

STATE OF MICHIGAN

CIRCUIT COURT FOR THE COUNTY OF ALLEGAN

BLANCHE HUDSON AND PAT FOSTER

File No. 13-52422-NZ

Plaintiffs,

**Honorable Kevin Cronin
Circuit Court Judge
48th Judicial Circuit**

V

JOHN C. KLUESSENDORF AND JOHN T. BENSON

Defendants

**Plaintiffs' Pro Persona
6079 Mallard Street
Fennville, Michigan 49408
(269) 561-5268**

**Tyren R. Cudney (P46638)
Attorney for Defendants
900 Comerica Building
Kalamazoo, MI 49007
(269) 381-8844**

MOTION TO COMPEL THE COURT

TO PRODUCE HIS CAMPAIGN FINANCE REPORTS

Now comes the Plaintiffs to request the Court to Compel Itself to produce its own campaign finance reports under MCR 2.310(D)(4) to show contributions and expenditures for a period covered from September 1, 2013 to March 14, 2016.

This motion is being brought under the standards established by the United States Supreme Court in *Caperton v Massey*, US; 129 S Ct 2252; 173 L Ed 2d 1208 (2009). That case dealt with a State Supreme Court Justice having been asked to recuse himself because of indirect campaign contributions from Don Blankenship, Massey's chairman and principal officer. In a 5 to 4 split decision, the U.S. Supreme Court held in favor of Caperton that "*due process requires recusal.*"

Under the State of Michigan Statutes, the legislators provided two laws giving all elected judges and justices a tax free account to accept "*contributions*" that can be used to have the court

abuse it's discretion in violation of the current laws in favor of the party making the contribution(s), Michigan Election Law allows under (O3) MCL 169.235 (2) "a candidate committee for an officeholder who is a judge or a supreme court justice" to not have to file their campaign finance reports. The Michigan State Legislators closed the backdoor for public inspection of these records by making an exception under the Freedom of Information Act, (O5) MCL 15.243(1)(r), which specifically exempts "Records of a campaign finance committee including a committee that receives money from a state campaign fund." Since all campaign records are public information, this excludes only our justice system from public review.

Prayer for Relief

Plaintiffs respectfully request that the Court either recuse itself from any further actions in this case or produce its campaign finance reports with copies of bank statements from your campaign account so that we can verify that the Court has not accepted any contribution(s) that might have influenced its decisions in this case.



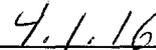
Pat Foster, Plaintiff



Date



Blanche Hudson, Plaintiff



Date