# Delta County Prosecutor's Office

**Lauren M. Wickman**
Prosecuting Attorney
Civil Counsel
**Lauren Mattson**
Chief Assistant Prosecutor

April 29, 2026

Joseph [redacted]
**Re: FOIA Request #26-136, 26-137, 26-139**

Mr. [redacted]

I acknowledge receipt of your Freedom of Information Act request dated April 22, 2026, and received by the Delta County Prosecutor's Office on April 23, 2026. The request we received is summarized as follows:

**FOIA Request 26-136**

**FOIA Request - State of Michigan v. Dustin Thomas Aker and Sydney Ann Horvath – Affidavits**

Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., I hereby request copies of the following existing public records:

RECORDS REQUESTED:

1. All affidavits filed in this case
2. Search warrant affidavits
3. Arrest warrant affidavits
4. Affidavits from law enforcement officers
5. Affidavits from witnesses
6. Affidavits from experts
7. Affidavits from victims
8. Affidavits regarding probable cause
9. Affidavits regarding evidence
10. Supplementary or amended affidavits
11. Affidavit notary documentation
12. Affidavit authentication records
13. Affidavit withdrawal or revocation (if any)
14. Affidavit content and sworn statements
15. Affidavit execution dates
16. Affidavit chain of custody or filing records

310 LUDINGTON STREET, SUITE 237 ESCANABA MI 49829
(906)789-5115

**FOIA Request 26-137**

**FOIA Request - State of Michigan v. Dustin Thomas Aker and Sydney Ann Horvath - Arrest Warrants**

Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., I hereby request copies of the following existing public records:

RECORDS REQUESTED:

1. Arrest warrants issued for Dustin Thomas Aker
2. Arrest warrants issued for Sydney Ann Horvath
3. Arrest warrant affidavits supporting warrant issuance
4. Arrest warrant applications and requests
5. Judicial orders authorizing arrest warrants
6. Probable cause determinations for arrest warrants
7. Date of warrant issuance
8. Issuing judge/magistrate signatures
9. Warrant execution returns
10. Date of arrest warrant execution
11. Law enforcement agency executing warrants
12. Names of officers serving arrest warrants
13. Time and location of warrant execution
14. Cancellation or recall documents for arrest warrants
15. Bench warrants (if any)
16. Warrant modification or amendment documents

**FOIA Request 26-139**

FOIA Request - State of Michigan v. Dustin Thomas Aker and Sydney Ann Horvath - Autopsy Findings

Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., I hereby request copies of the following existing public records:

RECORDS REQUESTED:

1. All autopsy reports (if applicable to the case)
2. Autopsy examination reports
3. Coroner's reports
4. Medical examiner's reports
5. Cause of death documentation
6. Manner of death documentation
7. Toxicology findings included in autopsy
8. Injury documentation from autopsy

9. Photographs from autopsy (where not exempt)
10. Autopsy timeline and procedure documentation
11. Pathologist's reports and conclusions
12. Death investigation reports
13. Death scene investigation reports
14. Death certification documentation
15. Expert autopsy opinions and analysis
16. Autopsy chain of custody and authentication

As it relates to your request outlined above in FOIA Request 26-136, your request is **GRANTED IN PART, DENIED IN PART**.

In granting your request, please find the following responsive records:

Search warrant, Affidavit for Search Warrant, and Return/Tabulation for DNA Aker
Search warrant, Affidavit for Search Warrant, and Return /Tabulation for trailer
Search warrant, Affidavit for Search Warrant, and Return/Tabulation for vehicle

These responsive records do contain information that is exempt from disclosure pursuant to Michigan FOIA. Therefore, the exempt information has been separated from non-exempt information. The information contained in the responsive records is deemed exempt pursuant to MCL 15.243(1)(a) as personal information public disclosure of which would constitute an unwarranted invasion of personal privacy.

Further information may be in the possession of the Michigan State Police. However, due to the age of the matter, and the resolution of all pending appeals, no further "Affidavits" as requested are in the possession of the Delta County Prosecutor's Office. The undersigned hereby certifies that, after a search for records and to the best of the undersigned's knowledge and belief, the public record requested, and described above, does not exist within the records of the public body under the name nor any other name reasonably known to the public body.

As it relates to your request outlined above in FOIA Request 26-137, your request is **DENIED** as a review of your request reveals that the records requested are not in the possession or maintained by the Delta County Prosecutor's Office. The undersigned hereby certifies that, after a search for records and to the best of the undersigned's knowledge and belief, the public record requested, and described above, does not exist within the records of the public body under the name nor any other name reasonably known to the public body.

