

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:22-cv-12325-TGB-APP**

Clayton v. Fowlerville School District et al ****CASE CLOSED –** Date Filed: 09/30/2022
ALL ENTRIES MUST BE MADE IN 22-12156.** Date Terminated: 08/22/2023
Assigned to: District Judge Terrence G. Berg Jury Demand: None
Referred to: Magistrate Judge Anthony P. Patti Nature of Suit: 895 Freedom of
Case in other court: Michigan Western, 1:22-cv-00690 Information Act
Cause: 05:552 Freedom of Information Act Jurisdiction: Federal Question

Plaintiff

Justin T. Clayton

represented by **Jason Daniel Wine**
Jason Daniel Wine, ESQ.
10045 Elgin Avenue
Huntington Woods, MI 48070-1501
248-214-3125
Email: jdवादवocacy@aol.com
ATTORNEY TO BE NOTICED

Plaintiff

Kasandra Henderson

represented by **Kasandra Henderson**
8598 Cass River Rd.
Fowlerville, MI 48836
PRO SE

Plaintiff

J.D.C.
a Minor

represented by **David R. Moss**
Wayne State University
Law School
471 W. Palmer
Detroit, MI 48202
313-577-3970
Email: david.moss@wayne.edu
TERMINATED: 08/04/2023
ATTORNEY TO BE NOTICED

Jason Daniel Wine
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Fowlerville School District

represented by **Timothy J. Mullins**
Giarmarco, Mullins & Horton, P.C.
101 W. Big Beaver Rd., 10th Floor
Troy, MI 48084
248-457-7000
Email: tmullins@gmhlaw.com
ATTORNEY TO BE NOTICED

Travis M. Comstock
Giarmarco, Mullins & Horton, P.C.
101 W Big Beaver Rd.
Suite 1000
48084
Troy, MI 48084
248-457-7036
Fax: 248-457-7001

Defendant

Wayne Roedel
Superintendent

represented by **Timothy J. Mullins**
(See above for address)
ATTORNEY TO BE NOTICED

Travis M. Comstock
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Livingston Educational Service Agency

represented by **Timothy J. Mullins**
(See above for address)
ATTORNEY TO BE NOTICED

Travis M. Comstock
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Rob Dorner
*LESA and Fowlerville School District
Social Worker*

represented by **Timothy J. Mullins**
(See above for address)
ATTORNEY TO BE NOTICED

Travis M. Comstock
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Bobby Sue Adams
*Fowlerville School District Assistant
Principal of Natalie Kreeger Elementary*

represented by **Timothy J. Mullins**
(See above for address)
ATTORNEY TO BE NOTICED

Travis M. Comstock
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Jason Miller
*Fowlerville School District Principal of
Natalie Kreeger Elementary*

represented by **Timothy J. Mullins**
(See above for address)
ATTORNEY TO BE NOTICED

Travis M. Comstock
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Kelly Miller
*Fowlerville School District Coordinator
of Natalie Kreeger Elementary*

represented by **Timothy J. Mullins**
(See above for address)
ATTORNEY TO BE NOTICED

Travis M. Comstock
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Mike Brown
*Fowlerville School District President of
the School Board*

represented by **Timothy J. Mullins**
(See above for address)
ATTORNEY TO BE NOTICED

Travis M. Comstock
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Brad Lusk
*Fowlerville School District Former
Principal of High School*

represented by **Timothy J. Mullins**
(See above for address)
ATTORNEY TO BE NOTICED

Travis M. Comstock
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/30/2022	<u>1</u>	TRANSFERRED COMPLAINT against Fowlerville School District, Wayne Roedel filed by Justin T. Clayton (Attachments: # <u>1</u> Attachment 1) (ns) [Transferred from Michigan Western; Case Number 1:22-cv-00690.] (Entered: 08/01/2022)
09/30/2022	<u>2</u>	APPLICATION TO PROCEED without prepayment of fees and affidavit (ns) [Transferred from miwd on 9/30/2022.] (Entered: 08/01/2022)
09/30/2022	<u>3</u>	SUPPLEMENT re complaint <u>1</u> by plaintiff Justin T. Clayton (Attachments: # <u>1</u> Attachment) (ns) [Transferred from miwd on 9/30/2022.] (Entered: 09/06/2022)
09/30/2022	<u>4</u>	ORDER TRANSFERRING CASE to the Eastern District of Michigan; signed by Magistrate Judge Ray Kent (fhw) [Transferred from miwd on 9/30/2022.] (Entered: 09/29/2022)
09/30/2022	<u>5</u>	Docket Sheet from Michigan Western; Case Number 1:22-cv-00690. Modified on 9/30/2022 (VLun). (Entered: 09/30/2022)
09/30/2022		TEXT-ONLY NOTICE: This case has been transferred from the Western District of Michigan. Pending motions must be refiled on this court's docket by the filing party. Attorneys not admitted to practice in this court must complete the attorney admissions application and be admitted before appearing on this court's docket. All previously filed documents can be accessed on the originating court's docket using PACER. (VLun) (Entered: 09/30/2022)
10/12/2022	<u>6</u>	ORDER for Plaintiff to Show Cause. Show Cause Response due by 10/25/2022 Signed by District Judge Laurie J. Michelson. (EPar) (Entered: 10/12/2022)
10/12/2022		TEXT-ONLY CERTIFICATE OF SERVICE re <u>6</u> Order to Show Cause on Justin T. Clayton at 8598 Cass River Rd, Fowlerville, MI 48836. (EPar) (Entered: 10/12/2022)
10/24/2022	<u>7</u>	SHOW CAUSE filed by Justin Clayton. (TTho) (Entered: 10/24/2022)
10/27/2022	<u>8</u>	ORDER Dismissing State FOIA Claim and Directing Plaintiff to File an Amended Complaint. Signed by District Judge Laurie J. Michelson. (EPar) (Entered: 10/27/2022)
10/27/2022		TEXT-ONLY CERTIFICATE OF SERVICE re <u>8</u> Order Dismissing Claim and Directing Plaintiff to File an Amended Complaint on Justin T. Clayton at 8598 Cass River Rd, Fowlerville, MI 48836. (EPar) (Entered: 10/27/2022)
11/10/2022	<u>9</u>	AMENDED COMPLAINT filed by Justin T. Clayton against All Defendants. (NAhm) (Entered: 11/14/2022)
11/16/2022	<u>10</u>	ORDER granting <u>2</u> Application to Proceed Without Prepaying Fees or Costs and granting request for service by the U.S. Marshal. Signed by District Judge Laurie J. Michelson. (EPar) (Entered: 11/16/2022)
11/16/2022	<u>11</u>	ORDER Directing Plaintiff to Complete Service Documents and for Service of Process by the US Marshal. Signed by District Judge Laurie J. Michelson. (EPar) (Entered: 11/16/2022)

