STATE OF MICHIGAN

COURT OF CLAIMS

EUGENE EDWARD MASKELL,

Plaintiff,

v

Case No. 26-000229-MZ

Hon. Randy J. Wallace

LISA POSTHUMUS LYONS, in her official capacity as Kent County Clerk, JOHN/JANE DOE CLERK, in their individual capacity as Deputy Circuit Court Clerk or Court Staff Member responsible for the data entry of plaintiff's 2022 Judgment of Sentence, HEIDI E. WASHINGTON, in her official capacity as Director of the Michigan Department of Corrections, MIKE BOWKER, in his individual capacity as MDOC Lead Parole Agent/Employee, and CHRISTOPHER DECHAMPS, also known as CRIS DECHAMPS, in his individual capacity as Alpena County MDOC Parole Agent/Employee,

Defendants.
_____ /

ORDER AFTER SHOW CAUSE

The Court ordered plaintiff to show cause why this matter should not be dismissed as to defendants Posthumus Lyons, John/Jane Doe Clerk, Bowker, and Dechamps for lack of jurisdiction under MCL 600.6419(1)(a). In response, plaintiff agreed that this Court lacks jurisdiction over county defendants Posthumus Lyons and John/Jane Doe Clerk.

Plaintiff asserted that this Court has jurisdiction over the claims against defendants Bowker and Dechamps because they are state employees "operating directly under the authority and direction of the Michigan Department of Corrections." He stated that "[t]o the extent they were

named in their individual capacities . . . [p]laintiff clarifies that their challenged conduct occurred while enforcing state correctional policies and state administrative functions." Plaintiff did not, however, file an amended complaint against defendants Bowker and Dechamps in their official capacities. Plaintiff requests that this Court retain official-capacity claims against defendants Bowker and Dechamps and dismiss any individual-capacity claims without prejudice.

The jurisdiction of the Court of Claims is limited to claims brought "against the state or any of its departments or officers." MCL 600.6419(1). Included in the statutory definition of "the state or any of its departments or officers" is

> any state governing, legislative, or judicial body, department, commission, board, institution, arm, or agency of the state, or an officer, employee, or volunteer of this state or any governing, legislative, or judicial body, department, commission, board, institution, arm, or agency of this state, acting, or who reasonably believes that he or she is acting, within the scope of his or her authority while engaged in or discharging a government function in the course of his or her duties. [MCL 600.6419(7).]

This Court's jurisdiction extends to suits against state officers where the officer was acting in his official capacity when committing the acts complained of. *Lowery v Dep't of Corrections*, 146 Mich App 342, 348; 380 NW2d 99 (1985). This Court does not have jurisdiction over state officers being sued in their individual capacities. See *Council of Orgs and Others for Ed About Parochaid v Michigan*, 321 Mich App 456, 466; 909 NW2d 449 (2017). