

1 Ron Fox, Pro Se  
In Jail at 503 3<sup>rd</sup> street, Bay City, Michigan 48708.  
2 Jail Phone: 989 895 4066  
[lawyerdude1989@yahoo.com](mailto:lawyerdude1989@yahoo.com)  
3 Ron's local lawyer is Paul Beggs: 989 893 3221

4  
5 **This motion is not net finished.**

6 This motion is <http://www.lawyerdude.netfirms.com/8069.pdf>  
7 <http://www.lawyerdude.netfirms.com/8069.html>  
8 <http://www.lawyerdude.netfirms.com/8069.wpd>

9 **18<sup>th</sup> Judicial Circuit of Michigan**  
1230 Washington Avenue, Bay City MI 48708.  
**Court of Judge William J. Caprathe**  
10 [http://www.co.bay.mi.us/bay/home.nsf/Public/Circuit\\_Court.htm](http://www.co.bay.mi.us/bay/home.nsf/Public/Circuit_Court.htm)  
11 898 895 4265. Fax: 989-895-4099

12 People  
v  
13 Ron Fox

Case number: 2003-2752  
District Case number: 03-fy-10859 SN

14 Document #8069 Version 0.901  
30<sup>th</sup> Motion for Ron Fox

15 **Motion to Dismiss the Complaint for Vagueness  
and Overbreadth of the underlying statute.**

16 Date: Tuesday 28 November 2006.  
17 Time: 9 a.m.  
Place: Court Room of Judge Caprathe

18  
19 **Help is coming one day late. - Song by Sam Philips.**  
[http://en.wikipedia.org/wiki/Sam\\_Phillips\\_%28singer%29](http://en.wikipedia.org/wiki/Sam_Phillips_%28singer%29)

20 **Motion to Dismiss the Complaint for Vagueness and Overbreadth of the  
21 underlying statute.**

22 At the venue designated in the caption or at such other venue as the court shall  
designate I will ask the court to Dismiss the Complaint for Vagueness and Overbreadth of the  
23 underlying statute. I hereby waive my right to a speedy trial as needed. My lawyer Palaschak  
24 has not yet been informed of the statute number for the underlying accusation. Although my  
local lawyer Robert Dunne promised to send Palaschak the file if authorized by me, he failed to  
25 do so.

26 Signed \_\_\_\_\_ Ron Fox. Friday, October 27, 2006.

27 **Demand for Renewed Trial Setting Conference. This time I demand to be there.**

28 On Monday October 9<sup>th</sup> I expected to be in court. I am informed that the court held a

1 trial setting conference without my presence. I strongly object. This violates my due process  
2 and other criminal rights under the Michigan Constitution and the U.S. Constitution. I am not  
3 ready for trial. I have a multitude of pre-trial motions to be heard.

Signed \_\_\_\_\_ Ron Fox. Friday, October 27, 2006.

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#### 24 **Notice of Concurrent and Planned Motions in this case.**

- 25 1. I plan to seek review of the exorbitant bail in my case set by Magistrate Bleau.
- 26 2. I will move the strike the complaint.
- 27 3. I will challenge this statute.
- 28 4. I plan to obtain e-transcripts.
5. I plan to move to dismiss.

1 6. Well, there are a lot of motions that I plan to make.

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2 **Here is what I want: I want the court to Vacate the Trial Date and Order Lawyer Beggs to**  
3 **File Written Motions or Withdraw.**

4 **Statement of the Case. I am the victim of Police Brutality.**

5 This case arises from a traffic stop. On Monday 27 February, 2006, at around 9:30 a.m.  
6 I was driving my van safely around 1.11 miles from my house. Officer Lochinski noticed that  
7 my license plates had expired 5 months previously. He signaled me to stop. I stopped. I did  
8 not flee and elude. I stopped. Lochinski interviewed me and began writing a ticket. He did not  
9 arrest me. There was no emergency. I was merely unable to afford the road tax due to  
extreme poverty. The remedy would be payment of the tax

10 Thereafter I saw the wrecker approaching. I have been down this road before. I was  
11 not under arrest. I had yielded. The officer could have arrested me. He chose not to. He had  
12 all the information to write a ticket and had written a ticket and was walking to my car. I chose  
13 to go 1.11 miles to a place of safety - my home. I drove slowly and safely westbound over the  
water from the intersection of McKinley and Jackson to my home at 503 South Dewitt St., Bay  
City. Douglas Palaschak plotted the map on MapQuest. This distance is 1.11 miles.

14 I pulled into my driveway. Having been accosted by police in the same place I assumed  
15 the position on the ground outside my van. I have previously filed a section 1983 case for a  
16 previous police abuse of this nature at my house. The case is published at the following link:  
<http://www.lawyerdude.netfirms.com/7045.pdf>

17 **I will prevail and be paid just like the woman in South Carolina!**

18 In a more egregious chase in South Carolina, a woman drove 8 miles being chased by a  
19 police officer. This happened on January 9, 1996. It was shown on Court TV. The incident is  
20 captured on a dashcam and shown on YouTube at  
<http://youtube.com/watch?v=l4FPlicf4Xg&search=cop%20woman%20stop>

21 This 11 year veteran cop was fired! The woman driver who refused to stop was  
22 awarded a substantial judgment. I was treated worse than this woman was.

23 **The elements of the crime are not there.**

24 The elements of the crime are not there. This is the subject of a separate motion which  
will be at the following link: <Http://www.lawyerdude.netfirms.com/8066.html>

25 Signed \_\_\_\_\_ Ron Fox Tuesday, October 10, 2006

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1 **Procedural Posture**

2 **We are not ready for trial; my lawyer has not even seen the file yet despite requesting it**  
3 **in March - over a half year ago!**

4 I, Ron Fox, was put in jail March 28, 2006, by Attorney/Magistrate Thomas Bleau 989-  
5 895-4231 on the basis of a traffic stop on February 27 - a month earlier. Although I was  
6 deemed safe and reliable enough to be released immediately upon booking, Bleau set my bail  
7 at an unconstitutionally high amount thereby precluding me from my constitutional right to bail.  
8 Bleau said that my short drive to my home indicated a flight risk. This is ludicrous. Bleau was  
9 the same magistrate who sent police to my house on January 25<sup>th</sup> after I mistakenly failed to  
10 appear for a traffic ticket.

