

DOCUMENT 1

STATE OF MICHIGAN
IN THE THIRD JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

v.

Hon. Gregory D. Bill
Case No. 00-0000-0

JOHN DOE,

Defendant.

_____/

ROBERT A. STEVENS (P44322)
Assistant Prosecuting Attorney
1441 St. Antoine Street
Detroit, Michigan 48226
(313) 224-2890

PHILIP J. THOMAS (P31298)
Counsel for Defendant
15450 E. Jefferson Ave., Suite 160
Grosse Pointe Park, Michigan 48230
(313) 821-2600

_____ /

EMERGENCY MOTION FOR BOND

Defendant John Doe (Defendant Doe), by his attorney Philip J. Thomas, hereby moves this Court for an Order granting him bond pursuant to Michigan Court Rule (MCR) 6.106(D).

Defense counsel has sought concurrence from the prosecutor, however that request was denied. The grounds for this motion are set forth in the accompanying brief. Defendant Doe requests that the Court grant oral argument on this motion.

Respectfully submitted by:

Philip J. Thomas (P31298)

Dated: March 21, 2006

DOCUMENT 2

STATE OF MICHIGAN
IN THE THIRD JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

v.

Hon. Gregory D. Bill
Case No. 00-0000-0

JOHN DOE,

Defendant.

ROBERT A. STEVENS (P44322)
Assistant Prosecuting Attorney
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PHILIP J. THOMAS (P31298)
Counsel for Defendant
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MEMORANDUM IN SUPPORT OF EMERGENCY MOTION FOR BOND

APPLICABLE LAW

The Michigan Constitution specifically provides that all individuals accused of crimes are entitled to bail. Const. 1963, Art. 1, § 15. When determining the issue of bail, courts must take into account the statutory factors enumerated in MCL 765.6. In pertinent part, MCL 765.5 provides as follows:

Sec. 6. (1) Except as otherwise provided by law, a person accused of a criminal offense is entitled to bail. The amount of bail shall not be excessive and shall be uniform whether the bail bond is executed by the person for whom

bail has been set or by a surety. The court in fixing the amount of the bail shall consider and make findings on the record as to each of the following:

- (a) The seriousness of the offense charged.
- (b) The protection of the public.
- (c) The previous criminal record and the dangerousness of the person accused.
- (d) The probability or improbability of the person accused appearing at the trial of the cause.

MCR 6.106(F) also provides factors that must be considered when making a determination regarding bail. Specifically, MCR 6.106(F)(1) provides:

- (1) In deciding which release to use and what terms and conditions to impose, the court is to consider relevant information, including,
 - (a) defendant's prior criminal record, including juvenile offenses;
 - (b) defendant's record of appearance or nonappearance at court proceedings or flight to avoid prosecution;
 - (c) defendant's history of substance abuse or addiction;
 - (d) defendant's mental condition, including character and reputation for dangerousness;
 - (e) the seriousness of the offense charged, the presence or absence of threats, and the probability of conviction and likely sentence;
 - (f) defendant's employment status and history and financial history insofar as these factors relate to the ability to post money bail;
 - (g) the availability of responsible members of the community who would vouch for or monitor the defendant;
 - (h) facts indicating the defendant's ties to the community, including family ties and relationships, and length of residence, and
 - (i) any other facts bearing on the risk of nonappearance of danger to the public.

Before a defendant is convicted of a crime, he or she is entitled to have reasonable bond established as a matter of constitutional and statutory right. *People v Giacalone*, 16 Mich App 352 (1969). The amount of bond is determined by considering the seriousness of the offense, the defendant's prior criminal record, and the probability of his appearing for trial. *People v Dawson*, 29 Mich App 488 (1971). Additional factors for the court's

determination include the defendant's health, character and reputation, ability to post bond, the character and strength of the evidence, the accused's forfeiture of other bonds, the probability of his appearance at trial, and whether the accused was a fugitive from justice when arrested or was under bond for appearances in other cases. *People v Nitti*, 10 Mich App 454 (1968).

STATEMENT OF FACTS

On June 14, 2005, Barbara Iske was murdered at 123 Main Street, Grosse Pointe City. On January 31, 2006, co-defendant Andre Williams (Defendant Williams) entered a guilty plea to second-degree murder and felony firearm, pursuant to a plea agreement with the prosecutor. In exchange for his cooperation, Defendant Williams was afforded not only a very lenient plea agreement, but also leniency in regards to sentencing, and assurances that the prosecutor's office would seek favorable consideration from the parole board on Mr. Williams' behalf.¹ On February 2, 2006, Defendant Doe and his co-defendant Derrick Thompson (Defendant Thompson) were arraigned in the Grosse Pointe City. When Defendant Doe appeared for his arraignment on February 2, 2006, the prosecutor and/or the police apparently painted a very bleak picture of Defendant Doe. Relying on the representations made by the prosecutor and/or police, the district court judge either found that the defendant's guilt was evidence, or that the presumption of guilt was great. As such, the district court judge determined that no bond would be set, and Defendant Doe was remanded to the Wayne County Jail. Based upon information and belief, the district court judge did not state his reasons for denying bond.

On March 3, 2006, following the first day of the preliminary examination in this matter, the undersigned filed and argued a motion for bond before Judge Russell F.

¹ Mr. Williams was on parole at the time he murdered Ms. Iske.

Ethridge, the judge who provided over the exam. Oral argument was held, and the district court judge again determined that no bond would be set. The district court judge did tell the undersigned that he would entertain further bond arguments at the conclusion of the preliminary examination, scheduled to continue on March 7, 2006, if the undersigned provided him with information from Defendant Doe's physician.

The undersigned were unable to get in touch with Defendant Doe's physician, Dr. Anthony Ognjan, D.O., prior to completion of preliminary examination on March 7th and no further arguments were held regarding bond. Since that time, the undersigned have been in contact with Dr. Ognjan.

Defendant Doe is a 51-year old male who resides with his elderly mother. He has resided with his mother for approximately ten (10) years, and throughout this period has assumed responsibilities related to providing for her debilitating medical condition, which apparently includes multiple sclerosis.

Defendant Doe's left side and arm are partially paralyzed from a stroke which occurred in 1991. As a result of an automobile accident that occurred in approximately 1995, Defendant Doe suffered assorted other injuries, including a closed head injury. As a result of his condition, Defendant Doe is not employed and receives Social Security benefits. Defendant Doe has extensive verrucus vulgaras of the hands, and also suffers from life-threatening medical conditions as a result of being HIV positive.

Prior to the infliction of physical ailments, Defendant Doe was employed at his family's business. Other employees at the family business included his brother-in-law, David Smith (his sister Madelynne Smith's husband), and his mother. Mr. Smith and Defendant Doe never got along, and after Defendant Doe's father's death, Defendant Doe was forced out of the family business (sometime in the late 1990's). As a result of this termination, Defendant Doe filed a lawsuit and received a substantial amount of money

as a buyout. Since that date, family relations between Defendant Doe and Madelynne and David Smith have been strained, to say the least.

Defendant Doe's mother is a widow. In anticipation of her death, she had originally bequeathed a substantial portion of her estate (*i.e.* more than fifty percent) to Defendant Doe. Sometime in 2004, Madelynne Smith became aware of the fact that she was not going to receive an equal share of her mother's estate. She was infuriated, and she insisted that her mother change the will to provide for a 50/50 distribution of her estate, with half going to Madelynne and half going to Defendant Doe. Madelynne Smith's greed did not stop there, however. She is currently devoted to seeing to it that she inherits her mother's entire estate.

Contrary to representations in the media, Barbara Iske (the deceased) did not influence Defendant Doe's mother to change her will in 2004. Ms. Iske served as Defendant Doe's mother's bookkeeper for a long period of time. Although she was admittedly close to the Doe family, she did not have that type of influence over Defendant Doe's mother, nor did she play any part in Defendant Doe's mother's will being changed.

Significantly, on June 14, 2005 (the date that Ms. Iske was murdered), Madelynne Smith was one of the first individuals to be interviewed by the police. It is critical to note that at the time Ms. Smith arrived at Defendant Doe's mother's house, Ms. Iske's body was still lying outside of the house on the driveway, as it had not yet been discovered by anyone. Within a few moments of the police arriving, Ms. Smith informed the police that she believed Defendant Doe was involved in the crime. Ms. Smith indicated to the police that one of the motivations for Defendant Doe to kill Ms. Iske was to get his hands on the laptop computer that was taken from her at the time of her death. Three days later, on June 17, 2005, David Smith was interviewed by members of the City Police

Department. Mr. Smith informed the police that he believed Defendant Doe had Ms. Iske killed. Four days later, on June 21, 2005, Mr. Smith met with the police and provided two separate written statements. In one of those statements, appended as Attachment 1, Mr. Smith informed the police that:

Barb's influence with Defendant Doe's mother would continue to affect his [Defendant Doe's] way of life. In other words, John [Defendant Doe] would not be able to control his mother. Barb called Madelynn recently and expressed concern for her safety. Madelynn suggested she stop going over but Barb did not want to let John win....