As it relates to your request outlined above in FOIA Request 26-139, your request is **DENIED** as a review of your request reveals that the records requested are not in the possession or maintained by the Delta County Prosecutor's Office. No one died that resulted in this investigation, as such no autopsy was conducted. The undersigned hereby certifies that, after a search for records and to the best of the undersigned's knowledge and belief, the public record requested, and described above, does 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
Chief Prosecuting Attorney

Emily Desalvo
FOIA Coordinator

DELTA COUNTY PROSECUTOR'S OFFICE
310 LUDINGTON STREET, SUITE 237 ESCANABA MI 49829
(906)789-5115

**County:** Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Delta County
310 Ludington Street, Escanaba, MI 49829
Phone: 906-789-5100

**Denial Form**

# Notice of Denial of FOIA Request

**Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, *et seq.***

**Request No.:** 26-136 Date Received: 04/22/2026
Date of This Notice: 04/29/2026
*(Please Print or Type)*

Check if received via: ☐ Email ☑ Fax ☐ Other Electronic Method
Date delivered to junk/spam folder: _____
Date discovered in junk/spam folder: _____

| | |
|---|---|
| Name [redacted] | |
| Firm/Organization | Fax |
| Street [redacted] | Email [redacted] |
| City [redacted] State [redacted] | Zip [redacted] |

**Request for:** ☑ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis

**Delivery Method:** ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☑ Email to address above
☐ Deliver on digital media provided by the County: _____

**Record(s) You Requested:** *(Listed here or see attached copy of original request)* see attached copy of the original request

☐ **All** **OR** ☑ **Part** of your request for records has been denied. Please refer to this form for an explanation. If you have any questions regarding this denial, contact Emily Desalvo at 906-789-5100

## Reason for Denial:

☑ **1. Exempt from Disclosure:** This item is exempt from disclosure under FOIA Section 13, Subsection SEE MEMO *(insert number)*, because: Information of a personal nature if public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy. Investigating records compiled for law enforcement purposes that would constitute an unwarranted invasion of personal privacy. information otherwise exempt from disclosure per statute, specifically MCL 28.214(5) LEIN information

☑ **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. If you believe this recorddoes exist, provide a description that will enable us to locate the record: _____

☑ 3. **Redaction:** A portion of the requested record had to be separated or deleted (redacted) as it is exempt under FOIA Section 13, Subsection SEE MEMO *(insert number)*, because: Information of a personal nature if public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy. Investigating records compiled for law enforcement purposes that would constitute an unwarranted invasion of personal privacy.
A brief description of the information that had to be separated or deleted: names, dates of birth, addresses, telephone number, license plate identification numbers, VIN numbers, information of a personal nature that would lead to the identity of an individual, images of the victim, law enforcement information (LEIN)

### Notice of Requestor's Right to Seek Judicial Review

You are entitled under Section 10 of the Michigan Freedom of Information Act, MCL 15.240, to appeal this denial to the County Board of Commissioners or to commence an action in the Circuit Court to compel disclosure of the requested records if you believe they were wrongfully withheld from disclosure.If, after judicial review, the court determines that the County has not complied with MCL 15.235 in making this denial and orders disclosure of allor a portion of a public record, you have the right to receive attorneys' fees and damages as provided in MCL 15.240. (*See back of this form for additional information on your rights.*)

**Signature of FOIA Coordinator:** [signature] **Date:**

**FREEDOM OF INFORMATION ACT (EXCERPT)**
**Act 442 of 1976**

**15.240.amended Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.**

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of $1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of $1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

**History:** 1976, Act 442, Eff. Apr. 13, 1977 ;-- Am. 1978, Act 329, Imd. Eff. July 11, 1978 ;-- Am. 1996, Act 553, Eff. Mar. 31, 1997 ;-- Am. 2014, Act 563, Eff. July 1, 2015

**County:** Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Delta County
310 Ludington Street, Escanaba, MI 49829

Phone: 906-789-5100

**Denial Appeal Form**

# FOIA Appeal Form—To Appeal a Denial of Records

## Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, *et seq.*

**Request No.:** 26-136 Date Received: _____ Check if received via: ☐ Email ☐ Fax ☐ Other Electronic Method
Date of This Notice: _____ Date delivered to junk/spam folder: _____
*(Please Print or Type)* Date discovered in junk/spam folder: _____

| | | |
|---|---|---|
| Name | | Phone |
| Firm/Organization | | Fax |
| Street | | Email |
| City | State | Zip |

