

**STATE OF MICHIGAN  
IN THE 6<sup>th</sup> CIRCUIT COURT FOR OAKLAND COUNTY**

**THE PEOPLE OF THE STATE OF MICHIGAN,**

Plaintiff,

Case No. 2022-279989-FH

Case No. 2022-279990-FH

Hon. Cheryl A. Matthews

v

**JENNIFER CRUMBLEY AND  
JAMES CRUMBLEY,**

Defendants.

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**NOTICE OF HEARING**

Please take notice that this Motion to is scheduled to be heard before the Hon. Cheryl A. Matthews on June 27, 2022 at 10:00 a.m. or at a time and date to be determined by the Court.

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**MOTION TO CHANGE VENUE AND/OR VENIRE**

1. Mr. and Mrs. Crumbley are each charged with four counts of involuntary manslaughter after their son, EC, committed a mass shooting at Oxford High School.

2. The shooting left four Oxford High School students dead.

3. In addition, EC injured seven other people as well.

4. There is no question that the students and staff who successfully hid and escaped the building suffered extreme trauma from the experience.

5. There is likewise no doubt the parents and families of every child at Oxford High School and every employee of Oxford High School were severely traumatized by the events on November 30, 2021.

6. EC is charged as an adult with 24 criminal charges, to wit: terrorism, multiple counts of first-degree premeditated murder, multiple counts of assault with intent to murder, and multiple counts of possession of a firearm.

7. The very widespread number of people impacted by the tragic school shooting throughout Oakland County make this case a unique set of circumstances, which will be described further in the Brief below.

8. Further, residents of Oakland County have been uniquely subjected to extensive, sustained, and pervasive negative coverage of Mr. and Mrs. Crumbley's cases.

9. A number of items demonstrate the public's sentiment toward the Crumbleys which are included and further explained in the Brief in support of this motion.

10. Although EC committed the shooting, Mr. and Mrs. Crumbley are receiving far worse treatment in the court of public opinion than the actual shooter.

11. Further, the prosecution in this matter has exacerbated the negative pretrial publicity by failing to comply with the Michigan Rules of Professional Conduct, again, which will be explained in the Brief below. Some of the prosecution's improper media comments and improper questioning of witnesses are also the subject of other previously filed defense Motions.

12. There are facts that the public has widely come to believe are true, when in fact there is no evidence to support them: for example, that the gun was "unlocked" and that EC had "free access" to the weapon. Much of this information was put out to the public through the prosecution's improper questions at exam; through statements Ms. McDonald has made in her media tour of interviews and press conferences; and through evidence that the public has seen which will likely be deemed inadmissible for trial. Further explanation and proof that the public has adopted these incorrect facts is provided in the Brief below.

13. The media coverage has already convicted Mr. and Mrs. Crumbley in the court of public opinion. It will be impossible to "un-ring the proverbial bell" or to "unscramble the egg."

14. It is difficult to conceive of a case riddled with such extreme emotion and sadness in recent history that has generated more widespread, inflammatory, and sustained local media coverage than the current case against the Crumbleys. In fact, and this will be further explained in the Brief, more people are interested in the parents' case than EC's case despite the fact that EC solely and deliberately planned and committed premeditated murder on November 30, 2021.

15. Therefore, Defendants Mr. and Mrs. Crumbley seek a change of venue: specifically, to have the trial held in a different county or to bus a venire of jurors in from a different county.

16. Failure to change venue to a venire of residents who do not live in Oakland County will deprive Defendants of their constitutional rights to a fair and impartial jury, to a fair trial, to be represented by effective counsel, the right to due process, the presumption of innocence which

has been stripped away by the prosecution, and to have fair, impartial jurors who have not been tainted who can decide the case against them. Mr. and Mrs. Crumbley will be completely deprived of their rights guaranteed under both the State and Federal Constitutions. *See* U.S. Const., Amends VI, XIV; Const 1963, art 1 § 20.

17. Defendants incorporate by reference the Brief in Support of this Motion.

WHEREFORE, for the reasons stated above and in Defendants' Brief, Mr. and Mrs. Crumbley ask that this court change venue so that an impartial jury from a county other than Oakland can be selected.

Respectfully submitted:

Dated: May 23, 2022

*Shannon M. Smith*  
SHANNON M. SMITH (P68683)

Dated: May 23, 2022

*Mariell R. Lehman*  
MARIELL R. LEHMAN (P74760)

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**PROOF OF SERVICE**

The above Motion and Brief in Support of the Motion to Change Venue was e-filed, thereby serving all listed counsel. Undersigned Counsel also e-mailed a copy to the prosecution.

Respectfully submitted:

Dated: May 23, 2022

*Shannon M. Smith*  
SHANNON M. SMITH (P68683)