John did kill Barb so that she would not be involved and he could continue to wear down his Mother in hopes of her changing her will. All John is concerned about is the money in the estate. He does not care about anything else.

Defendant Doe is being framed for Ms. Iske's murder. He is being framed by two co-defendants who are notorious criminals with lengthy criminal histories. He is also being framed by greedy family members who hope to get Defendant Doe out of the picture so that they can secure more money for themselves from Defendant Doe's mother's estate.

Based upon the misleading information provided by David and Madelynn Smith, the police focused their investigation on Defendant Doe from the very beginning. The police called Defendant Doe on the day of the murder and informed him that he must go to the police state for questioning. He fully cooperated with the police during the investigation, and met with police at the City police station and provided the officers with a written and verbal statement. Following that meeting, the police began a witch-hunt to support Madelynn and David Smith's theory that Defendant Doe must was involved in Ms. Iske's murder.

The police also received conflicting information from both of the co-defendants in this case. When the police interviewed Defendant Thompson for the very first time,

Defendant Thompson failed to even mention Defendant Doe's name, nor did he even acknowledge recognizing his name. When Defendant Thompson was interviewed for a second time, on November 16, 2005, he provided the police with a written statement. It is critical to note that at page twelve of Defendant Thompson's statement, the following exchange occurred:

- Q: Did you know a hit was going to happen?
A: They was talking about a kidnapping was going down. Didn't know about a hit.
Q: After the "boom" what did you think happened?
A: I assumed that it was John [Defendant Doe] that got shot. I thought "D" [Defendant Andre Williams] shot him.

Despite the fact that one of the alleged co-conspirators in the murder pointedly informed the police that when the shots rang out, he (Defendant Thompson) believed that Defendant Doe had been shot, the police never further investigated that critical piece of information. What is even more ironic is the fact that in response to such an assertion, the police did not even ask Defendant Thompson a follow-up question. The statements provided by both Defendant Thompson and Defendant Williams completely contradict one another. For example, in the written statement provided by Defendant Williams, he informed the police that he never met or even spoke with Defendant Doe prior to the killing. Defendant Thompson, on the other hand, informed the police that Defendant Williams had extensive dealings with Defendant Doe prior to the shooting. Defendant Thompson further informed the police that he never personally received any money for the alleged murder.

Had the police done their job in a competent manner, the inconsistent statements provided by Defendant Williams and Defendant Thompson would have raised "red flags" with the police concerning possible motives for Ms. Iske's murder. Despite that fact, the police failed to conduct a thorough investigation of the matter. Based upon information

provided by bitter and greedy members of Defendant Doe's family, Madelynn and David Smith, the police targeted Defendant Doe. The police made a premature determination that Defendant Doe was guilty, and they tailored their investigation to fit that belief.

Defendant Doe is now incarcerated in the Wayne County Jail pending trial before this Court. His medical condition is frail, and he is not getting the medical attention that he requires in order to stay alive. On frequently occasions, the jail staff fails to administer his medication on time, and at other times they forget to do so altogether. Medical mishaps such as these are severely detrimental to Defendant Doe's health. He requires proper and regular medical attention and is not receiving the care required at the Wayne County Jail. Shockingly, as poor as the care and treatment Defendant Doe was receiving in the Wayne County Jail infirmary was, he was transferred out of the jail hospital and into the "old" jail on March 13, 2006, and is now receiving worse medical care than he was when he was in the infirmary. Appended as Attachment 2 is an affidavit from Dr. Ognjan, Defendant Doe's physical. It is Dr. Ognjan's belief that Defendant Doe's presence in the Wayne County Jail has put Defendant Doe's health severely at risk.

Dr. Ognjan states in part as follows:

4. I am certified in the American Board of Internal Medicine for internal medicine and for infectious diseases.
5. I specialize in infectious diseases.
6. I have been treating John Doe since 1995.
7. I have been treating Mr. Doe for Acquired Immune Deficiency Syndrome (AIDS), recurrent lower leg ulcerations, and chronic viral Hepatitis C.
8. Mr. Doe, who is HIV positive, currently suffers from life-threatening medical conditions as a result of being HIV positive and suffering from chronic viral Hepatitis C. Additionally, Mr. Doe is partially paralyzed in his left arm and side.

