder of that public office.

With that in mind, this Court must next determine whether there are any genuine issues of fact regarding whether Spranger resided at 7520 Hudson at the time she filed her affidavit of merit on April 6, 2016. This Court finds that there are none. "Residence" as defined by MCL 168.11(1) is the "place at which a person habitually sleeps, keeps his or her personal effects, and has a regular place of lodging." Macomb County provided witness statements that claim that the house had been vacant for years. Mail returned from the address as vacant was provided to the Court. The Macomb County Sheriff's Department conducted an investigation and determined that the house was filled with trash, feces, and dead animals. The most recent dated item that the Sheriff's Department found in the house was from 2011. Further, utility statements show that the house hadn't had electricity or gas services since Spring of 2015.

In response, Spranger provided evidence that she was registered to vote using the 7520 Hudson address. She claims that she had no reason to keep the documentary evidence that would have supported her status as a "resident" of 7520 Hudson on April 6, 2016, so she discarded all of it. She also claims that she never renounced her residence at 7520 Hudson, but she provides no evidence that she actually lived at that address on April 6, 2016. Most telling is the fact that Spranger never claims in her affidavit that she resided at 7520 Hudson on April 6, 2016. She merely claims that it was her residence "under Michigan Law" on April 6, 2016, but provides no documentary evidence to show that 7520 Hudson was the place where she habitually slept, kept her personal effects, and had a regular place of lodging. Alternatively, Spranger makes another conclusion of law, stating that the Hudson address was her "residence as judicially interpreted." The sole known judicial interpretations of Spranger's residential relationship with the Hudson address are found in two Michigan Court of Appeals decisions concerning the Hudson address' property taxes. In both matters,

the Court of Appeals upheld the Michigan Tax Tribunal's decisions, which were predicated upon the finding that Spranger did not reside at the Hudson address.[1] Therefore, "as judicially interpreted," 7520 Hudson is not Spranger's residence.

Under MCR 2.116(G)(4):

> When a motion under subrule (C)(10) is made and supported as provided in this rule, an adverse party may not rest upon the mere allegations or denials of his or her pleading, but must, by affidavits or as otherwise provided in this rule, set forth specific facts showing that there is a genuine issue for trial. If the adverse party does not so respond, judgment, if appropriate, shall be entered against him or her.

Spranger has not set forth any specific facts showing that she actually resided at 7520 Hudson on April 6, 2016, to rebut the evidence presented by Macomb County. Rather, instead of providing documentary evidence or swearing to stating specific facts in her affidavit attached to her response to the County's motion, Spranger just repeatedly states a conclusion of law: "On April 6, 2016, Hudson Address was my residence under Michigan Law . . .." Under these circumstances, there is no genuine issue of material fact as to whether Spranger resided at 7520 on April 6, 2016. The evidence provided by the County is more than enough to show that the house was uninhabitable and vacant, and that evidence is not rebutted by Spranger. Therefore, pursuant to MCR 2.116(C)(10), Macomb County is entitled to summary disposition.

MCL 168.191

In addition to the above findings, this Court also finds that Spranger was not a "registered and qualified elector" of the county as

[1] See *Spranger v City of Warren*, unpublished opinion of the Court of Appeals, issued March 12, 2015 (Docket No 319273) (holding that Spranger failed to provide competent, material, and substantial evidence to meet her burden of proof by a preponderance of the evidence that she actually occupied 7520 Hudson as her one true, fixed, and permanent home); also see *Spranger v City of Warren*, unpublished opinion of the Court of Appeals, issued August 25, 2017 (Docket No 326964) (denying Spranger's petition for a Poverty Exemption because she did not occupy the subject property as her principal residence).

required to run for the office of county clerk. MCL 168.191(1). Spranger argues that because Macomb County does not allege that Spranger didn't meet the requirements of MCL 168.191 by the filing deadline, then the County concedes that Spranger met the eligibility requirements to run for the office of Macomb County Clerk/Register of Deeds. However, pursuant to MCR 2.116(I)(1), "If the pleadings show that a party is entitled to judgment as a matter of law, or if the affidavits or other proofs show that there is no genuine issue of material fact, the court shall render judgment without delay." This allows this Court to grant summary disposition sua sponte if there are no genuine issues of material fact – even if the issue has been conceded to by one of the parties. See *Al-Maliki v LaGrant*, 286 Mich App 483; 781 NW2d 853. However, this Court cannot make a sua sponte ruling that contravenes a party's due process. *Id.* at 489. The parties are still entitled to the basic requirements of notice and a meaningful opportunity to be heard. *Id.* at 488. In this case, Spranger has been given a meaningful opportunity to be heard on the issue because she is the one who raised it in her response to the County's motion. The issue was also thoroughly argued in her brief and at oral arguments.

MCL 168.191 states:

> A person shall not be eligible to the office of county clerk, county treasurer, register of deeds, prosecuting attorney, sheriff, drain commissioner, surveyor, or coroner if the person is not a registered and qualified elector of the county in which election is sought by the filing deadline.

MCL 168.10 defines a qualified elector as "a person who possesses the qualifications of an elector as prescribed in section 1 of article II of the state constitution of 1963 and who has resided in the city or township 30 days." Thus, in order to seek election in Macomb County, at a minimum Spranger had to have been habitually sleeping and lodging in Macomb County for at least 30 days before the April 19, 2016 filing deadline.