**Request for:** ☐ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis
**Delivery Method:** ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☐ Email to address above
☐ Deliver on digital media provided by the County: _____

**Record(s) You Requested:** *(Listed here or see attached copy of original request)* _____

**Reason(s) for Appeal:**

The appeal must identify the reason(s) for reversing the denial. You may use this form or attach additional sheets:

**Requestor's Signature:** _____ **Date:** _____

**County Response:**

The County must provide a response within 10 business days after receiving this appeal, including a determination or taking one 10-business day extension.

**County Extension:** We are extending the date to respond to your FOIA denial appeal for no more than 10 business days, until_____ (*month, day, year*). Only one extension may be taken per FOIA appeal.
Unusual circumstances warranting extension: _____

If you have any questions regarding this extension, contact: _____

**County Determination:**

☐ Denial Reversed ☐ Denial Upheld ☐ Denial Reversed in Part and Upheld in Part
The following previously denied records will be released: _____

**Notice of Requestor's Right to Seek Judicial Review**

You are entitled under Section 10 of the Michigan Freedom of Information Act, MCL 15.240, to appeal this denial to the County Board of Commissioners or tocommence an action in the Circuit Court to compel disclosure of the requested records if you believe they were wrongfully withheld from disclosure.If, after judicial review, the court determines that the County has not complied with MCL 15.235 in making this denial and orders disclosure of allor a portion of a public record, you have the right to receive attorneys' fees and damages as provided in MCL 15.240. (*See back of this form for additional information on your rights.*)

**Signature of FOIA Coordinator:** **Date:**

**FREEDOM OF INFORMATION ACT (EXCERPT)**
**Act 442 of 1976**

**15.240.amended Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.**

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

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(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of $1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of $1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

**History:** 1976, Act 442, Eff. Apr. 13, 1977 ;-- Am. 1978, Act 329, Imd. Eff. July 11, 1978 ;-- Am. 1996, Act 553, Eff. Mar. 31, 1997 ;-- Am. 2014, Act 563, Eff. July 1, 2015.

**Freedom of Information Act (FOIA) Written Policies, Guidelines, and Forms**

To review all policies, guidelines, and forms related to FOIA, please visit Delta County's website at: www.deltacountymi.gov/foia

Upon request, a mailed copy of the polices, guidelines, and/or forms will be provided. Please contact the Delta County Administration Office at 906-789-5100 or by mail at:

Delta County Administration Office
310 Ludington Street, Suite 222
Escanaba, Michigan, 49829

**Fax received from 17732737566**

**From :** IPFone <noreply@notify.ipfone.com> Wed, Apr 22, 2026 12:50 PM
**Sender :** noreply@notify.ipfone.com 1 attachment
**Subject :** Fax received from 17732737566
**To :** adminfax@deltacountymi.gov

External images are not displayed. Display images below

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Logo

# YOU HAVE RECEIVED A FAX!

You've received a fax!

| | |
|---|---|
| To | +1 906-789-5197 |
| Sender CSID | 17194108052 |
| Pages received | 2 |
| Receive time | 4.22.2026 12:50:21 PM -04:00 |

View additional details inside the IPFone portal

Login to secure portal




Contact Us

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**inbound_202604220450210_619db619c00575031009a07c5b060000.pdf**
33 KB

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Delta County Prosecutor's Office Attn: FOIA Coordinator / Emily DeSalvo 310 Ludington Street, Suite 237 Escanaba, MI 49829

**April 22 2026**

**RE: Subject: FOIA Request - State of Michigan v. Dustin Thomas Aker and Sydney Ann Horvath - Affidavits**

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Dear FOIA Coordinator,

Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., I hereby request copies of the following existing public records:

**RECORDS REQUESTED:**

1. All affidavits filed in this case

2. Search warrant affidavits

3. Arrest warrant affidavits

4. Affidavits from law enforcement officers

5. Affidavits from witnesses

6. Affidavits from experts

7. Affidavits from victims

8. Affidavits regarding probable cause

9. Affidavits regarding evidence

10. Supplementary or amended affidavits

11. Affidavit notary documentation

12. Affidavit authentication records

13. Affidavit withdrawal or revocation (if any)

14. Affidavit content and sworn statements

15. Affidavit execution dates

16. Affidavit chain of custody or filing records

Please provide these records in their entirety. If any portions are exempt from disclosure, please provide all non-exempt portions and identify specific exemptions claimed.