11 Nobody has successfully argued this issue of fair bail. When my lawyer, Douglas  
12 Palaschak called Bleau around January 25<sup>th</sup> , Bleau hung up on Palaschak. Palaschak's  
13 contention was that there was no signed warrant and no probable cause.

14 From the beginning of his case and on previous cases Palaschak has attempted to  
15 obtain the records of my case.

16 Palaschak talked to Attorney Robert Dunne. Dunne demanded written authorization  
17 before sending a copy of the file to Palaschak. I signed an authorization and Gail delivered it to  
18 Dunne's office. Dunne never did give a copy of the file to Palaschak or anybody. Now Dunne  
19 is off the case and Paul Beggs is on the case. Same modus operandi: 1. No motions; 2.  
20 Failure to cooperate with me and my lawyer Palaschak.

21 **Paul Beggs has a conflict of interest. I fired him over a year ago.**

22 Paul Beggs was my lawyer a year ago. I don't have my records with me and therefore I  
23 cannot cite the exact date. I worked hard to fire him then. The law forbids that he be  
24 appointed again!

25 **Paul Beggs is doing nothing. . . . again.**

26 Paul Beggs came up to see me in jail on the evening of the day that he was appointed.  
27 He had no plan. He promised to return the next day. He never did return. He has no plan. He  
28 has written nothing.

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29 **Declaration of Attorney Douglas Palaschak**

30 I, Douglas Palaschak, declare the following under penalty of perjury:

31 There is so much to say about Ron's many cases.

32 I have suffered the same injustice as Ron Fox. I was arrested by the FBI on March 14,  
33 1999 at my farm home on a false allegation of "fleeing" - same murky word as was used in  
34 Ron's case. Immediately upon my being locked up in jail the federal charge was dropped.  
35 Actually it was a fake case from a fake stack of fake case numbers held by a magistrate in  
36 Santa Barbara.

1 Use of such illegal tricks is routine for the FBI as documented on page 291 in the book  
2 "Bad Boy" by Gary M. Laverge, St. Martin's Paperbacks, 1999, currently on sale at WalMart.

3 I was held on \$500,000 bail, extradited 2000 miles, and then released after serving the  
4 maximum time for the alleged crime. Thereafter a jury acquitted me. Who pays for my lost 4  
5 months? I sued.

6 Ron Fox selected me from all the lawyers in the United States to be his lawyer in  
7 December 2003 - **almost 3 years ago**. I have published a brief autobiography in the  
8 appendix.

9 Since then I have done what no other lawyers could do for Ron Fox: I figured out his St.  
10 Ignace case and I filed a Section 1983 case for him. We will ultimately prevail. Here is a link to  
11 the federal civil rights case: <http://www.lawyerdude.netfirms.com/7045.pdf>

12 In February or March Ron Fox informed me that Robert Dunne has been appointed. I  
13 called Dunne and talked to him personally. I asked for a copy of the file including the police  
14 reports.

15 Dunne balked saying that he needed written authorization from Ron even though I have  
16 been Ron's lawyer for several years. Ron and Ron's wife Gail collaborated and delivered  
17 written authorization to Dunne's office. Still Dunne sent nothing to me.

18 **Ron's St. Ignace case started this same way: Lawyer ignorance and neglect and multiple  
19 incompetent lawyers, judges and prosecutors over the course of 3 years.**

20 Ron Fox's legal problems began because his assigned lawyers in St. Ignace ignored the  
21 legal theory in his case. Here is link to the motion: <http://ronfox.250free.com/ignace.html>

22 **Ron's disease: Sexsomnia.** [http://en.wikipedia.org/wiki/Sleep\\_sex](http://en.wikipedia.org/wiki/Sleep_sex)

23 Ron has a medically recognized variation of sleepwalking disease called "sexsomnia". It  
24 is a variety of sleepwalking.

25 Ron's grandmother died around 1997. Ron went to the funeral and stayed overnight at  
26 the home of his brother in St. Ignace. Unbeknownst to Ron, his 8 year old niece jumped in bed  
27 between Ron and Ron's nephew who was sharing the niece's bed with Ron. The niece had  
28 been temporarily assigned to the nephew's bed.

Ron woke up the next morning and went home.

Some weeks later he returned to St. Ignace to socialize with his brother's family including  
the 8 year old niece.

Four months later the niece allegedly reported to her Mom that Ron has touched her  
underpants while she was in bed with him. The niece testified that Ron appeared to be  
sleeping. Ron had no knowledge that she had even been in bed with him. The niece testified  
that she jumped in bed in the middle of the night after using the toilet. She testified that she left  
the bed around 20 minutes later. The testimony is undisputed: Ron slept through this event.

The trial was pending during the course of 3 years. There were 3 consecutive public

1 defenders, 3 consecutive prosecutors, and 3 consecutive judges over the course of 3 years.  
2 None of them investigated Ron's disease although Ron told them about it. Ron had been  
3 informed of the disease by his wife and his ex wife.

3 **Instrument of Oppression - Reduce to Attempt even if Illogical.**

4 After 3 years of trips to St. Ignace they persuaded Ron to plead guilty to attempt, although  
5 that was factually impossible because one cannot attempt what one is unconscious of doing.  
6 Ron would serve no time in jail and would be on probation for two years. Ron did not  
7 understand that he would be required to register as a sex offender for life. Michigan's sex  
8 registry is unique in that alleged offenders are all lumped in the same class so that Ron could  
9 be a serial rapist for all that the public knows.

8 I long ago posted the story and police reports in the St. Ignace case. I wrote the motion.  
9 We are close to litigating that case and undoing the wrong.

10 The local police are prejudiced/ biased against Ron because of misunderstanding regarding  
11 the mysterious secret status imposed by the bad Michigan law which was temporarily  
12 overturned at one time by Judge Victoria.

12 I filed a federal case in this regard.

13 The fleeing and eluding accusation is not founded. Once again Michigan law is out of line with  
14 the law from the rest of the country. A legislature may not change the meaning of ordinary  
15 words and neither may the Michigan courts in their interpretation but that is precisely what has  
16 happened with Fleeing and Eluding.

16 There is a well known South Carolina case on YouTube where a cop pushed a woman  
17 to the ground for failing to stop - even worse action by the driver than what Ron did. In the  
18 woman's case the cop was fired and she received a hefty payment from the police. This is what  
19 should happen in Ron's case.