11/16/2022		TEXT-ONLY CERTIFICATE OF SERVICE re <u>10</u> Order on Application to Proceed Without Prepaying Fees or Costs, <u>11</u> Directing Service by the US Marshal on All Plaintiffs at 8598 Cass River Rd, Fowlerville, MI 48836. (EPar) (Entered: 11/16/2022)
11/23/2022	<u>12</u>	SUMMONS Issued for * All Defendants * (SSch) (Entered: 11/23/2022)
11/30/2022	<u>13</u>	NOTICE of Appearance by Timothy J. Mullins on behalf of Fowlerville School District, Wayne Roedel. (Mullins, Timothy) (Entered: 11/30/2022)
11/30/2022	<u>14</u>	NOTICE of Appearance by Travis M. Comstock on behalf of Fowlerville School District, Wayne Roedel. (Comstock, Travis) (Entered: 11/30/2022)
12/01/2022	<u>15</u>	[STRICKEN] MOTION to Dismiss <i>or in the alternative, motion for more definitive statement</i> by Fowlerville School District, Wayne Roedel. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit B) (Comstock, Travis) Modified on 12/1/2022 (EPar). (Entered: 12/01/2022)
12/01/2022	<u>16</u>	CASE MANAGEMENT REQUIREMENTS. (EPar) (Entered: 12/01/2022)
12/01/2022		TEXT-ONLY ORDER: The Court STRIKES <u>15</u> MOTION to Dismiss or in the alternative, motion for more definitive statement filed by Wayne Roedel, Fowlerville School District for failure to comply with this Court's case management requirements regarding motion practice (<i>see</i> § III. A. of this Courts Case Management Requirements). Issued by District Judge Laurie J. Michelson. (EPar) (Entered: 12/01/2022)
12/01/2022		TEXT-ONLY CERTIFICATE OF SERVICE re Text-Only Order Striking and <u>16</u> Case Management Requirements on Justin T. Clayton at 8598 Cass River Rd, Fowlerville, MI 48836. (EPar) (Entered: 12/01/2022)
12/02/2022	<u>17</u>	MOTION to Dismiss <i>or in the alternative, motion for more definitive statement</i> by Fowlerville School District, Wayne Roedel. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B) (Comstock, Travis) (Entered: 12/02/2022)
12/06/2022	<u>18</u>	ACKNOWLEDGMENT from U.S. Marshal Service of Receipt of Service of Process Documents for Bobby Sue Adams, Mike Brown, Rob Dorner, Fowlerville School District, Livingston Educational Service Agency, Brad Lusk, Jason Miller, Kelly Miller, Wayne Roedel. (NAhm) (Entered: 12/06/2022)
12/13/2022	<u>19</u>	Document filed by Justin T. Clayton. [Submitted via Pro Se Portal] (NAhm) (Entered: 12/14/2022)
12/19/2022	<u>20</u>	Notice Regarding Parties' Responsibility to Notify Court of Address Changes (KCAs) (Entered: 12/19/2022)
12/20/2022	<u>21</u>	NOTICE of Appearance by Travis M. Comstock on behalf of Bobby Sue Adams, Mike Brown, Rob Dorner, Livingston Educational Service Agency, Brad Lusk, Jason Miller, Kelly Miller. (Comstock, Travis) (Entered: 12/20/2022)
12/20/2022	<u>22</u>	NOTICE of Appearance by Timothy J. Mullins on behalf of Bobby Sue Adams, Mike Brown, Rob Dorner, Livingston Educational Service Agency, Brad Lusk, Jason Miller, Kelly Miller. (Mullins, Timothy) (Entered: 12/20/2022)
12/22/2022	<u>23</u>	RESPONSE to <u>17</u> MOTION to Dismiss <i>or in the alternative, motion for more definitive statement</i> filed by All Plaintiffs. (JOWe) (Entered: 12/24/2022)
01/04/2023	<u>24</u>	REPLY to Response re <u>17</u> MOTION to Dismiss <i>or in the alternative, motion for more definitive statement</i> filed by All Defendants. (Comstock, Travis) (Entered: 01/04/2023)
01/04/2023	<u>25</u>	CERTIFICATE of Service/Summons Returned Executed re Wayne Roedel. (date of receipt not specified) (DPer) (Entered: 01/05/2023)
01/04/2023	<u>26</u>	CERTIFICATE of Service/Summons Returned Executed. Bobby Sue Adams served on 12/8/2022, answer due 12/29/2022; Mike Brown served on 12/8/2022, answer due 12/29/2022; Rob Dorner served on 12/8/2022, answer due 12/29/2022; Fowlerville School District served on 12/8/2022, answer due 12/29/2022; Jason Miller served on 12/8/2022, answer due 12/29/2022; Kelly Miller served on 12/8/2022, answer due 12/29/2022. (DPer) (Entered: 01/05/2023)