I prefer electronic format (PDF) via email. Please notify me in advance of any applicable fees.

Sincerely,

**Joseph Parrotta** [redacted]0395]
[Email: parrjj03[redacted]

**County:** Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Delta County
310 Ludington Street, Escanaba, MI 49829
Phone: 906-789-5100

**Denial Form**

# Notice of Denial of FOIA Request

**Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, *et seq.***

**Request No.:** 26-137 Date Received: 04/22/2026
Date of This Notice: 04/29/2026
*(Please Print or Type)*

Check if received via: ☐ Email ☑ Fax ☐ Other Electronic Method
Date delivered to junk/spam folder: _____
Date discovered in junk/spam folder: _____

| | |
|---|---|
| Name Jospeh [redacted] 0395 | |
| Firm/Organization | Fax |
| Street 3989 [redacted] Circle | Email parrjj03@gmail.com |
| City [redacted] State CO | Zip 80922 |

**Request for:** ☑ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis

**Delivery Method:** ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☑ Email to address above
☐ Deliver on digital media provided by the County: _____

**Record(s) You Requested:** *(Listed here or see attached copy of original request)* see attached copy of the original request

☑ **All** **OR** ☑ **Part** of your request for records has been denied. Please refer to this form for an explanation. If you have any questions regarding this denial, contact Emily Desalvo at 906-789-5100

## Reason for Denial:

☐ **1. Exempt from Disclosure:** This item is exempt from disclosure under FOIA Section 13, Subsection _____*(insert number)*, because: _____

☑ **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. If you believe this recorddoes exist, provide a description that will enable us to locate the record: _____

☑ 3. **Redaction:** A portion of the requested record had to be separated or deleted (redacted) as it is exempt under FOIA Section 13, Subsection _____ *(insert number)*, because: _____

A brief description of the information that had to be separated or deleted: _____

### Notice of Requestor's Right to Seek Judicial Review

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**Signature of FOIA Coordinator:** [signature] **Date:**

**FREEDOM OF INFORMATION ACT (EXCERPT)**
**Act 442 of 1976**

**15.240.amended Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.**

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(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

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**County:** Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Delta County
310 Ludington Street, Escanaba, MI 49829

Phone: 906-789-5100

**Denial Appeal Form**

# FOIA Appeal Form—To Appeal a Denial of Records

## Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, *et seq.*

**Request No.:** 26-137 Date Received: _____ Check if received via: ☐ Email ☐ Fax ☐ Other Electronic Method
Date of This Notice: _____ Date delivered to junk/spam folder: _____
*(Please Print or Type)* Date discovered in junk/spam folder: _____

| | | |
|---|---|---|
| Name | | Phone |
| Firm/Organization | | Fax |
| Street | | Email |
| City | State | Zip |

**Request for:** ☐ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis
**Delivery Method:** ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☐ Email to address above
☐ Deliver on digital media provided by the County: _____

**Record(s) You Requested:** *(Listed here or see attached copy of original request)* _____

**Reason(s) for Appeal:**

The appeal must identify the reason(s) for reversing the denial. You may use this form or attach additional sheets:

**Requestor's Signature:** _____ **Date:** _____

**County Response:**

The County must provide a response within 10 business days after receiving this appeal, including a determination or taking one 10-business day extension.

**County Extension:** We are extending the date to respond to your FOIA denial appeal for no more than 10 business days, until_____ (*month, day, year*). Only one extension may be taken per FOIA appeal.
Unusual circumstances warranting extension: _____

If you have any questions regarding this extension, contact: _____

**County Determination:**

☐ Denial Reversed ☐ Denial Upheld ☐ Denial Reversed in Part and Upheld in Part
The following previously denied records will be released: _____

**Notice of Requestor's Right to Seek Judicial Review**

You are entitled under Section 10 of the Michigan Freedom of Information Act, MCL 15.240, to appeal this denial to the County Board of Commissioners or tocommence an action in the Circuit Court to compel disclosure of the requested records if you believe they were wrongfully withheld from disclosure.If, after judicial review, the court determines that the County has not complied with MCL 15.235 in making this denial and orders disclosure of allor a portion of a public record, you have the right to receive attorneys' fees and damages as provided in MCL 15.240.
(*See back of this form for additional information on your rights.*)

**Signature of FOIA Coordinator:** **Date:**

**FREEDOM OF INFORMATION ACT (EXCERPT)**
**Act 442 of 1976**

**15.240.amended Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.**

Sec. 10.