9. Mr. Doe suffered a stroke, a closed head injury in approximately 1995, and an additional closed head injury as a result of a car-jacking assault. He was also hospitalized for severe GI tract bleeding, and has extensive Verrucus Vulgaras of the hands.
10. Due to the above conditions, Mr. Doe requires HIV medications, including Fuzon, Raytaz and Sustiva, in addition to those prescribed by his primary care physician.
11. Mr. Doe is on a strict schedule of medications, and if that schedule is not followed, Mr. Doe runs the risk of infection, and deteriorating health due to his HIV infection. Those risks include progressive dementia, peripheral neuropathy, thrush, and Hepatitis C pneumonia, among other infection concerns.
12. It is my professional opinion that Mr. Doe is not receiving the proper medical care in the Wayne County Jail. I base this on the fact that I have been informed that in the month of February, he missed several doses of important medications, including Fuzon, which he did not receive timely on the following dates: February 1st, 4th, 6th, and 14th. Additionally, on February 22nd, 23rd, and 24th, the jail staff failed to properly administer his dosage of Sustiva. On February 23rd and 24th, the jail staff failed to properly administer his dosage of Fuzon by incorrectly administering the medication without first letting it dissolve.
13. Further knowledge of missed doses is unknown at this time, due to the fact that Mr. Doe's medical records from the Wayne County Jail have not yet been provided to Mr. Doe's attorneys.
14. It is my professional opinion that Mr. Doe's health is compromised by him being held in the Wayne County Jail.
15. It is also my professional opinion that Mr. Doe's health will improve if he is released from the Wayne County Jail.
16. If Mr. Doe is not released on bond, it is my medical opinion that he must be transferred back to the Wayne County Jail infirmary.

Defendant Doe is not a flight risk. He has significant family ties in the community, and most notable, he resides with his elderly mother. Defendant Doe is in a financial posture where he would be able to post a reasonable bond pending the outcome

of this matter. Forcing Defendant Doe to stay in the Wayne County Jail without bond is unfair, unconstitutional, and a great danger to his health.

WHEREFORE, Defendant Doe prays that this Court grant his motion and set a reasonable bond.

Respectfully submitted by:

Philip J. Thomas (P31298)

Dated: March 21, 2006

DOCUMENT 3

STATE OF MICHIGAN
IN THE THIRD JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

v.

Hon. Gregory D. Bill
Case No. 00-0000

JOHN DOE,

Defendant.

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ROBERT A. STEVENS (P44322)
Assistant Prosecuting Attorney
1441 St. Antoine Street
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PHILIP J. THOMAS (P31298)
Counsel for Defendant
15450 E. Jefferson Ave., Suite 160
Grosse Pointe Park, Michigan 48230
(313) 821-2600

_____/

EMERGENCY MOTION FOR ENFORCEMENT OF MARCH 29TH ORDER

Defendant Doe (Defendant Doe), by his attorney Philip J. Thomas, file this emergency motion in regards to enforcement of this Court's Order of March 29, 2006 and states as follows:

- 1) On March 29, 2006, in the context of a bond motion, this Court heard testimony from two medical experts in regards to Defendant Doe's medical condition.
- 2) At the conclusion of the bond hearing, this Court denied Defendant Doe's request for bond, however, the Court did order that the Wayne County Jail refer

Defendant Doe to Dr. Crane and/or Cohen for purposes of medical testing (see Attachment 1) in order to ensure that Defendant Doe receives proper medical treatment.

- 3) As of April 12, 2006, two full weeks after entry of this Court's order, the Wayne County Jail has still not made the referral to Dr. Crane and/or Dr. Cohen.
- 4) The Wayne County Jail medical director, Timothy Barth, M.D., who was called by the prosecution, testified before this Court that Defendant Doe would be referred in regards to his HIV/AIDS status.
- 5) Although the Order signed by this Court did not include language that the referral to Dr. Crane and/or Dr. Cohen be made immediately, the undersigned specifically recalls that Dr. Barth agreed to make that referral when he arrived back at his office.
- 6) The Wayne County Jail has violated this Court's order, by not making the referral to Dr. Crane and/or Dr. Cohen.
- 7) Despite the undersigned's attempts to seek compliance with this Court's order (see Attachments 2 and 3), the Wayne County Jail's medical representatives have refused to even communicate with the undersigned (see Attachment 4).
- 8) On April 12, 2006, the undersigned's office spoke to Wayne County Corporation Counsel Samuel A. Nouhan, who confirmed that the referral has not yet been made, but added that the referral was "in process."