19 I would have acted sooner but Robert Dunne refused to forward the files and then he  
20 got off the case.

20 Ron's trial would be premature.

21 I sent the foregoing explanation by email to Attorney Beggs on Monday Oct 9, 2006 to  
22 his email address at [BeggsandSchisler@sbcglobal.net](mailto:BeggsandSchisler@sbcglobal.net)

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23 **Points and Authorities Supporting Dismissal on Void-for-Vagueness and  
24 Overbreadth**

24 **Table of Authorities cited herein:**

25 **U.S. Supreme Court cases cited herein:**

25 \*Connally v General Construction (1926) 269 U.S. 385 . . . . . Page 14 of 16

26 \*due process . . . . . Page 13 of 16, Page 14 of 16, Page 15 of 16

27 **American Net & Twine Co. v. Worthington**, 141 U.S. 468 , 35 L. ed. 821, 12 Sup. Ct. Rep. 55

28 . . . . . Page 14 of 16

1	<b><i>Aptheker v. Secretary of State</i></b> , 378 U.S. 500 , 508-509 (1964). . . . .	Page 15 of 16
2	<b><i>Baggett v. Bullitt</i></b> , 377 U.S. 360, 372 (1964) . . . . .	Page 14 of 16
3	<b><i>Benziger v. U.S.</i></b> , 192 U.S. 38 (1904). . . . .	Page 14 of 16
4	<b><i>City of Mesquite v. Alladin's Castle, Inc.</i></b> , 455 U.S. 283 (1982). . . . .	Page 15 of 16
5	<b><i>Cline v. Frink Dairy Co.</i></b> , 274 U.S. 445, 47 S. Ct. 681 (1927) . . . . .	Page 14 of 16
6	<b><i>Coates v. Cincinnati</i></b> , 402 U.S. 611, 614 ( 1971). . . . .	Page 14 of 16
7	<b><i>Collins v. Kentucky</i></b> (1914) Tobacco case. <a href="http://www.lawyerdude.netfirms.com/vague14.html">http://www.lawyerdude.netfirms.com/vague14.html</a> 234 U.S. 634, 638 , 34 S. Ct. 924 [269 U.S. 385, 393] . . . . .	Page 13 of 16
8	<b><i>Dombrowski v. Pfister</i></b> , 380 U.S. 479, 486 (1965) . . . . .	Page 15 of 16
9	<b><i>Giaccio v. State of Pennsylvania</i></b> (1966) 382 U.S. 399; 86 S.Ct. 518. . . . .	Page 13 of 16
10	<b><i>Gould v. Gould</i></b> , 245 US., 151 (1917) . . . . .	Page 13 of 16
11	<b><i>Grayned v. City of Rockford</i></b> , 408 U.S. at 108-09 & n. 4 <a href="http://www.lawyerdude.netfirms.com/grayned.html">http://www.lawyerdude.netfirms.com/grayned.html</a> . . . . .	Page 15 of 16
12	<b><i>International Harvester Co. v. Kentucky</i></b> , 234 U.S. 216, 221 , 34 S. Ct. 853 . .	Page 13 of 16
13	<b><i>Karlan v. City of Cincinatti</i></b> , 416 U.S. 924 (1974). . . . .	Page 14 of 16
14	<b><i>Marbury v. Madison</i></b> (1803) <a href="http://www.lawyerdude.netfirms.com/marbury.html">http://www.lawyerdude.netfirms.com/marbury.html</a> 5 U.S. (1 Cranch.) 137 . . . . .	Page 15 of 16
15	<b><i>NAACP v. Alabama</i></b> , 377 U.S. 288, 307 (1964). . . . .	Page 15 of 16
16	<b><i>NAACP v. Alabama</i></b> , 377 U.S. 288, 307 (1964). A vague statute may be overbroad if its uncertain boundaries leave open the possibility of punishment for protected conduct and thus lead citizens to avoid such protected activity in order to steer clear of the uncertain proscriptions. . . . .	Page 15 of 16
17	<b><i>Papachristou v. City of Jacksonville</i></b> (1971) <a href="http://www.lawyerdude.netfirms.com/papachri.html">http://www.lawyerdude.netfirms.com/papachri.html</a> 405 U.S. 156. Vague laws defeat the intrinsic promise of, and frustrate the essence of, a constitutional regime. . . . .	Page 14 of 16, Page 15 of 16
18	<b><i>Rector, Etc., Of Holy Trinity Church v. United States</i></b> (1892) <a href="http://www.lawyerdude.netfirms.com/vague92.html">http://www.lawyerdude.netfirms.com/vague92.html</a> 143 U.S. 457; 12 S.Ct. 511 . . . . .	Page 13 of 16
19	<b><i>Sewell v. Georgia</i></b> , 435 U.S. 982 (1978) . . . . .	Page 14 of 16
20	<b><i>Shelton v. Tucker</i></b> , 364 U.S. 479, 488 (1960). . . . .	Page 15 of 16
21	<b><i>Shuttlesworth v. Birmingham</i></b> , 382 U.S. 87 , 90-91, 15 L. Ed.2d 176 (1965) <a href="http://www.lawyerdude.8m.com/5089.html">http://www.lawyerdude.8m.com/5089.html</a> (Includes photograph of Reverend Fred Shuttlesworth) . . . . .	Page 14 of 16
22	<b><i>Speiser v. Randall</i></b> , 357 U.S. 513, 526 (1958). . . . .	Page 15 of 16

1 **United States v. Harriss**, 347 U.S. 612, 617 ( 1954). . . . . Page 14 of 16

2 **United States v. Wigglesworth**, 2 Story, 369, Fed. Cas. No. 16,690. . . . . Page 14 of 16

3 **Winters v. People of State of New York** (1948) 333 U.S. 507; 68 S.Ct. 665. . . Page 13 of 16

4 **Zwickler v. Koota**, 389 U.S. 241, 250 (1967), quoting **NAACP v. Alabama**, 377 U.S. 288, 307

5 (1964). "Overbreadth, on the other hand, 'offends the constitutional principle that 'a

6 governmental purpose to control or prevent activities constitutionally subject to state regulation

may not be achieved by means which sweep unnecessarily broadly and thereby invade the

area of protected freedoms." . . . . . Page 15 of 16

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7 **Michigan Statute Cited herein:**

8 257.602a Fleeing and Eluding. . . . . Page 9 of 16

9 750.479a Fleeing and Eluding. . . . . Page 8 of 16

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11 **The Logic is Simple. 1 Ron Stopped. 2 Therafter Driving 1 mile home is not Fleeing and Eluding.**

12 **The Appended Article by Michigan Prosecutors is Enlightening: The Fleeing and Eluding**

13 **is not successful unless the driver successfully Eludes. And an attempt is not a mere**

14 **attempt unless Ron fails to achieve all that Ron intended. Ron achieved all that he**

15 **intended.**

16 The better motion is the concurrent demurrer/ motion to strike the complaint for failure to

17 state a cause of action. Ron intended merely to drive 1.1 miles to the safe place at his house.

