
Delta County Prosecutor's Office

Lauren M. Wickman
Prosecuting Attorney
Civil Counsel
Beth Wickwire
Chief Assistant
Prosecutor
Deputy Civil Counsel
Lauren Mattson
Assistant Prosecutor

July 3, 2025

██████████
Re: FOIA Request #25-132

Mr. Parrotta

I acknowledge receipt of your Freedom of Information Act request dated June 26, 2025 received by the Delta County Prosecutor's Office on June 27, 2025.

Your request is granted in part with respect to the following documents:

Please provide all records and documentation reflecting the prosecutorial outcome for the Rapid River arrest that occurred on December 28, 2024, involving a parolee returning from Ohio who was reportedly found with approximately 1 pound of methamphetamine and 1 ounce of cocaine.

Specifically, I request:

- The **case number(s)** assigned by your office
- Documentation of any **charges filed**, including charge descriptions and the applicable statutes.
- The **final outcome** or **current status** of the case(s) as of **today's date**, including whether the case is pending, dismissed, resolved by plea, or adjudicated by trial.

In response please find Complaint-Felony, Motion/Order of Nolle Prosequi, and Felony Information related to the matter. However, some of the items in the request have been redacted for the following reasons:

As the information is of a personal nature where public disclosure of the information would clearly constitute an unwarranted invasion of an individual's



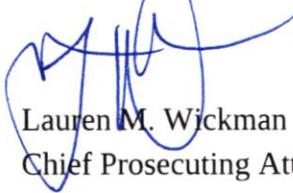
privacy, to include but not limited to: telephone numbers, dates of births, telephone numbers.

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

Encl.

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

Delta County
310 Ludington St., 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.: 25132 Date Received: 6/27/25 Check if received via: Email Fax Other Electronic Method
Date of This Notice: 7-2-25 Date delivered to junk/spam folder: _____
(Please Print or Type) Date discovered in junk/spam folder: _____

Name	[Redacted]			Phone
Firm/Organization	[Redacted]			Fax
Street	[Redacted]			Email
City	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) _____

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 record does 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 (1)(a) (insert number), because: information of a personal nature would constitute a clearly unwanted invasion of an individual's privacy.
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 all or 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: 7-2-2025

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 St., 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.: 25132 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 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-day extension.
County Extension: We are extending the date to respond to your FOIA fee 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 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 all or 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:** _____

(Form created by MTA, MAMA and CS&T, PC, May 2015)

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.

Fax received from 13313056572

25-132

From : TelNet Worldwide
<noreply@notify.telnetfax.com>

Fri, Jun 27, 2025 08:43 AM

📎 1 attachment

Sender : noreply@notify.telnetfax.com

Subject : Fax received from 13313056572

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.



**YOU HAVE
RECEIVED A FAX!**

You've received a fax!

To +1 906-789-5197
Sender CSID 17194101487
Pages received 2
Receive time 6.27.2025 08:43:21 AM -04:00

View additional details inside the Fax portal

[Login to secure portal](#)

 [Logo](#)

[Contact Us](#)

 **inbound_202506271243210_5197b16a2e93755710770e55e7260000**
.pdf
47 KB

Freedom of Information Act Request**To:**

FOIA Coordinator
Delta County Prosecutor's Office
310 Ludington Street
Escanaba, MI 49829

From:

[REDACTED]

Date: June 26th, 2025

RE: Michigan Freedom of Information Act Request — December 28, 2024 Rapid River Parolee Arrest

Dear Prosecutor Wickman or FOIA Coordinator,

Pursuant to the **Michigan Freedom of Information Act, MCL 15.231 et seq.**, I am requesting access to and copies of all public records related to the following:

Request:

Please provide all records and documentation reflecting the **prosecutorial outcome** for the **Rapid River arrest** that occurred on **December 28, 2024**, involving a **parolee returning from Ohio** who was reportedly found with approximately **1 pound of methamphetamine** and **1 ounce of cocaine**.