WHEREFORE, Defendant Doe requests that:

A) Defendant Doe be granted a reasonable bond; and/or

B) That Dr. Timothy Barth be held in contempt and jailed until such time as he complies with this Court's Order of March 29, 2006.

Respectfully submitted by:

Philip J. Thomas (P31298)

Dated: April 13, 2006

PROOF OF SERVICE

A copy of this document was mailed and faxed to APA Robert A. Stevens and Wayne County Corporation Counsel Samuel A. Nouhan at their respective addresses of record on April 13, 2006.

The above statement is true to the best of my knowledge, information and belief.

Dated: _____
Mary Ann Vanover

DOCUMENT 4

Philip J. Thomas

Attorney at Law

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www.philipjthomas.com

Philip J. Thomas
Violca Serifovski
Stephani A. Judd

March 31, 2006

VIA FACSIMILE AND U.S. MAIL
(313) 967-3836

Timothy P. Barth, M.D.
Wayne County Jail
570 Clinton St.
Detroit, Michigan 48226

Re: People v John Doe
Case No. 00-0000

Dear Dr. Barth,

As you will recall from Wednesday's bond hearing in the above-referenced matter, there were certain pages missing from the certified medical records that I received from medical staff at the jail. I spoke to Judge Gregory Bill's clerk, Jane, this morning, and she informed me that they have not received the records. I then went to the Wayne County Jail and spoke to Nurse Woods via telephone. Nurse Woods informed me that the pages were not readily available. I am writing to request that your staff provide my office with those missing pages immediately. If you have any questions, feel free to contact me.

Very truly yours,

Stephani A. Judd

cc: Robert Stevens, APA
John Doe

DOCUMENT 5

Philip J. Thomas

Attorney at Law

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April 4, 2006

VIA FACSIMILE AND U.S. MAIL
(313) 967-3836

Timothy P. Barth, M.D.
Wayne County Jail
570 Clinton St.
Detroit, Michigan 48226

Re: People v John Doe
Case No. 00-0000

Dear Dr. Barth,

I am writing to request written confirmation that my client, John Doe, has been referred to the Wayne State University specialists, Drs. Crane and Cohen, in compliance with Judge Gregory Bill's March 29, 2006 Order, which I have attached. Additionally, I faxed you a letter on March 31, 2006 requesting the missing pages of my client's Wayne County Jail medical records. I have not received a response from you in that respect. Please forward the above materials to me at your earliest convenience. If I do not hear from you, I will be forced to file a motion before Judge Bill.

Very truly yours,

Stephani A. Judd

cc: John Doe

DOCUMENT 6

Philip J. Thomas

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Philip J. Thomas
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Stephani A. Judd

April 7, 2006

VIA FACSIMILE ONLY
(313) 967-3836

Timothy P. Barth, M.D.
Wayne County Jail
570 Clinton St.
Detroit, Michigan 48226

Re: People v John Doe
Case No. 00-0000

Dear Dr. Barth,

I am writing to confirm our conversation of earlier today. I contacted you to request confirmation that my client, John Doe, had been referred to Drs. Crane and/or Cohen, in accordance with Judge Gregory D. Bill's March 29, 2006 Order in the above-referenced case. You refused to provide me with that information, and told me to contact Corporation Counsel for Wayne County.

Very truly yours,

Stephani A. Judd

cc: Robert A. Stevens, APA
Michael A. Rataj, Esq.
John Doe

DOCUMENT 7

Philip J. Thomas

Attorney at Law

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Philip J. Thomas
Viollca Serifovski
Stephani A. Judd

April 12, 2006

Samuel A. Nouhan, Esq.
Chief of Litigation
Wayne County Corp. Counsel
600 Randolph Street
Detroit, Michigan 48226

**Re: State of Michigan v John Doe
Case No. 00-0000**

Dear Mr. Nouhan,

Pursuant to our conversation, I am enclosing a copy of Judge Gregory D. Bill's March 29, 2006 Order, referring my client, John Doe, to two specialists. As I indicated to you on the telephone, Dr. Timothy Barth has refused to inform me whether that referral has been made, and has directed me to speak with your office regarding this matter.

You should be aware that Dr. Barth assured Judge Bill that the referral would be made immediately. Please notify me as soon as possible regarding the status of my client's referral. If I do not hear back from you by 3:00 this afternoon, I am going to request an emergency motion hearing in front of Judge Bill. Thank you in advance for your assistance in this matter.