18 **There are two possible statutes: 750.479a and 257.602a. Attorneys Dunn and Beggs**

19 **have refused to tell my lawyer Palaschak which statute is used to accuse me.**

20 750.479a states in its entirety:

- 21 1. A driver of a motor vehicle who is given by hand, voice, emergency light, or siren a
- 22 visual or audible signal by a police or conservation officer, acting in the lawful
- 23 performance of his or her duty, directing the driver to bring his or her motor vehicle to a
- 24 stop shall not willfully fail to obey that direction by increasing the speed of the vehicle,
- 25 extinguishing the lights of the vehicle, or otherwise attempting to flee or elude the police
- 26 or conservation officer. This subsection does not apply unless the police or conservation
- 27 officer giving the signal is in uniform and the officer's vehicle is identified as an official
- 28 police or department of natural resources vehicle.
2. Except as provided in subsection 3, 4, or 5, an individual who violates subsection 1 is
- guilty of fourth-degree fleeing and eluding, a felony punishable by imprisonment for not
- more than 2 years or a fine of not more than \$2,000.00, or both.
3. Except as provided in subsection 4 or 5, an individual who violates subsection 1 is guilty
- of third-degree fleeing and eluding, a felony punishable by imprisonment for not more
- than 5 years or a fine of not more than \$5,000.00, or both, if 1 or more of the following
- circumstances apply:
  - a. The violation results in a collision or accident.
  - b. A portion of the violation occurred in an area where the speed limit is 35 miles
  - an hour or less, whether that speed limit is posted or imposed as a matter of law.
  - c. The individual has a prior conviction for fourth-degree fleeing and eluding,
  - attempted fourth-degree fleeing and eluding, or fleeing and eluding under a
  - current or former law of this state prohibiting substantially similar conduct.
4. Except as provided in subsection 5, an individual who violates subsection 1 is guilty of
- second-degree fleeing and eluding, a felony punishable by imprisonment for not more

1 than 10 years or a fine of not more than \$10,000.00, or both, if 1 or more of the  
2 following circumstances apply:

- 3 a. The violation results in serious impairment of a body function of an individual.
- 4 b. The individual has 1 or more prior convictions for first-, second-, or third-degree  
5 fleeing and eluding, attempted first-, second-, or third-degree fleeing and  
6 eluding, or fleeing and eluding under a current or former law of this state  
7 prohibiting substantially similar conduct.
- 8 c. The individual has any combination of 2 or more prior convictions for  
9 fourth-degree fleeing and eluding, attempted fourth-degree fleeing and eluding,  
10 or fleeing and eluding under a current or former law of this state prohibiting  
11 substantially similar conduct.

- 12 5. If the violation results in the death of another individual, an individual who violates  
13 subsection 1 is guilty of first-degree fleeing and eluding, a felony punishable by  
14 imprisonment for not more than 15 years or a fine of not more than \$15,000.00, or both.
- 15 6. Upon a conviction for a violation or attempted violation under subsection (2) or (3), the  
16 secretary of state shall suspend the individual's operator's or chauffeur's license as  
17 provided in section 319 of the Michigan vehicle code, 1949 PA 300, MCL 257.319.
- 18 7. Upon a conviction for a violation or attempted violation under subsection (4) or (5), the  
19 secretary of state shall revoke the individual's operator's or chauffeur's license as  
20 provided in section 303 of the Michigan vehicle code, 1949 PA 300, MCL 257.303.
- 21 8. Except as otherwise provided, a conviction under this section does not prohibit a  
22 conviction and sentence under any other applicable provision for conduct arising out of  
23 the same transaction. A conviction under subsection (2), (3), (4), or (5) prohibits a  
24 conviction under section 602a of the Michigan vehicle code, 1949 PA 300, MCL  
25 257.602a, for conduct arising out of the same transaction.
- 26 9. As used in this section, "serious impairment of a body function" means that term as  
27 defined in section 58c of the Michigan vehicle code, 1949 PA 300, MCL 257.58c.

28 History: Add. 1966, Act 299, Eff. Mar. 10, 1967 ;-- Am. 1988, Act 407, Eff. Mar. 30, 1989 ;-- Am.  
1996, Act 586, Eff. June 1, 1997 ;-- Am. 1998, Act 344, Eff. Oct. 1, 1999 ;-- Am. 2002, Act 270,  
Eff. July 15, 2002 © 2006 Legislative Council, State of Michigan

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**Michigan Vehicle Code Except: Act 300 of 1949: 257.602a Failure to stop at signal of  
police or conservation officer:**

257.602a states in its entirety:

- 1. A driver of a motor vehicle who is given by hand, voice, emergency light, or siren a  
visual or audible signal by a police or conservation officer, acting in the lawful  
performance of his or her duty, directing the driver to bring his or her motor vehicle to a  
stop shall not willfully fail to obey that direction by increasing the speed of the motor  
vehicle, extinguishing the lights of the motor vehicle, or otherwise attempting to flee or  
elude the officer. This subsection does not apply unless the police or conservation  
officer giving the signal is in uniform and the officer's vehicle is identified as an official  
police or department of natural resources vehicle.

(2) Except as provided in subsection (3), (4), or (5), an individual who violates subsection (1) is  
guilty of fourth-degree fleeing and eluding, a felony punishable by imprisonment for not more  
than 2 years or a fine of not more than \$500.00, or both.

(3) Except as provided in subsection (4) or (5), an individual who violates subsection (1) is guilty  
of third-degree fleeing and eluding, a felony punishable by imprisonment for not more than 5  
years or a fine of not more than \$1,000.00, or both, if 1 or more of the following circumstances  
apply:

1 (a) The violation results in a collision or accident.

2 (b) A portion of the violation occurred in an area where the speed limit is 35 miles an hour or  
3 less, whether that speed limit is posted or imposed as a matter of law.