This case is much like *Davis v Chatman*, 292 Mich App 603; 808 NW2d 555 (2011). In *Davis*, the trial court issued a writ of quo warranto

after finding that the defendant failed to meet the residency requirements in order to be eligible to seek election for the Highland Park School District Board of Education. *Id.* at 620. The trial court explained its basis for this finding:

> We had testimony from the third witness, Mr. Pashko Memsevic [sic] from DTE Energy. He said that there hasn't been any official service to that address since October of 2008. That means the house didn't have any gas, didn't have any electricity, which is necessary to make the house inhabitable. He said there's—when I questioned, there's about one day of unauthorized usage.
>
> And we had the testimony from Mrs. Hines, from the City of Highland Park Water Department. There's—there hasn't been any water service since November 2008.
>
> * * *
>
> In order to be a resident, you have to actually live in the city, sleep there, et cetera. We know from the—both the water people, the water board, and from the DTE Energy, there's no gas, no electricity, there's no water at this house. [*Id.* at 620–21.]

Ultimately, the Court of Appeals found that the trial court did not abuse its discretion in issuing the writ of quo warranto.

The statute that provides the requirements to run for a position on a school board (MCL 168.302) is almost exactly the same as the statute that sets forth the eligibility requirements to run for county clerk. Therefore, much like in the current case, the Court in *Davis* based its ruling on the statutory definition of "qualified elector" found in MCL 168.10 as well as the statutory definition of "residence" found in MCL 168.11. *Id.* at 621. Also like the current case, evidence was presented to the trial court showing that there were no utility services providing the house with heat and electricity at the time the defendant claimed to be living at the house. *Id.* at 621. Further, in *Davis* a postal carrier indicated that he withheld mail addressed to the house because the house appeared vacant. *Id.* That is also the case here. After reviewing all of the evidence, the Court of Appeals in

Davis, concluded that "there was significant evidence pointing to the conclusion that the defendant did not reside at 56 Louise on or before January 10, 2010." *Id.* at 622.

In this case, however, the question is not whether there is "significant evidence" that Spranger did not reside at 7520 Hudson on the dates at issue. The question is whether there are any genuine issues of material fact.

In her affidavit, Spranger avers that she resided in Warren, County of Macomb for the 30 days prior to April 19, 2016. However, she also claims 7520 Hudson as her place of residence. Spranger argues that she never ended her residency at 7520 Hudson because she never declared residency anywhere else. However, as previously discussed, based on the evidence presented, this Court finds that Spranger was not "residing" at 7520 Hudson as defined by MCL 168.11 on the dates in question.

In addition to the abovementioned evidence that parallels that presented in *Davis*, in this case Macomb County also presented evidence to the Court that Spranger only shopped for groceries in western Wayne County. The evidence indicates that from November 2015 to the end of 2016, Spranger only used her bridge card at five different stores in that area – despite using the entire balance on her card nearly every month. Moreover, four out of five of the stores she shopped at have locations in Macomb County that are much closer to where she claims to have resided.

Thus, Spranger did not reside at 7520 Hudson, and the only evidence as to her actual residence at the time in question places her in western Wayne County. All of the evidence presented by Macomb County is unrebutted. Spranger does not set forth any specific facts that place her residency in Macomb County in the 30 days immediately preceding April 19, 2016. She claims to have resided in Macomb County, but provides no documentary evidence to support that assertion. She clearly did not reside at 7520 Hudson, and yet she has not told this Court where she actually "laid her head" during the applicable time period.

After reviewing all of the evidence and applicable laws in a light most favorable to the non-moving party, this Court ultimately comes to the same conclusion as the trial court in *Davis*. In order to be resident of Macomb County, you have to actually live in Macomb County. There are no genuine issues of material fact in this case. None of the evidence presented shows any indication that Spranger resided in Macomb County in the 30 days preceding the April 19, 2016 filing deadline. Because she did not reside in Macomb County, Spranger was not a qualified elector of Macomb County. MCL 168.10. Given that she was not a qualified elector of Macomb County, Spranger was not eligible to the office of county clerk. MCL 168.191. By law, if Spranger was not eligible to run for county clerk, she has no right to currently hold that office. Thus, pursuant to MCL 600.4505, Karen Spranger usurped the office of Macomb County Clerk/Register of Deeds.

For the foregoing reasons, Defendant/Counter-Plaintiff's Motion for Summary Disposition is GRANTED and Plaintiff/Counter-Defendant's Motion for Summary Disposition is DENIED. A writ of quo warranto shall be issued pursuant to this opinion, invalidating Karen Spranger's election victory and removing her from office.

Dated: 3-27-18

Daniel J Kelly

HON. DANIEL J. KELLY
Circuit Court Judge
(Presiding by assignment)

STATE OF MICHIGAN

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KAREN SPRANGER, individually and in her official capacity as Macomb County Clerk/Register of Deeds,

Plaintiff/Counter-Defendant,

-vs-

Case No. 17-002261-CZ

MACOMB COUNTY, MACOMB COUNTY BOARD OF COMMISSIONERS, MARK HACKEL, in his official capacity as Macomb County Executive, MACOMB COUNTY EXECUTIVE, and MACOMB COUNTY ETHICS BOARD,

Defendants/Counter-Plaintiffs.

WRIT OF QUO WARRANTO

At a session of this Circuit Court, held in the City of Port Huron, County of St. Clair, State of Michigan, on March 27, 2018.

In accordance with the Opinion issued this date granting Summary Disposition in favor of Macomb County and for the reasons stated therein; now therefore,

IT IS HEREBY ORDERED AND ADJUDGED that a Writ of Quo Warranto is issued removing KAREN SPRANGER from the office of Macomb County Clerk/Register of Deeds.

So ordered.

Daniel J Kelly

HON. DANIEL J. KELLY
Circuit Court Judge
(Presiding by assignment)