STATE OF MICHIGAN

COURT OF CLAIMS

VINCE BURGESS,

Plaintiff,

v

Case No. 26-000112-MM

MICHIGAN STATE POLICE,

Hon. Michael F. Gadola

Defendant.
_____/

ORDER DENYING PLAINTIFF'S EMERGENCY MOTION FOR STAY OF PROCEEDINGS

Before the Court is plaintiff's emergency motion for an immediate stay of these proceedings to prevent irreversible, biased due process harms. The Court DENIES that motion.

Plaintiff first cites the May 29, 2026 administrative order that Court of Claims Chief Judge Michael F. Gadola issued in this case to address plaintiff's demonstrated continuing pattern of initiating new actions that do not comply with the Court of Claims Act (COCA) despite repeated notice from this Court as to what is required. The order requires that any new case initiated by plaintiff in this Court include a request for leave to file and review by the Chief Judge for compliance with the COCA before the clerk of this Court accepts the complaint for filing. This review process is not a barrier to filing suit as plaintiff suggests. Rather, the review assures that plaintiff's newly initiated actions comply with the verification requirements of the COCA *before* the Court accepts the complaint for filing, alleviating both the Court's issuance of a show-cause order *after* a non-compliant complaint is accepted for filing and plaintiff's need to respond to the

show-cause order with a response or compliant complaint. This order will ensure plaintiff's lawsuits are not dismissed because of procedural irregularities.

Plaintiff also contends that the May 29, 2026 order "weaponized past procedural defects—which were caused entirely by the court's own electronic transfer failures and defense omissions." To the contrary, the May 29, 2026 order was based, in large part, on plaintiff's own failures to file properly verified complaints in compliance with the COCA and failures to respond to Orders to Show Cause to remedy those deficits. Plaintiff may also be referring to alleged errors by the Court of Claims clerk and MiFILE system in a prior case filed by plaintiff that was assigned to Court of Claims Judge Christopher P. Yates and was administratively dismissed for nonservice/no progress on September 30, 2025 (Court of Claims No. 24-000208-MZ). Plaintiff's motion to set aside the dismissal and reinstate the case was pending before Judge Yates when he left the Court. Judge Yates's successor, Judge Randy J. Wallace, denied the motion to reinstate as moot because plaintiff had filed the same claims in a new action, specifically stating in the complaint: "This matter is a re-filing of claims arising from the same transactions and occurrences as . . . Case No. 24-000208-MZ."

Plaintiff seeks an immediate stay of all discovery and filing deadlines in this case as well based on the perceived personal bias of the assistant Attorney General representing the Michigan State Police in this case and the Center for Forensic Psychiatry in Docket No. 26-000056-MZ, and alleged concert of action between the assistant Attorney General and this Court. Plaintiff contends that on June 18, 2026, defendant "filed a massive Motion for Summary Disposition" in this case; that motion is actually well below the page limits permitted by court rule. Plaintiff argues that the six-month notice deadline relied upon by defendant is a "rigid . . . statutory notice deadline trap." The Legislature enacted MCL 600.6431(4), creating the six-month deadline for actions in this

Court alleging personal injury or property damage. Neither this Court, defendant, nor the assistant Attorney General representing defendant enacted the statute, but we are all duty-bound to comply with it.

Plaintiff notes that on June 18, 2026, Chief Judge Gadola also filed an order "granting the state a total discovery freeze less than 24 hours after the state requested it," suggesting that the Chief Judge and the assistant Attorney General colluded to secure dismissal of both actions. A review of the docket filings in 26-000056-MZ demonstrates that plaintiff sought discovery prematurely before defendant Center for Forensic Psychiatry's responsive motion for summary disposition was resolved. And in the current action, defendant Michigan State Police moved for summary disposition in lieu of filing an answer as is its right under the court rules. Nothing in these orders suggest collusive action.

Accordingly, the Court DENIES plaintiff's motion for a stay and DIRECTS plaintiff to file a timely response to defendant's motion for summary disposition.

Date: June 23, 2026

Hon. Sima G. Patel
Judge, Court of Claims