STATE OF MICHIGAN

COURT OF CLAIMS

JAY TRUCHAN,

Plaintiff,

v

Case No. 26-000162-MZ

MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS,

Hon. Michael F. Gadola

Defendant.
_____ /

SECOND ORDER TO SHOW CAUSE

On July 30, 2026, plaintiff filed a petition for review of a Michigan Commission on Law Enforcement Standards (MCOLES) decision in this Court. On August 6, 2026, the Court entered an order directing plaintiff to show cause within 14 days why the case should not be dismissed for lack of a verified claim under MCL 600.6431(2)(d) of the Court of Claims Act (COCA), MCL 600.6401 *et seq*. The Court stated that the defect could be remedied by the filing of an amended notarized complaint. In response, plaintiff asserted that a petition for review is not subject to the COCA's verification requirements because judicial review proceeds under the Administrative Procedures Act [APA], MCL 24.201 *et seq*.

Under MCL 28.610(2) of the MCOLES Act, MCL 28.601 *et seq*., a final decision or order issued by the commission is subject to review as provided in chapter 6 of the APA, MCL 24.301 to 24.306, and a petition for judicial review of a final decision or order of the commission shall be adjudicated only in the Court of Claims. The Legislature's channeling of MCOLES review

petitions into the Court of Claims means that the procedural rules governing the Court of Claims apply to such proceedings. See MCL 600.6422(1) (practice and procedure in the Court of Claims "shall be in accordance with the statutes and court rules prescribing the practice in the circuit courts of this state, except as otherwise provided in this section"). A petition for judicial review of an MCOLES decision is therefore subject to the COCA's verification requirements. Accordingly,

IT IS ORDERED:

1. Plaintiff is directed to show cause no later than 14 days from date of entry of this order why this Court should not dismiss this matter.

2. Should plaintiff fail to respond by the deadline or fail to comply with the verification requirements in MCL 600.6431(2)(d) of the Court of Claims Act, this matter will be dismissed.

3. To remedy this defect, plaintiff may file an amended complaint (**not** a notice of intent at this stage of the proceedings) with the following statement at the conclusion: "I declare under penalty of perjury that this Complaint has been examined by me and that its contents are true to the best of my information, knowledge, and belief." This statement must be signed before a licensed notary. Plaintiff shall serve defendant(s) with any amended complaint.

Date: August 20, 2026

Hon. Michael F. Gadola
Chief Judge, Court of Claims