Specifically, I request:

- The **case number(s)** assigned by your office.
- Documentation of any **charges filed**, including charge descriptions and the applicable statutes.
- The **final outcome** or **current status** of the case(s) as of **today's date**, including whether the case is pending, dismissed, resolved by plea, or adjudicated by trial.

Preferred Format:

Please provide these records **electronically** (PDFs or similar) via email or a secure download link.

Fee Limit:

If the estimated cost to fulfill this request will exceed **\$50**, please provide a written, itemized estimate before proceeding, as required by **MCL 15.234**.

If you withhold any portion of this request, please identify the specific **FOIA exemption(s)** relied upon and provide all segregable portions of otherwise exempt records, per **MCL 15.244**.

Thank you for your prompt attention to this request. I look forward to your acknowledgment and your response within the statutory timeframe required under **MCL 15.235**.

Sincerely,



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:
<https://deltacountymi.gov/foia>

Upon request, a mailed copy of the policies, 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

STATE OF MICHIGAN 47TH CIRCUIT COURT 47TH JUDICIAL CIRCUIT	MOTION/ORDER OF NOLLE PROSEQUI	CASE NO. 25-11296-FH
---	---	---------------------------------

ORI **MI210025J** Court address **310 LUDINGTON ST., ESCANABA, MI 49829** Court telephone no. **(906) 789-5103**
 Police Report No. **UPT 329-24**

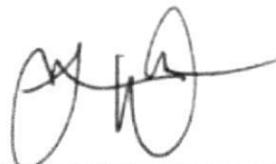
THE PEOPLE OF <input checked="" type="checkbox"/> The State of Michigan <input type="checkbox"/> _____ <input type="checkbox"/> Juvenile In the matter of _____	v	Defendant/Juvenile's name, address, and telephone no. MICHAEL FOSTER <div style="background-color: black; width: 100px; height: 20px; margin: 5px 0;"></div> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;">CTN / TCN 21-24001680-01 /</td> <td style="width:33%;">SID <div style="background-color: black; width: 100px; height: 15px;"></div></td> <td style="width:33%;">DOB See Ref. No. 1</td> </tr> </table>	CTN / TCN 21-24001680-01 /	SID <div style="background-color: black; width: 100px; height: 15px;"></div>	DOB See Ref. No. 1
CTN / TCN 21-24001680-01 /	SID <div style="background-color: black; width: 100px; height: 15px;"></div>	DOB See Ref. No. 1			

COUNT	CRIME	CHARGE CODE(S) MCL citation/PACC Code
1	CONTROLLED SUBSTANCE - DELIVERY/MANUFACTURE METHAMPHETAMINE	333.7401
2	CONTROLLED SUBSTANCE - DELIVERY/MANUFACTURE (COCAINE, HEROIN OR ANOTHER NARCOTIC) LESS THAN 50 GRAMS	333.7401(2)(a)(iv)
	HABITUAL OFFENDER - FOURTH OFFENSE NOTICE	769.12

MOTION

Lauren M. Wickman prosecuting official, moves for a nolle prosequi in this case for the following reason(s): Federal authorities have indicated Defendant on the same conduct.

May 9, 2025
Date



Prosecuting Official

P79974
Bar no.

ORDER

IT IS ORDERED:

- 1. Motion for nolle prosequi is granted and the case is dismissed without prejudice.
- 2. Motion for nolle prosequi is granted as to the following charge(s), which are dismissed without prejudice:

- 3. Motion for nolle prosequi is denied.
- 4. Defendant/Juvenile shall be immediately discharged from confinement in this case.
- 5. Bond is canceled and shall be returned after costs are deducted.
- 6. Bond is continued on the remaining charge(s).
- 7. The Michigan State Police and arresting agency shall destroy the arrest record, biometric data, and, as applicable, DNA profile for the dismissed charge(s). The Michigan State Police shall also remove any LEIN entry concerning any dismissed charge(s).

5-9-25
Date



Judge/Magistrate

P58074
Bar no.

If item 1 or 2 is checked, the clerk of the court shall provide a copy of this order to the Michigan State Police.