4 (c) The individual has a prior conviction for fourth-degree fleeing and eluding, attempted  
5 fourth-degree fleeing and eluding, or fleeing and eluding under a current or former law of this  
6 state prohibiting substantially similar conduct.

7 (4) Except as provided in subsection (5), an individual who violates subsection (1) is guilty of  
8 second-degree fleeing and eluding, a felony punishable by imprisonment for not more than 10  
9 years or a fine of not more than \$5,000.00, or both, if 1 or more of the following circumstances  
10 apply:

11 (a) The violation results in serious injury to an individual.

12 (b) The individual has 1 or more prior convictions for first-, second-, or third-degree fleeing and  
13 eluding, attempted first-, second-, or third-degree fleeing and eluding, or fleeing and eluding  
14 under a current or former law of this state prohibiting substantially similar conduct.

15 (c) The individual has any combination of 2 or more prior convictions for fourth-degree fleeing  
16 and eluding, attempted fourth-degree fleeing and eluding, or fleeing and eluding under a  
17 current or former law of this state prohibiting substantially similar conduct.

18 (5) If the violation results in the death of another individual, an individual who violates  
19 subsection (1) is guilty of first-degree fleeing and eluding, a felony punishable by imprisonment  
20 for not more than 15 years or a fine of not more than \$10,000.00, or both.

21 (6) A conviction under this section does not prohibit a conviction and sentence under any other  
22 applicable provision, except section 479a(2), (3), (4), or (5) of the Michigan penal code, 1931  
23 PA 328, MCL 750.479a, for conduct arising out of the same transaction.

24 (7) As used in this section, "serious injury" means a physical injury that is not necessarily  
25 permanent, but that constitutes serious bodily disfigurement or that seriously impairs the  
26 functioning of a body organ or limb. Serious injury includes, but is not limited to, 1 or more of  
27 the following:

28 (a) Loss of a limb or use of a limb.

(b) Loss of a hand, foot, finger, or thumb or use of a hand, foot, finger, or thumb.

(c) Loss of an eye or ear or use of an eye or ear.

(d) Loss or substantial impairment of a bodily function.

(e) Serious visible disfigurement.

(f) A comatose state that lasts for more than 3 days.

(g) Measurable brain damage or mental impairment.

(h) A skull fracture or other serious bone fracture.

(i) Subdural hemorrhage or hematoma.

1 History: Add. 1966, Act 203, Eff. Sept. 1, 1966 ;-- Am. 1968, Act 160, Eff. Nov. 15, 1968 ;-- Am.  
2 1981, Act 159, Eff. Mar. 31, 1982 ;-- Am. 1988, Act 406, Eff. Mar. 30, 1989 ;-- Am. 1996, Act  
3 587, Eff. June 1, 1997 ;-- Am. 1998, Act 347, Eff. Oct. 1, 1999 ;-- Am. 1999, Act 73, Eff. Oct. 1,  
4 1999 © 2006 Legislative Council, State of Michigan

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5 **Comment of the Prosecuting Attorney Association Proves that Ron was not attempting  
6 to elude.**

7 Ron Fox is innocent once again. First, he stopped immediately upon signal. He waiting.  
8 The cop wrote the ticket. Ron drove 1.1 miles to his home before accepting the ticket.  
9 [http://www.paamtrafficsafety.com/hot\\_topics/fleeing\\_and\\_eluding.htm](http://www.paamtrafficsafety.com/hot_topics/fleeing_and_eluding.htm)

10 Also see a bad article in the quasi official Michigan book written by a bad lawyer.

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11 Deja Vu. Just like in January 2004, Ron is being pressured to be tested a 4<sup>th</sup> time after  
12 3 forensic psychology tests returned identical results.

13 Broadly speaking a defendant enjoys the right against self-incrimination and a right to  
14 speak for himself. *Faretta v California* (1975) 422 U.S. 806. Here is a link to the Faretta  
15 case: <http://www.lawyerdude.netfirms.com/faretta.html> It appears that the purpose of this test  
16 is to mitigate the case in order to plead it down. Defendant Ron Fox and I have determined that  
17 this is an inappropriate strategy.

18 Forensic Psychological Testing can be a form of self incrimination. Sometimes physical  
19 testing justified by the fleeting nature of evidence but not in this case. Ron's case is not a  
20 situation of fleeing evidence like *Schmerber v California* (1966) 384 U.S. 757, 16 L ed 2<sup>nd</sup>  
21 908. Ron's situation is more like *Rochin v California* (1952) 342 U.S. 165, 96 L Ed. 183 in  
22 that the testing violates due process of law and is not justifiable even considering competing  
23 societal interests. Ron isn't the guy who acted with mental defect; the cops acted with mental  
24 defect and malice. Ron's was **involuntary** testing imposed by a public defender to give it the  
25 air of voluntariness. I protested on Ron's behalf. [www.lawyerdude.netfirms.com/6201.html](http://www.lawyerdude.netfirms.com/6201.html) ,  
26 [www.lawyerdude.netfirms.com/6203.html](http://www.lawyerdude.netfirms.com/6203.html) , [www.lawyerdude.netfirms.com/6202.html](http://www.lawyerdude.netfirms.com/6202.html) ,  
27 [www.lawyerdude.netfirms.com/6207.html](http://www.lawyerdude.netfirms.com/6207.html) , [www.lawyerdude.netfirms.com/6204.html](http://www.lawyerdude.netfirms.com/6204.html) ,  
28 [www.lawyerdude.netfirms.com/6205.html](http://www.lawyerdude.netfirms.com/6205.html) , [www.lawyerdude.8k.com/6317.html](http://www.lawyerdude.8k.com/6317.html) ,  
[www.lawyerdude.8k.com/6318.html](http://www.lawyerdude.8k.com/6318.html) , Motion 6464, Motion 6465, Motion 6466, and other motions.

Although I don't have the transcript, because the court reporter refused to give me a  
prompt copy, I do know from my investigation and conversation that appointed counsel,  
Jennifer Barnes was attempting to impose her own agenda with directly contradicts Ron's plan.  
A lawyer may not do that.

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**Appendix A - Text of article by Michigan Prosecutor re Fleeing and Eluding.**

Fleeing and Eluding vs. Fleeing and Eluding

Have you ever wondered if there is a difference between the Fleeing and Eluding Statute in the  
Motor Vehicle Code (257.602a) and the one in the Penal Code (750.479a)? While they have

1 the same words, they do not have the same consequences.