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(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

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(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of $1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of $1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

**History:** 1976, Act 442, Eff. Apr. 13, 1977 ;-- Am. 1978, Act 329, Imd. Eff. July 11, 1978 ;-- Am. 1996, Act 553, Eff. Mar. 31, 1997 ;-- Am. 2014, Act 563, Eff. July 1, 2015.

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To review all policies, guidelines, and forms related to FOIA, please visit Delta County's website at: www.deltacountymi.gov/foia

Upon request, a mailed copy of the polices, guidelines, and/or forms will be provided. Please contact the Delta County Administration Office at 906-789-5100 or by mail at:

Delta County Administration Office
310 Ludington Street, Suite 222
Escanaba, Michigan, 49829

**Fax received from 13602005100**

**From :** IPFone <noreply@notify.ipfone.com> Wed, Apr 22, 2026 12:51 PM
**Sender :** noreply@notify.ipfone.com 1 attachment
**Subject :** Fax received from 13602005100
**To :** adminfax@deltacountymi.gov

External images are not displayed. Display images below

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Logo

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You've received a fax!

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|---|---|
| To | +1 906-789-5197 |
| Sender CSID | 17194108052 |
| Pages received | 2 |
| Receive time | 4.22.2026 12:51:42 PM -04:00 |

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Login to secure portal

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Contact Us

**inbound_202604220451420_619db61aedad750610660afd751e0000.pdf**
36 KB

Delta County Prosecutor's Office Attn: FOIA Coordinator / Emily DeSalvo 310 Ludington Street, Suite 237 Escanaba, MI 49829

**April 22 2026**

**RE: Subject: FOIA Request - State of Michigan v. Dustin Thomas Aker and Sydney Ann Horvath - Arrest Warrants**

---

Dear FOIA Coordinator,

Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., I hereby request copies of the following existing public records:

**RECORDS REQUESTED:**

1. Arrest warrants issued for Dustin Thomas Aker
2. Arrest warrants issued for Sydney Ann Horvath
3. Arrest warrant affidavits supporting warrant issuance
4. Arrest warrant applications and requests
5. Judicial orders authorizing arrest warrants
6. Probable cause determinations for arrest warrants
7. Date of warrant issuance
8. Issuing judge/magistrate signatures
9. Warrant execution returns
10. Date of arrest warrant execution
11. Law enforcement agency executing warrants
12. Names of officers serving arrest warrants
13. Time and location of warrant execution
14. Cancellation or recall documents for arrest warrants
15. Bench warrants (if any)

16. Warrant modification or amendment documents

Please provide these records in their entirety. If any portions are exempt from disclosure, please provide all non-exempt portions and identify specific exemptions claimed.

I prefer electronic format (PDF) via email. Please notify me in advance of any applicable fees.

Sincerely,

**Joseph Parrotta** [redacted]0395]
[Email: parrjj03@gmail.com]

**County:** Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Delta County
310 Ludington Street, Escanaba, MI 49829
Phone: 906-789-5100

**Denial Form**

# Notice of Denial of FOIA Request

**Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, *et seq.***

**Request No.:** 26-139 Date Received: 04/22/2026
Date of This Notice: 04/29/2026
*(Please Print or Type)*

Check if received via: ☐ Email ☑ Fax ☐ Other Electronic Method
Date delivered to junk/spam folder: _____
Date discovered in junk/spam folder: _____

| | |
|---|---|
| Name Jospeh [redacted] | Phone 719-313-0395 |
| Firm/Organization | Fax |
| Street [redacted] | |
| City [redacted] | |

**Request for:** ☑ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis

**Delivery Method:** ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☑ Email to address above
☐ Deliver on digital media provided by the County: _____

**Record(s) You Requested:** *(Listed here or see attached copy of original request)* see attached copy of the original request

☑ **All** **OR** ☑ **Part** of your request for records has been denied. Please refer to this form for an explanation. If you have any questions regarding this denial, contact Emily Desalvo at 906-789-5100

## Reason for Denial:

☐ **1. Exempt from Disclosure:** This item is exempt from disclosure under FOIA Section 13, Subsection _____*(insert number)*, because: _____

☑ **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. If you believe this recorddoes exist, provide a description that will enable us to locate the record: _____

