Delta County Prosecutor's Office

Lauren M. Wickman
Prosecuting Attorney
Civil Counsel
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Assistant Prosecutor

October 29, 2026

[redacted]

Re: FOIA Request #26-291

[redacted]

I acknowledge receipt of your Freedom of Information Act request dated October 25, 2026, and received by the Delta County Prosecutor's Office on October 26, 2026. The request we received is as follows:

1. A privilege log. index, or similar itemization identifying each record that the office withheld from its response to FOIA Request No. 25-195 under MCL I5.243(I)(g). For each withheld record, the log should state, to the extent that the information is not itself privileged:

   a. the date of the record;
   b. the author, including name and job title or office;
   c. each recipient, including name and job title or office;
   d. any copy recipients;
   e. the general subject matter of the record, described without disclosing privileged content - for example, "fiscal year 2024-25 budget request," "staffing levels." "case assignment." or "legislative inquiry";
   f. the type of record - memorandum, letter, email, report, spreadsheet, presentation, or other;
   g. the number of pages;
   h. whether the record was withheld in full or in part, and if in part, the number of pages or portions released;
   i. the specific exemption claimed for each record, and for each record claimed under MCL 15.243(1)(g). the particular element of the attorney-client privilege relied on - that is, whether the record is claimed to be a confidential communication from a client to an attorney, from an attorney to a client, or otherwise;
   j. whether the record was prepared in anticipation of litigation, and if so. the matter or claim identified; and
   k. whether the record was shared with any person outside the office and the Board of County Commissioners, and if so, with whom.

2. The total number of records the office withheld from Request No. 25-195 under MCL

I5.243(I)(g). stated separately as the number withheld in full and the number withheld in part, and the total number of pages so withheld.

3. Any privilege log, index, withholding sheet, or similar document that the office has already prepared for Request No. 25-195. in whatever form it exists, including any internal worksheet, tracking sheet, or draft.

4. Any written policy, procedure, guideline, memorandum, training material, or written instruction that the office uses or has used to determine which reports prepared for or provided to county officials are subject to the attorney-client privilege and which are not.

5. Any correspondence, including email, between the Delta County Prosecutor's Office and the Delta County Board of Commissioners, the Delta County Administrator, or Delta County counsel concerning the decision to withhold records under MCL I5.243(1)(g) in response to Request No. 25-195, including any request by a county official that a record be withheld and any advice rendered on that question.

6. If no such log, index, itemization, policy, or correspondence exists, a written certification that the record does not exist, identifying the office or employee who conducted the search and the locations searched.

As to your request in Paragraph 1, 2, and 3, your request is *granted in part, denied in part*. Your request is granted with the attached/included document. Your request is *denied* to the extent the document does not contain all the details/information requested, as those details/information did not exist as specified. Any document containing that specific information would have to be created or added to. As to that aspect, 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.

Please note Delta County still maintains the exemption for the actual documents exists as Attorney-Client Privilege pursuant to MCL 15.243(g).

It should be further noted, that the documents are believed to be beyond the scope of the original request, as it broadly requested memos provided to the Delta County Board of Commissioners. However, as the request cannot be interpreted beyond the plain reading of the request, a broad response was provided. No documents or records exists related to fiscal year 2024-25 budget request," "staffing levels." "case assignment." or "legislative inquiry" in the form of a memo or report to the Board of Commissioners outside of the records previously provided in response to FOIA Request 25-195. Those records were not deemed privileged as they were provided to the Board of Commissioners not in the Delta County Prosecutor's capacity as civil counsel, but as part of a budget presentation that was done publicly at a Board meeting.

As to your request in Paragraph 4, your request is *denied* as a review of the records maintained by the Delta County Prosecutor's Office reveal the records 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 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 to your request in Paragraph 5, your request is *denied* as a review of the records maintained by the Delta County Prosecutor's Office reveal the records 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 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.

Appeal forms, as well as Written Policies, Guidelines, and Forms can be found at deltacountymi.gov.

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

Best Regards,

Lauren M. Wickman
Chief Prosecuting Attorney

Emily Desalvo
FOIA Coordinator

Document Name	Sent on	Author
Township Zoning	02/02/2023	Prosecutor Wickman
Boundary in Cornell and Escanaba Township	05/12/2023	Prosecutor Wickman
Open Meeting Act - Advisory Committee Attendance	04/17/2023	Prosecutor Wickman
Room Accomidations - Open Meeting	06/16/2023	Prosecutor Wickman
Case Review regarding *Bisio v City of Clarkston*	08/20/2024	Prosecutor Wickman
Written Appeal for Case Report #24-1562 (FOIA Request 24-.	08/18/2024	Prosecutor Wickman
Contract with Delta Conservatin District	05/01/2023	Prosecutor Wickman
Interium Adminstrator Contract	04/04/2023	Prosecutor Wickman
Veterans' Relief Fund	04/18/2023	Prosecutor Wickman