# Court of Appeals, State of Michigan

## ORDER

DARRELL MARSHALL V WAYNE CIRCUIT COURT JUDGE

Docket No. 380479

LC No. 25-005981-AV

Allie Greenleaf Maldonado
Presiding Judge

Christopher M. Trebilcock

Mariam S. Bazzi
Judges

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The motion to waive fees is GRANTED for this case only.

The motion for immediate consideration is GRANTED.

The motion to "REFRAIN FROM HOLDING PLAINTIFF TO STANDARDS OF AN ATTORNEY" is GRANTED. See *Estelle v Gamble*, 429 US 97, 106; 97 S Ct 285; 50 L Ed 2d 251 (1976).

The complaint for mandamus is DISMISSED in part, for lack of jurisdiction, insofar as it requests a writ of mandamus against a sitting federal judge. See *Trump v Anderson*, 601 US 100, 111; 144 S Ct 662; 218 L Ed 2d 1 (2024) (". . . States lack even the lesser power[] to issue writs of mandamus against federal officials . . . ."). On the other hand, insofar as that complaint seeks a writ of mandamus against a sitting judge of Wayne Circuit Court, that claim actually sounds in superintending control,[1] and it is DENIED for lack of merit pursuant to MCR 7.206(D)(3).

Presiding Judge

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[1] See MCR 3.302(C) ("A superintending control order replaces . . . the writ of mandamus when directed to a lower court or tribunal."); *Brendel v Morris*, 345 Mich App 138, 149; 4 NW3d 776 (2023) ("Courts are not bound by the labels that parties attach to their claims, because this would exalt form over substance. Rather, courts must consider the gravamen of the complaint or motion based on a reading of the document as a whole.") (quotation marks and citations omitted).

A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

May 22, 2026
Date

Chief Clerk