☑ 3. **Redaction:** A portion of the requested record had to be separated or deleted (redacted) as it is exempt under FOIA Section 13, Subsection _____ *(insert number)*, because: _____

A brief description of the information that had to be separated or deleted: _____

### Notice of Requestor's Right to Seek Judicial Review

You are entitled under Section 10 of the Michigan Freedom of Information Act, MCL 15.240, to appeal this denial to the County Board of Commissioners or to commence an action in the Circuit Court to compel disclosure of the requested records if you believe they were wrongfully withheld from disclosure.If, after judicial review, the court determines that the County has not complied with MCL 15.235 in making this denial and orders disclosure of allor a portion of a public record, you have the right to receive attorneys' fees and damages as provided in MCL 15.240.
*(See back of this form for additional information on your rights.)*

**Signature of FOIA Coordinator:** [signature] **Date:**

**FREEDOM OF INFORMATION ACT (EXCERPT)**
**Act 442 of 1976**

**15.240.amended Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.**

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

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**County:** Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Delta County
310 Ludington Street, Escanaba, MI 49829

Phone: 906-789-5100

**Denial Appeal Form**

# FOIA Appeal Form—To Appeal a Denial of Records

**Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, *et seq.***

**Request No.:** 26-139 Date Received: _____ Check if received via: ☐ Email ☐ Fax ☐ Other Electronic Method
Date of This Notice: _____ Date delivered to junk/spam folder: _____
*(Please Print or Type)* Date discovered in junk/spam folder: _____

| | | |
|---|---|---|
| Name | | Phone |
| Firm/Organization | | Fax |
| Street | | Email |
| City | State | Zip |

**Request for:** ☐ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis
**Delivery Method:** ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☐ Email to address above
☐ Deliver on digital media provided by the County: _____

**Record(s) You Requested:** *(Listed here or see attached copy of original request)* _____

**Reason(s) for Appeal:**

The appeal must identify the reason(s) for reversing the denial. You may use this form or attach additional sheets:

**Requestor's Signature:** _____ **Date:** _____

**County Response:**

The County must provide a response within 10 business days after receiving this appeal, including a determination or taking one 10-business day extension.

**County Extension:** We are extending the date to respond to your FOIA denial appeal for no more than 10 business days, until_____ (*month, day, year*). Only one extension may be taken per FOIA appeal.
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If you have any questions regarding this extension, contact: _____

**County Determination:**

☐ Denial Reversed ☐ Denial Upheld ☐ Denial Reversed in Part and Upheld in Part
The following previously denied records will be released: _____

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**Signature of FOIA Coordinator:** **Date:**

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**Act 442 of 1976**

**15.240.amended Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.**

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310 Ludington Street, Suite 222
Escanaba, Michigan, 49829

**Fax received from 17732737567**

**From :** IPFone <noreply@notify.ipfone.com> Wed, Apr 22, 2026 12:55 PM
**Sender :** noreply@notify.ipfone.com 1 attachment
**Subject :** Fax received from 17732737567
**To :** adminfax@deltacountymi.gov

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| Sender CSID | 17194108052 |
| Pages received | 4 |
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Contact Us

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69 KB

Delta County Prosecutor's Office Attn: FOIA Coordinator / Emily DeSalvo 310 Ludington Street, Suite 237 Escanaba, MI 49829

**April 22 2026**

**RE: Subject: FOIA Request - State of Michigan v. Dustin Thomas Aker and Sydney Ann Horvath - Autopsy Findings**

---

Dear FOIA Coordinator,

Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., I hereby request copies of the following existing public records:

**RECORDS REQUESTED:**

1. All autopsy reports (if applicable to the case)

2. Autopsy examination reports

3. Coroner's reports

4. Medical examiner's reports

5. Cause of death documentation

6. Manner of death documentation

7. Toxicology findings included in autopsy

8. Injury documentation from autopsy

9. Photographs from autopsy (where not exempt)

10. Autopsy timeline and procedure documentation

11. Pathologist's reports and conclusions

12. Death investigation reports

13. Death scene investigation reports

14. Death certification documentation

15. Expert autopsy opinions and analysis

16. Autopsy chain of custody and authentication

Please provide these records in their entirety. If any portions are exempt from disclosure, please provide all non-exempt portions and identify specific exemptions claimed.

I prefer electronic format (PDF) via email. Please notify me in advance of any applicable fees.

Sincerely,

[redacted]