Very truly yours,

Stephani A. Judd

Enclosure

cc: Robert A. Stevens, APA
John Doe

DOCUMENT 8

Philip J. Thomas

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Philip J. Thomas
Viollca Serifovski
Stephani A. Judd

April 14, 2006

VIA FACSIMILE ONLY

(313) 967-3836

Nurse Woods
Wayne County Jail
570 Clinton St.
Detroit, Michigan 48226

Ms. Smith
Wayne County Jail
Medical Records Dept.
570 Clinton St.
Detroit, Michigan 48226

Re: People v John Doe
Case No. 00-0000

Dear Nurse Woods and Ms. Smith,

I am writing to request that you provide me with my client's recent blood work results. I left three telephone messages this week attempting to obtain those results, but nobody has returned my calls. Please fax the results to me today. (My client previously signed a medical release form authorizing you to release those results to me.) It is imperative that I furnish those test results to my client's treating physician.

Very truly yours,

Stephani A. Judd

cc: John Doe

DOCUMENT 9

Philip J. Thomas

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Philip J. Thomas
Viollca Serifovski
Stephani A. Judd

May 17, 2006

VIA FACSIMILE AND U.S. MAIL
(313) 224-2368

Thomas Clifton, M.D.
Wayne County Jail
570 Clinton St.
Detroit, Michigan 48226

Re: People v John Doe
Case No. 00-0000

Dear Dr. Clifton,

My office is representing John Doe in the above-referenced case. My client indicated that you are considering whether he should be transferred to the Wayne County Jail infirmary for the duration of his trial, which is scheduled to begin on May 24, 2006 and will last for approximately three weeks. Mr. Doe has a myriad of health problems, some of which are very clearly serious in nature. I ask that you please consider Mr. Doe's spine x-rays as part of your evaluation. Apparently, because of the curvature of his spine and the mats that inmates in general population sleep on, Mr. Doe is having extreme difficulty sleeping, and is in a great deal of pain. His placement in the general population is adversely affecting his health. Further, if he is sleep deprived and in pain during trial, this will prevent his ability to effectively assist with his defense. If you have any questions, feel free to contact me.

Very truly yours,

Stephani A. Judd

cc: John Doe

Philip J. Thomas

Attorney at Law

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Philip J. Thomas
Viollca Serifovski
Stephani A. Judd

May 19, 2006

VIA FACSIMILE AND U.S. MAIL
(313) 224-2368

Thomas Clifton, M.D.
Wayne County Jail
570 Clinton St.
Detroit, Michigan 48226

Re: People v John Doe
Case No. 00-0000

Dear Dr. Clifton,

My client, John Doe, called me this morning and indicated that he did not receive his pain medication last night or this morning. Apparently, each time the jail runs out of the medication, my client misses at least two doses. I am writing to request that he consistently be given all necessary medications. If he is in pain during trial, his ability to effectively participate in his defense will be quite limited. Please contact me if you have any questions.

Very truly yours,

Stephani A. Judd

cc: John Doe

DOCUMENT 11

Philip J. Thomas

Attorney at Law

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Philip J. Thomas
Viollca Serifovski
Stephani A. Judd

June 6, 2006

VIA FACSIMILE ONLY
(313) 224-2368

Thomas Clafton, M.D.
Wayne County Jail
570 Clinton St.
Detroit, Michigan 48226

Re: People v John Doe, et al
Case No. 00-0000

Dear Dr. Clafton,

My client, John Doe, informed my office that he has not received his pain medication in two days. As you may be aware, we are in trial right now. We would like Mr. Doe to be as comfortable as possible during what we anticipate to be a lengthy trial. If you have any questions, feel free to contact me.

Very truly yours,

Stephani A. Judd

cc: John Doe

DOCUMENT 12

Philip J. Thomas

Attorney at Law

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Philip J. Thomas
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Stephani A. Judd

July 19, 2006

By Mail and Facsimile
(313) 224-4882

Samuel A. Nouhan, Esq.
Chief of Litigation
Wayne County Corp. Counsel
600 Randolph Street
Detroit, Michigan 48226

Re: John Doe
Inmate No. 00-0000

Dear Mr. Nouhan,

My client's physical condition requires that he have access to a wheelchair. During the trial he was afforded the use of a wheelchair belonging to the jail. When the trial was completed on Monday, July 17, 2006, the wheelchair was taken away from him. My client's own wheelchair is at his home. I can make arrangements to have it delivered to the jail as soon as appropriate arrangements are made.

Very truly yours,

Philip J. Thomas

PJT/mv
cc: John Doe