

# Delta County Prosecutor's Office

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

February 05, 2026

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**Re: FOIA Request #26-20**  
██████████

I acknowledge receipt of your Freedom of Information Act request dated January 30, 2026, and received by the Delta County Prosecutor's Office on February 2, 2026. The request we received is as follows:

## **Request for Aggregate Criminal Case Statistics**

Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., I request disclosure of the following **existing aggregate statistical information**:

### **Request Record:**

- Total number of criminal cases filed by the Delta County Prosecutor's Office from the prosecutor's election date through December 31, 2025.

This request seeks only an aggregate numerical total. I am not requesting individual case files, names, identifiers, or personally identifiable information.

If the information exists within an electronic case management system, database, spreadsheet, or report, this request includes any existing query result, summary output, or export reflecting the requested total. This request does not require the creation of a new public record.

A review of existing records within the possession of or maintained by the Delta County Prosecutor's Office reveals that records that currently exist within its possession have located the following responsive records:

21<sup>st</sup> Century Report to cover January 1, 2024 to January 31, 2024  
21<sup>st</sup> Century Report to cover January 1, 2025 to July 3, 2025  
Warrants Authorized by Agency from January 1, 2023 to November 30, 2023  
Budget Request for FY 2024-2025 Memo (dated 07/17/2024) and attachments  
Budget Request for FY 2023-2024 Memo (dated 09/10/2023) and attachments  
Charges on Authorized Misdemeanor Case Report to cover 01/01/2023 to 11/30/2023  
Charges on Authorized Felony Case Report to cover 01/01/2023 to 11/30/2023



Charges on Authorized Felony Case Report to cover 01/01/2023 to 12/31/2023

However, these documents have already been provided to you in response to FOIA Request 25-94 and FOIA Request 25-195. As you have not provided any justification or need for the documents to be reproduced to you, the public body will not be producing these records for a second time pursuant to *Densmore v Department of Corrections*, 203 Mich 363 (1994).

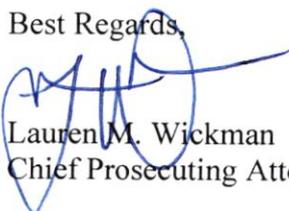
A review of existing records within the possession of or maintained by the Delta County Prosecutor's Office reveals that no document currently exists detailing the "aggregate numerical total" of "criminal cases filed by the Delta County Prosecutor's Office from the prosecutor's election [January 01, 2023]<sup>1</sup> through December 2025." Specifically, the request would require the generation or creation of a new public record to fulfill the request. Such creation is not required under Michigan FOIA. MCL 15.233(5). However, the "aggregate numerical total" as requested can be gleaned from the previously provided documents. As such, the request for such an existing record is **DENIED**. 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

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<sup>1</sup> Please note that Prosecutor Wickman was elected in November 2022 General Election, and was sworn in for her term starting on January 1, 2023.

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.: 26-20 Date Received: 01/30/2026  
Date of This Notice: 01/13/2026  
(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]	Phone	[Redacted]
Firm/Organization	[Redacted]	Fax	[Redacted]
Street	[Redacted]	Email	[Redacted]
City	[Redacted]	State	CO
		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 \_\_\_\_\_ (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 \_\_\_\_\_ (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 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: 2-4-2026

## 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

Denial Appeal Form

Phone: 906-789-5100

### 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.: 26-20 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Signature of FOIA Coordinator: \_\_\_\_\_

Date: \_\_\_\_\_

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**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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(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.

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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).

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**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](http://www.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

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**Fax received from 17732737565**

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**From :** IPFone <noreply@notify.ipfone.com>

Fri, Jan 30, 2026 10:50 AM

**Sender :** noreply@notify.ipfone.com

📎 1 attachment

**Subject :** Fax received from 17732737565

**To :** adminfax@deltacountymi.gov

External images are not displayed. [Display images below](#)

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**pdf**  
29 KB

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**FREEDOM OF INFORMATION ACT REQUEST**  
Michigan Freedom of Information Act, MCL 15.231 et seq.

**To:** Delta County Prosecutor's Office

**Date:** January 30, 2026

**Requester:**

Phone:

E-mail:

**Request for Aggregate Criminal Case Statistics**

Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., I request disclosure of the following **existing aggregate statistical information**:

**Requested Record:**

- Total number of criminal cases filed by the Delta County Prosecutor's Office from the prosecutor's election date through December 31, 2025.

This request seeks only an aggregate numerical total. I am not requesting individual case files, names, identifiers, or personally identifiable information.

If the information exists within an electronic case management system, database, spreadsheet, or report, this request includes any existing query result, summary output, or export reflecting the requested total. This request does not require the creation of a new public record.

**Fees**

I request a waiver of all fees pursuant to MCL 15.234. If any fee is anticipated, please provide a detailed written fee estimate prior to processing.

**Response Time**

Please respond within five (5) business days as required by MCL 15.235(2).

Respectfully,

[Redacted Signature]