2 According to the statutes, Fleeing and Eluding in the Motor Vehicle Code can not be reduced to  
3 attempted. MCL 257.204b(2) states, with added emphasis, "the court shall impose a criminal  
4 penalty for a conviction of an attempted violation of this act . . . in the same manner as if the  
5 offense had been completed."

6 If a defendant pleads to Attempted Fleeing and Eluding under 257.602a, the court must treat it  
7 with the same penalty as the original offense. In other words, Attempted Fleeing and Eluding  
8 4th degree is still a two-year felony. However, Fleeing and Eluding under the Penal Code does  
9 not have that provision. Attempted Fleeing and Eluding 4th degree under the Penal Code is a  
10 one-year misdemeanor. (The licensing sanctions on a driver's license are not affected by either  
11 provision. The impact on the defendant's license is the same as if the defendant was convicted  
12 of the original charge. MCL 257.204b(1).)

#### 11 Jurisdictional Issues

12 This raises another issue. Many times a Fleeing and Eluding 4th Degree charge is reduced to  
13 an attempt in District Court. However, under the Motor Vehicle Code, the penalty is still two  
14 years and is outside the court's jurisdiction to sentence the defendant.

15 To "complicate" matters, when the District Court sends the abstract of conviction to the  
16 Secretary of State (SOS), on an Attempted 4th Degree Fleeing and Eluding, the SOS still  
17 considers it a felony and kicks it back. This happens with either provision because the District  
18 Court has no jurisdiction to handle a felony, or because of the computer program. MCL  
19 257.204b(1) says that the license sanctions shall be the same as the original offense charge.  
20 The computer reads the original charge as a felony coming from District Court, sees it as an  
21 error, and kicks it back. This means the license action does not take place, either because of  
22 the law or a computer program glitch. According to the Secretary of State's office, to get around  
23 the computer, the District Courts must enter the abstract of conviction manually. If that is not  
24 done, it is very likely that the defendant is not receiving the proper license sanctions. (The  
25 computer issue does not happen with the Circuit Court taking the plea since it has jurisdiction  
26 on the original charge.)

#### 25 Expungement

26 One area where these two statutes do not have a different impact is under the Expungement  
27 Statute (MCL 780.621). According to that statute, expungement is not allowed for "traffic  
28 offenses." Traffic offense is specifically defined as offenses under the Motor Vehicle Code  
(MCL 780.621a), thus, the Fleeing and Eluding Statute in the Motor Vehicle Code can not be

1 expunged. So it would appear that it is possible to expunge a conviction for Fleeing and Eluding  
2 under the Penal Code. However, this is wrong. MCL 257.732(20) provides that "A court shall  
3 not order expunction of any violation reportable to the secretary of state under this section."  
4 Pursuant to MCL 257.732(4)(a), a fleeing and eluding conviction under the penal code must be  
5 reported to the Secretary of State. Thus, neither charge can be expunged.

5 HYTA

6 Finally, another area of concern is under the Holmes Youthful Trainee Act (HYTA), MCL  
7 762.11. According to that section, HYTA is not allowed for "a traffic offense." As used in that  
8 section, "traffic offense" means a violation of the Michigan vehicle code, Act No. 300 of the  
9 Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws, or a  
10 violation of a local ordinance substantially corresponding to that act, which involves the  
11 operation of a vehicle and, at the time of the violation, is a felony or a misdemeanor.

11 Thus, a person charged for Fleeing and Eluding under the Penal code could get HYTA status,  
12 and a person charged under the Motor Vehicle Code could not. However, this question has not  
13 been definitely answered.

14 The bottom line is when a person is being charged with Fleeing and Eluding, be aware of the  
15 difference between the two statutes. While they have the same wording, they have different  
16 consequences.

17 Prosecuting Attorneys Association of Michigan  
18 116 West Ottawa Street - Suite 200, Lansing MI 48913  
19 (517) 334-6060 - FAX: 334-6351  
20 [www.michiganprosecutor.org](http://www.michiganprosecutor.org)

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21 **Appendix 1: Detailed Brief regarding the Doctrine entitled "Void for Vagueness"**  
22 **Void for Vagueness. Fourteenth Amendment Annotations**

23 This article is at <http://www.lawyerdude.netfirms.com/vagueness.html>

24 First annotation:

25 ***Connally vs. General Construction Co.*** (1926)

26 <http://www.lawyerdude.netfirms.com/vague26.html> 269 U.S. 385

27 The question whether given legislative enactments have been thus  
28 wanting in certainty has frequently been before this court. In some of the  
cases the statutes involved were upheld; in others, declared invalid. The  
precise point of differentiation in some instances is not easy of statement;

1 but it will be enough for present purposes to say generally that the  
2 decisions of the court, upholding statutes as sufficiently certain, rested  
3 upon the conclusion that they employed words or phrases having a  
4 technical or other special meaning, well enough known to enable those  
5 within their reach to correctly apply them - Supreme Court in 1926 in  
**Connally v Gen. Construction.**

6 That the terms of a penal statute creating a new offense must be sufficiently  
7 explicit to inform those who are subject to it what conduct on their part will render them  
8 liable to its penalties is a well- recognized requirement, consonant alike with ordinary  
9 notions of fair play and the settled rules of law; and a statute which either forbids or  
10 requires the doing of an act in terms so vague that men of common intelligence must  
11 necessarily guess at its meaning and differ as to its application violates the first  
12 essential of **due process** of law.

13 **International Harvester Co. v. Kentucky**, 234 U.S. 216, 221 , 34 S. Ct. 853; **Collins**  
14 **v. Kentucky**, 234 U.S. 634, 638 , 34 S. Ct. 924 [269 U.S. 385, 393]

15 <http://www.lawyerdude.netfirms.com/vague14.html> ...

16 The dividing line between what is lawful and unlawful cannot be left to  
17 conjecture. The citizen cannot be held to answer charges based upon  
18 penal statutes whose mandates are so uncertain that they will reasonably  
19 admit of different constructions. A criminal statute cannot rest upon an  
20 uncertain foundation. The crime, and the elements constituting it, must be  
21 so clearly expressed that the ordinary person can intelligently choose, in  
22 advance, what course it is lawful for him to pursue. Penal statutes  
23 prohibiting the doing of certain things, and providing a punishment for their  
24 violation, should not admit of such a double meaning that the citizen may  
25 act upon the one conception of its requirements and the courts upon  
26 another.'