01/23/2023	<u>27</u>	Counter Reply to Response re <u>17</u> MOTION to Dismiss <i>or in the alternative, motion for more definitive statement</i> filed by Justin T. Clayton. [Submitted through Pro Se Portal 1/23/23] (SSch) (Entered: 01/23/2023)
01/23/2023	<u>28</u>	[STRICKEN] MOTION to Appoint Counsel and MOTION to Amend/Correct <u>1</u> Complaint by Justin T. Clayton. [Submitted through Pro Se Portal 1/23/23] (SSch) Modified on 1/23/2023 (EPar). (Entered: 01/23/2023)
01/23/2023		TEXT-ONLY ORDER: The Court STRIKES Plaintiffs' <u>28</u> Motion to Appoint Counsel and to Amend <u>1</u> Complaint for failure to comply with this Court's case management requirements <u>4</u> regarding motion practice (<i>see</i> § III. A.) Issued by District Judge Laurie J. Michelson. (EPar) (Entered: 01/23/2023)
01/23/2023		TEXT-ONLY CERTIFICATE OF SERVICE re Text-Only Order Striking on All Plaintiffs at 8598 Cass River Rd., Fowlerville, MI 48836. (EPar) (Entered: 01/23/2023)
01/25/2023		TEXT-ONLY ORDER: Plaintiff is advised that the Eastern District of Michigan has a Federal Pro Se Legal Clinic available to assist on a limited basis, including discussion about possible pro se counsel. The clinic can be reached by phone at (313)234-2690 or email at proseclinic@udmercy.edu . The clinic is open Monday, Wednesday, and Friday from 1 to 5 p.m. Issued by District Judge Laurie J. Michelson. (EPar) (Entered: 01/25/2023)
01/25/2023		TEXT-ONLY CERTIFICATE OF SERVICE re Text-Only Order re pro se legal clinic on Justin T. Clayton at 8598 Cass River Rd, Fowlerville, MI 48836. (EPar) (Entered: 01/25/2023)
03/21/2023	<u>29</u>	Ex Parte MOTION for Leave to File <i>Notice of Limited Appearance</i> by J.D.C.. (Attachments: # <u>1</u> Exhibit Declaration of David R. Moss, # <u>2</u> Exhibit (Proposed) Notice of Limited Appearance) (Moss, David) (Entered: 03/21/2023)
03/21/2023	<u>30</u>	ORDER Granting <u>29</u> Motion for Leave to Make Limited Appearance. Signed by District Judge Laurie J. Michelson. (EPar) (Entered: 03/21/2023)
03/21/2023		TEXT-ONLY CERTIFICATE OF SERVICE re <u>30</u> Order on Motion for Leave to File on All Plaintiffs at 8598 Cass River Rd, Fowlerville, MI 48836. (EPar) (Entered: 03/21/2023)
03/21/2023		TEXT-ONLY CERTIFICATE OF SERVICE re <u>30</u> Order on Motion for Leave to File on David Moss at Wayne State University Law School Disability Law Clinic 471 West Palmer Street, Detroit, MI 48202. (EPar) (Entered: 03/21/2023)
03/22/2023	<u>31</u>	NOTICE by J.D.C. <i>Notice of Limited Appearance</i> (Moss, David) (Entered: 03/22/2023)
06/23/2023	<u>32</u>	ATTORNEY APPEARANCE: Jason Daniel Wine appearing on behalf of Justin T. Clayton, J.D.C. (Wine, Jason) (Entered: 06/23/2023)
07/06/2023	<u>33</u>	ORDER REASSIGNING CASE from District Judge Laurie J. Michelson to District Judge Terrence G. Berg. (NAhm) (Entered: 07/06/2023)
07/17/2023	<u>34</u>	NOTICE TO APPEAR BY TELEPHONE: Status Conference set for 7/31/2023 04:30 PM before District Judge Terrence G. Berg (AChu) (Entered: 07/17/2023)
07/17/2023		TEXT-ONLY CERTIFICATE OF SERVICE re <u>34</u> Notice to Appear on Kasandra Henderson at 8598 Cass River Rd, Fowlerville, MI 48836. (AChu) (Entered: 07/17/2023)
07/31/2023		Minute Entry for telephonic proceedings before District Judge Terrence G. Berg: Telephonic Status Conference held on 7/31/2023 (Court Reporter: None Present, Not on the Record) (AChu) (Entered: 08/01/2023)
08/01/2023	<u>35</u>	MOTION Termination of Limited Appearance by J.D.C.. (Moss, David) (Entered: 08/01/2023)
08/04/2023	<u>36</u>	ORDER granting <u>35</u> Motion to Terminate Limited Appearance. Signed by District Judge Terrence G. Berg. (AChu) (Entered: 08/04/2023)

08/04/2023		TEXT-ONLY CERTIFICATE OF SERVICE re <u>36</u> Order on Motion – Free on Kasandra Henderson at 8598 Cass River Rd, Fowlerville, MI 48836. (AChu) (Entered: 08/04/2023)
08/22/2023	<u>37</u>	ORDER consolidating cases. Signed by District Judge Terrence G. Berg. (DPer) (Entered: 08/22/2023)
08/22/2023	<u>38</u>	Notice to Parties Regarding Consolidated Case: Order of consolidation entered on *08/22/23*. Designated lead case number is *22-12156*. (DPer) (Entered: 08/22/2023)