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STATE OF MICHIGAN

COURT OF APPEALS

In re MJK.

TAYLOR DORNBIER,

Petitioner-Appellee,

v

MJK,

Respondent-Appellant.

UNPUBLISHED
August 17, 2026
9:39 AM

No. 377660
Emmet Probate Court
LC No. 20-001234-MI

Before: LETICA, P.J., and O'BRIEN and REDFORD, JJ.

PER CURIAM.

Respondent appeals as of right the trial court's order that required him to undergo involuntary mental-health treatment. We affirm.

I. BACKGROUND

This case arose after respondent sent several e-mails to the Emmet County Sheriff's Office. In these e-mails, respondent alleged that his father was threatening his life, calling him racial slurs, and had forged his name on a treasury check. Respondent also alleged that he had been tortured and had his rights violated. The e-mail contained multiple conspiracy theories and discussions of "Morgellons-related symptoms."[1] Much of it consisted of excerpts of respondent's conversations with ChatGPT. After receiving these e-mails, Sheriff Deputy Taylor Dornbier petitioned for respondent to undergo a mental-health examination.

After respondent was hospitalized, the examining doctor believed that respondent had a delusional disorder and recommended inpatient hospitalization. Another doctor reached a similar

[1] "Morgellons" refers to a form of delusional parasitosis in which a person believes they have fibers under and emerging from their skin.

conclusion based on respondent having pressured speech, increased psychomotor activity, and denying any need for treatment.

At the jury trial regarding the petition, Deputy Dornbier testified about the e-mails that the sheriff had received, and he described respondent as being "very aggressive" about not wanting to seek mental-health treatment. He also testified that there had been prior petitions regarding respondent's mental health. The psychiatrist who examined respondent also testified, and she stated that respondent presented with paranoia, delusional thought processes, and agitation. It was also reported that respondent was verbally aggressive and had a mood and thought disorder. The psychiatrist also noted that respondent did not express any homicidal or suicidal thoughts, even though he often insulted her and threatened to sue her. The psychiatrist believed that, without treatment, respondent's mental-health condition would worsen, putting him at risk of becoming angry, agitated, and disturbing the peace.

Respondent testified on his own behalf, and he alleged that the court was illegitimate, that he had been tortured, and that his father had mistreated him. He also expressed views that pharmaceuticals were poisonous. During the trial, he made several interjections and repeatedly swore despite the court asking him not to.

The jury found that respondent was mentally ill and was a person requiring treatment. This appeal followed.

II. ANALYSIS

A. GREAT WEIGHT OF THE EVIDENCE

Respondent first argues that the jury's verdict that he was a person requiring treatment was against the great weight of the evidence. A party preserves a claim that a jury's verdict was against the great weight of the evidence by filing a motion for a new trial in the trial court. *Barnes v 21st Century Premier Ins Co*, 334 Mich App 531, 552; 965 NW2d 121 (2020). Respondent did not do so, and this issue is unpreserved.

In civil law, failure to timely raise an issue typically waives review of that issue on appeal. *In re AMMB*, ___ Mich App ___, ___; ___ NW3d ___ (Docket No. 368915), slip op at 2. However, the "raise-or-waive" rule does not apply to civil-commitment cases due to their constitutional considerations. *In re MAT*, ___ Mich App ___, ___; ___ NW3d ___ (2024) (Docket No. 369255), slip op at 3 n 1. Accordingly, plain-error review is appropriate. *Id*. at 2-3.

"To avoid forfeiture under the plain error rule, three requirements must be met: 1) error must have occurred, 2) the error was plain, i.e., clear or obvious, 3) and the plain error affected substantial rights." *People v Carines*, 460 Mich 750, 763; 597 NW2d 130 (1999). "The third requirement generally requires a showing of prejudice, i.e., that the error affected the outcome of the lower court proceedings." *Id*. Reversal is warranted if the error "seriously affect[ed] the fairness, integrity or public reputation of judicial proceedings." *Id*. at 763-764 (quotation marks and citation omitted; alteration in original).

