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FOIA Response 25-197

Response letter and Notice of Denial dated September 3, 2025, and extension notice dated August 19, 2025

DELTA COUNTY PROSECUTOR'S OFFICE
310 Ludington Street, Suite 237, Escanaba, Michigan 49829 · (906) 789-5115

September 3, 2025

NAME AND ADDRESS REDACTED

Re: FOIA Request #25-197

Mr. NAME REDACTED:

I acknowledge receipt of your Freedom of Information Act request dated August 13, 2025 received by the Delta County Prosecutor's Office on August 14, 2025 for the following documents:

> *Pursuant to Michigan Freedom of Information Act, MCL 15.231 et seq., I request copies of: All complaints, grievances, or formal allegations filed against the Delta County Prosecutor's Office or its employees from January 1, 2019, through the date this request is processed. This request includes but is not limited to: written complaints submitted by members of the public, law enforcement, court staff, or other government agencies; internal grievances filed by Prosecutor's Office employees; complaints submitted to oversight bodies, professional licensing boards, the State Bar of Michigan or the County Board of Commissioners; any records of the resolution, investigation, or disposition of such complaints. Please include all responsive records regardless of whether they are labeled as "confidential," "personnel," "internal," or "for administrative use only." Draft and final versions should be included.*

Your request for records of "[a]ll complaints, grievances, or formal allegations filed against the Delta County Prosecutor's Office, or its employees from January 1, 2019, through the date of this request is processed" to include "[a]ny records of the resolution, investigation, or disposition of such complaints" is **GRANTED**. In response to the granting of your request, please find the following documents:

1. Kurtis Kobasic v Delta County and Lauren Wickman First Amended Complaint
2. Kurtis Kobasic v Delta County and Lauren Wickman Release Motion for Summary Judgement
3. Kurtis Kobasic v Delta County and Lauren Wickman Release and Settlement Agreement
4. John Roberts v Jon Doe Delta County Prosecutor, et al, Complaint
5. John Roberts v Jon Doe Delta County Prosecutor, et al, First Amended Complaint
6. John Roberts v Jon Doe Delta County Prosecutor, et al, Delta County Prosecutor's Office and Lauren Wickman's Response in Opposition to Plaintiff's Motion to file First Amended Complaint as to Prosecutor Defendant's
7. John Roberts v Jon Doe Delta County Prosecutor, et al, United States District Court Opinion Regarding Motions to Dismiss
8. John Roberts v Jon Doe Delta County Prosecutor, et al, Order and Judgment Dismiss Case

Your request for records of "[w]ritten complaints submitted by members of the public, law enforcement, court staff, or other government agencies" to include "[a]ny records of the resolution, investigation, or disposition of such complaints" is **GRANTED**. In granting your response, please see the above-described documents.

Your request for records of "[i]nternal grievances filed by Prosecutor's Office employees" is **DENIED** as a review of the records reveal they do not exist. The undersigned hereby certifies that, after a search for records and to the best of the undersigned's knowledge and belief, the public records requested, and described below, do not exist within the records of the public body under the name nor any other name reasonably known to the public body.

Your request for records of "[c]omplaints submitted to oversight bodies, professional licensing boards, the State Bar

of Michigan…" to include "[a]ny records of the resolution, investigation, or disposition of such complaints" is **DENIED** as pursuant to MCR 9.126 any such investigations not resulting in formal charges are privileged form [*sic*] disclosure, confidential, and may not be made public. As such, any such records are exempt pursuant to MCL 15.243(1)(h).

Your request for records of "[c]omplaints submitted to… or the County Board of Commissioners" is **DENIED** as a review of the records reveal they do not exist. The undersigned hereby certifies that, after a search for records and to the best of the undersigned's knowledge and belief, the public records requested, and described below, do not exist within the records of the public body under the name nor any other name reasonably known to the public body.

If you disagree with this decision, you may submit an appeal to the chairperson of the Delta County Board of Commissioners, or seek judicial review in the Delta County Circuit Court. If you prevail in Circuit Court, you may be entitled to receive attorney fees, costs, and disbursements as well as actual or compensatory damages, and punitive damages of $1,000.00.

I have also included the website utilized to find Freedom of Information Act (FOIA) Written Policies, Guidelines, and Forms as well as the FOIA Appeal Form.

If you have any questions or concerns, please contact me.

Best Regards,

Lauren M. Wickman, Prosecuting Attorney

The letterhead lists Lauren M. Wickman as Prosecuting Attorney and Civil Counsel, Beth Wickwire as Chief Assistant Prosecutor and Deputy Civil Counsel, and Lauren Mattson as Assistant Prosecutor. The letter itself carries no typed FOIA-coordinator signature line; the accompanying Notice of Denial names **Emily DeSalvo** as the contact, at 906-789-5100.

Notice of Denial of FOIA Request

Delta County Denial Form — FOIA Request 25-197

Request No.: 25-197

Date Received: 08/14/2025 **Check if received via:** Fax (marked)

Date of This Notice: 09/03/2025

Name and address of requester: REDACTED

Record(s) requested: See attached copy of original request.

☐ All ☑ **Part** of your request for records has been denied.

Reason for denial

☑ **1. Exempt from Disclosure: exempt from disclosure under FOIA Section 13, Subsection (1)(h), because: pursuant to MCR 9.126 any such investigations not resulting in formal charges are privileged from disclosure, confidential, and may not be made public.**

☑ **2. Record Does Not Exist: This item does not exist under the name provided in your request or by another name reasonably known to the County. A certificate that the public record does not exist under the name given is attached.**

☐ **3. Redaction:** (Subsection and description blank.)

Signed by the FOIA Coordinator, dated 9-3-2025.

Transcription note. Boxes 1 and 2 are both checked on the original form, and “Part” is marked rather than “All.” The form does not state which box applies to which category. The box-1 wording is reproduced from the original as read from a scan with OCR errors; the letter's own text, above, is the clean statement of the same reason.

Notice to Extend Response Time for FOIA Request

Delta County — Request No. 25-197

Request No.: 25-197

Date received (handwritten): 8/13/25

Date of this notice (handwritten): 8-19-25

Name and address of requester: REDACTED

We are extending the date to respond until: 9/3/25

Estimated time frame to provide records: 09/03/2025

Reason for extension

☑ **1. The County needs to search for, collect, or appropriately examine or review a voluminous amount of separate and distinct public records pursuant to your request.**

☐ **2.** The County needs to collect the requested public records from numerous field offices, facilities, or other establishments located apart from the County office. Specifically: *(blank)*

☐ **3.** Other (describe): *(blank)*

Signed by the FOIA Coordinator, dated 8-19-25.

Transcription note. The received date written on this notice (8/13/25) differs from the Date Received on the denial form (08/14/2025). Under MCL 15.235(1) a faxed request is received one business day after transmission, which makes August 14 the correct deemed-receipt date. No specifics are written under reason 2.