27 **Rector, Etc., Of Holy Trinity Church v. United States** (1892)

28 <http://www.lawyerdude.netfirms.com/vague92.html> 143 U.S. 457; 12 S.Ct. 511 :

"All laws should receive a sensible construction. General terms should be  
so limited in their application as not to lead to injustice, oppression, or an  
absurd consequence. It will always be presumed that the legislature  
intended exceptions to its language which would avoid results of this  
character. The reason of the law in such cases should prevail over its  
letter." - **Rector, Etc., Of Holy Trinity Church v. United States** 143 U.S.  
457; 12 S.Ct. 511 (1892)

**Winters v. People of State of New York** (1948) 333 U.S. 507; 68 S.Ct. 665:

1 "Men of common intelligence cannot be required to guess at the meaning  
2 of penal enactment. "In determining whether penal statute is invalid for  
3 uncertainty, courts must do their best to determine whether vagueness is  
4 of such a character that men of common intelligence must guess at its  
5 meaning. "Where a statute is so vague as to make criminal an innocent  
6 act, a conviction under it cannot be sustained." - **Winters v. People of  
7 State of New York**, 333 U.S. 507; 68 S.Ct. 665 (1948)

8 **Giaccio v. State of Pennsylvania** (1966) 382 U.S. 399; 86 S.Ct. 518:

9 "Law fails to meet requirements of due process clause if it is so vague and  
10 standardless that it leaves public uncertain as to conduct it prohibits or leaves  
11 judges and jurors free to decide, without any legally fixed standards, what is  
12 prohibited and what is not in each particular case." - **Giaccio v. State of  
13 Pennsylvania**, 382 U.S. 399; 86 S.Ct. 518 (1966)

14 **Gould v. Gould**, 245 US., 151 (1917):

15 "In the interpretation of statutes levying taxes, it is THE ESTABLISHED  
16 RULE NOT TO EXTEND their provisions, by implication, BEYOND THE  
17 CLEAR IMPORT OF THE LANGUAGE USED, OR TO ENLARGE their  
18 operations SO AS TO EMBRACE MATTERS NOT SPECIFICALLY  
19 POINTED OUT"

20 **Benziger v. U.S.**, 192 U.S. 38 (1904):

21 "This provision of the statute should be liberally construed in favor of the  
22 importer, and if there were any fair doubt as to the true construction of the  
23 provision in question, the courts should resolve the doubt in his favor. **American  
24 Net & Twine Co. v. Worthington**, 141 U.S. 468 , 35 L. ed. 821, 12 Sup. Ct.  
25 Rep. 55; **United States v. Wigglesworth**, 2 Story, 369, Fed. Cas. No. 16,690;  
26 **Rice v. United States**, 4 C. C. A. 104, 10 U. S. App. 670, 53 Fed. 910."

27 **U.S. v. De Cadena**, 105 F.Supp. 202, 204 (1952):

28 "The essential purpose of the "void for vagueness doctrine" with respect to  
interpretation of a criminal statute, is to warn individuals of the criminal  
consequences of their conduct. ... Criminal statutes which fail to give due notice  
that an act has been made criminal before it is done are unconstitutional  
deprivations of due process of law."

**Hassett v. Welch** (1938) 303 US 303, pp. 314 - 315, 82 L Ed 858:

" . . . .if doubt exists as to the construction of a taxing statute, the doubt  
should be resolved in favor of the taxpayer..."

**Sewell v. Georgia**, 435 U.S. 982 (1978):

As we said in **Grayned v. City of Rockford** (1972) 408 U.S. 104, 108 (1972):

1 "It is a basic principle of **due process** that an enactment [435 U.S. 982 , 986] is  
2 void for vagueness if its prohibitions are not clearly defined. Vague laws offend  
3 several important values. First, because we assume that man is free to steer  
4 between lawful and unlawful conduct, we insist that laws give the person of  
5 ordinary intelligence a reasonable opportunity to know what is prohibited, so that  
6 he may act accordingly. Vague laws may trap the innocent by not providing fair  
7 warning. Second, if arbitrary and discriminatory enforcement is to be prevented,  
8 laws must provide explicit standards for those who apply them. A vague law  
9 impermissibly delegates basic policy matters to policemen, judges, and juries for  
10 resolution on an ad hoc and subjective basis, with the attendant dangers of  
11 arbitrary and discriminatory application." See also **Papachristou v. City of**  
12 **Jacksonville**, 405 U.S. 156 (1972); **Cline v. Frink Dairy Co.**, 274 U.S. 445, 47  
13 S. Ct. 681 (1927); **Connally v. General Construction Co.**, 269 U.S. 385 (1926).

14 **Karlan v. City of Cincinnati**, 416 U.S. 924 (1974):

15 "These cases all involve convictions under ordinances and statutes which  
16 punish the mere utterance of words variously described as 'abusive,'  
17 'vulgar,' 'insulting,' 'profane,' 'indecent,' 'boisterous,' and the like. The  
18 provisions are challenged as being unconstitutionally vague and  
19 overbroad. The 'void for vagueness' doctrine is, of course, a **due process**  
20 concept implementing principles of fair warning and non-discriminatory  
21 enforcement. Vague laws may trap those who desire to be law-abiding by  
22 not providing fair notice of what is prohibited. **Papachristou v. City of**  
23 **Jacksonville**, 405 U.S. 156, 162 (1972); **United States v. Harriss**, 347  
24 U.S. 612, 617 ( 1954). They also provide opportunity for arbitrary and  
25 discriminatory enforcement since those [416 U.S. 924 , 925] who apply  
26 the laws have no clear and explicit standards to guide them. **Coates v.**  
27 **Cincinnati**, 402 U.S. 611, 614 ( 1971); **Shuttlesworth v. Birmingham**,  
28 382 U.S. 87 , 90-91, 15 L. Ed.2d 176 (1965) -

<http://www.lawyerdude.8m.com/5089.html> (Includes photograph of  
Reverend Fred Shuttlesworth). Further, when a vague statute "abut[s]  
upon sensitive areas of First Amendment freedoms,' it 'operates to  
inhibit the exercise of [those] freedoms.' Uncertain meanings inevitably  
lead citizens to 'steer far wider of the unlawful zone . . . than if the  
boundaries of the forbidden areas were clearly marked." - **Grayned v.**  
**City of Rockford**, 408 U.S. 104, 109 (1972), quoting **Baggett v. Bullitt**,  
377 U.S. 360, 372 [1964 loyalty oath case], and **Speiser v. Randall**, 357  
U.S. 513, 526 (1958)."

1 "Overbreadth, on the other hand, 'offends the constitutional principle that 'a  
2 governmental purpose to control or prevent activities constitutionally subject to  
3 state regulation may not be achieved by means which sweep unnecessarily  
4 broadly and thereby invade the area of protected freedoms." - **Zwickler v.**  
5 **Koota**, 389 U.S. 241, 250 (1967), quoting **NAACP v. Alabama**, 377 U.S. 288,  
6 307 (1964).

7 A vague statute may be overbroad if its uncertain boundaries leave open  
8 the possibility of punishment for protected conduct and thus lead citizens to  
9 avoid such protected activity in order to steer clear of the uncertain proscriptions.  
10 **Grayned v. City of Rockford** supra, 408 U.S. at 109; **Dombrowski v. Pfister**,  
11 380 U.S. 479, 486 (1965). A statute is also overbroad, however, if, even though it  
12 is clear and precise, it prohibits constitutionally protected conduct. **Aptheker v.**  
13 **Secretary of State**, 378 U.S. 500 , 508-509 (1964); **Shelton v. Tucker**, 364  
14 U.S. 479, 488 (1960)."

15 **City of Mesquite v. Alladin's Castle, Inc.**, 455 U.S. 283 (1982):

16 " **Grayned v. City of Rockford**, 408 U.S. 104, 108 (emphasis [455 U.S. 283,  
17 290] added) \*fn12... [ Footnote 12 ] The Court of Appeals summarized the  
18 relevant authorities as follows: "A law is void for vagueness if persons `of  
19 common intelligence must necessarily guess at its meaning and differ as to its  
20 application . . . .' **Smith v. Goguen**, 415 U.S. 566, 572 n. 8, quoting **Connally v.**  
21 **General Construction Co.**, 269 U.S. 385, 391 . See generally Note, **The**  
22 **Void-for-Vagueness Doctrine in the Supreme Court**, 109 U. Pa. L. Rev. 67  
23 (1960). The offense to **due process** lies in both the nature and consequences of  
24 vagueness. First, vague laws do not give individuals fair notice of the conduct  
25 proscribed. **Papachristou v. City of Jacksonville**, 405 U.S. 156, 162 . Accord  
26 **Grayned v. City of Rockford**, 408 U.S. 104, 108 & n. 3. Second, vague laws do  
27 not limit the exercise of discretion by law enforcement officials; thus they  
28 engender the possibility of arbitrary and discriminatory enforcement. **Grayned v.**  
**City of Rockford**, 408 U.S. at 108-09 & n. 4  
<http://www.lawyerdude.netfirms.com/grayned.html> ; **Papachristou v. City of**  
**Jacksonville** (1971) <http://www.lawyerdude.netfirms.com/papachri.html> , 405  
U.S. at 168-70. Third, vague laws defeat the intrinsic promise of, and frustrate  
the essence of, a constitutional regime. We remain `a government of laws, and  
not of men,' **Marbury v. Madison** (1803)  
<http://www.lawyerdude.netfirms.com/marbury.html> 5 U.S. (1 Cranch.) 137, 163,  
only so long as our laws remain clear." - 630 F.2d, at 1037."

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1  
2 **Appendix C - Link to Story about Ed Czuprynski, one of my other do-nothing local**  
3 **lawyers:**

4 <http://www.injusticeline.com/Czu.html>

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5 **Proof of Service**

6 I, Douglas Palaschak, declare the following under penalty of perjury: I attempted to  
7 obtain the fax number for the court at 8:10 a.m. on Tuesday, October 10, 2006. Michelle at  
8 989-895-4265 said that they don't accept any faxes. Thereafter I found a fax number for the  
9 court in my files. I faxed version 1.000 of this motion at 8:30 a.m. to Judge Caprathe's court at  
10 989-895-4099. I emailed a link to this to Attorney Paul Beggs at  
11 [beggsandschisler@sbcglobal.net](mailto:beggsandschisler@sbcglobal.net) at 8:24 a.m. having pre-advised them yesterday October 9<sup>th</sup>  
12 that I would do so. At 8:25 a.m. I called the Beggs office at **989 893 3221** and talked to Bruce  
13 Manico (phonetic). He said that the secretaries would be there in 5 minutes maybe. I left my  
14 number. I explained that I faxed a link to them that would link to Ron Fox's motion for today.  
15 Bruce said he would leave a message but he did not have access to the email. Thereafter at  
16 8:35 I called back and talked to Donna at the office of Paul Beggs. She remembered me  
17 talking to her yesterday. She said she would check the email and download the motion and  
18 "see what [she] could do". She is only 5 minutes from the court house. I suggested that she  
19 find a way to get that motion to court.

20 Thereafter at 8:57 a.m. I called the court at 895 4265 They transferred me to Judge  
21 Caprathe's court. I asked the clerk to ask Attorney Paul Beggs to call his office. She said he  
22 was just there. I told her that I faxed a motion to the court and that the Ron Fox trial would be  
23 premature and that I emailed a motion to the office of Attorney Beggs and that cell phones are  
24 usually off in court. She said that she would relay the message to Attorney Beggs if she saw  
25 him.

26 Thereafter at 9:07 a.m. I called the office of Attorney Paul Beggs at 893 3221. I was put  
27 on hold. I talked to Donna. Yes, she has indeed printed out the motion that I sent her.  
28 However, she refused to even write down the number for the court. Although the court is only 5  
minutes away there is nobody to drive there. She says that Paul Beggs may call her and then  
she will tell him about the motion.

Thereafter at 9:15 I talked to Deputy Walzac at the jail at 989 895 4066. I explained the  
situation to her. She said that Ron was still there and had not gone to court. Of course she is  
not permitted to give any message to Ron. She said that the best thing to do would be to call  
the court - which is what I had previously done.

Thereafter I called Art Schupback and he said that he lives on the other side of town and

1 it is too far to drive.

2           Thereafter at 9:40 a.m. (6:40 a.m. Pacific time) I dropped 4 copies into the postal drop  
3 box and sending them to Ron in jail by priority mail.

4 Signed \_\_\_\_\_ Douglas Palaschak. Tuesday, October 10, 2006

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