In a civil-commitment case, a jury must find that a respondent is a person requiring treatment by clear and convincing evidence. MCL 330.1465. Clear and convincing evidence is

evidence that "produce[s] in the mind of the trier of fact a firm belief or conviction as to the truth of the allegations sought to be established, evidence so clear, direct and weighty and convincing as to enable [the factfinder] to come to a clear conviction, without hesitancy, of the truth of the precise facts in issue." *In re ASF*, 311 Mich App 420, 429; 876 NW2d 253 (2015) (quotation marks and citation omitted; alterations in original). MCL 330.1401 defines a "person requiring treatment" as:

> (a) An individual who has mental illness, and who as a result of that mental illness can reasonably be expected within the near future to intentionally or unintentionally seriously physically injure himself, herself, or another individual, and who has engaged in an act or acts or made significant threats that are substantially supportive of the expectation.
>
> (b) An individual who has mental illness, and who as a result of that mental illness is unable to attend to those of his or her basic physical needs such as food, clothing, or shelter that must be attended to in order for the individual to avoid serious harm in the near future, and who has demonstrated that inability by failing to attend to those basic physical needs.
>
> (c) An individual who has mental illness, whose judgment is so impaired by that mental illness, and whose lack of understanding of the need for treatment has caused him or her to demonstrate an unwillingness to voluntarily participate in or adhere to treatment that is necessary, on the basis of competent clinical opinion, to prevent a relapse or harmful deterioration of his or her condition, and presents a substantial risk of significant physical or mental harm to the individual or others.

A jury's verdict is against the great weight of the evidence if "the evidence preponderates so heavily against the verdict that it would be a miscarriage of justice to allow the verdict to stand." *People v Milstead*, 250 Mich App 391, 403 n 7; 648 NW2d 648 (2002).

In this case, the evidence clearly supported the jury verdict which concluded MJK was a person requiring treatment. Dr. Movva, a psychiatrist, testified respondent had a mood disorder and a thought disorder, that he was paranoid and had "delusional thought process," and that he could be verbally aggressive. Respondent also made threats to sue the psychiatrist and repeatedly insulted her and other staff, and his behavior led other patients at his psychiatric facility to make complaints about him. Likewise, Deputy Dornbier testified that respondent had a history of not wanting mental-health treatment and that respondent could become "very aggressive" about not wanting treatment such that police would approach respondent in groups of two or three due to respondent's aggression. A lengthy e-mail respondent sent further supports the verdict given that it contains several allegations of criminal offenses and expressions of frustration that officials were not acting on the allegations. Such allegations, and respondent's frustration, also have the potential to lead to mental harm to others or physical harm should respondent's frustration escalate. It is acknowledged that Deputy Dornbier also testified that he believed respondent was not homicidal or suicidal, and the psychiatrist testified that respondent did not express any homicidal or suicidal thoughts.

Overall, considering all the evidence, it did not preponderate against the jury's verdict. As a result, the jury's verdict that he was a person requiring treatment was not against the great weight of the evidence, and a motion for a new trial in the trial court would not have been successful. Therefore, there is no prejudice to respondent based on the first alleged error.

B. REMAND

Respondent next argues that this Court should remand the case to the trial court to permit him to further develop the record and to file untimely motions for judgment notwithstanding the verdict and a new trial. MCR 7.211(C)(1) governs motions to remand in this Court. It provides:

> (a) The appellant may move to remand to the trial court. The motion must identify an issue sought to be reviewed on appeal and show
>
> (*i*) that the issue is one that is of record and that must be initially decided by the trial court; or
>
> (*ii*) that development of a factual record is required for appellate consideration of the issue.
>
> A motion under this subrule must be supported by affidavit or offer of proof regarding the facts to be established at a hearing.

Respondent does not demonstrate what factual record he would need to develop; he merely argues that the jury's verdict was against the great weight of the evidence. As discussed previously, the jury's verdict was not against the great weight of the evidence. Respondent is not entitled to remand.

C. REQUEST TO FILE UNTIMELY MOTION FOR JUDGMENT NOTWITHSTANDING THE VERDICT

Respondent also asks this Court to permit him to file untimely motions for judgment notwithstanding the verdict and for a new trial under MCR 7.216(B). MCR 7.216(B) provides:

> When any nonjurisdictional act is required to be done within a designated time, the Court of Appeals may permit it to be done after expiration of the period on motion showing that there was good cause for delay or that it was not due to the culpable negligence of the party or attorney.

Motions for judgment notwithstanding the verdict and for a new trial must be made within 21 days after entry of the judgment. MCR 2.610(A)(1), 2.611(B). The judgment in this case was entered on September 17, 2025; respondent did not file any motions in the trial court after this.

Respondent has not demonstrated good cause for his delay, nor has he demonstrated that he would be entitled to the relief he seeks, even if a motion for a judgment notwithstanding the verdict or for a new trial were filed. He is, therefore, not entitled to relief under this final assignment of error.

III. CONCLUSION

For the reasons stated above, we identify no errors for which respondent is entitled to relief or for which reversal is appropriate. We therefore affirm.

/s/ Anica Letica
/s/ Colleen A. O'Brien
/s/ James Robert Redford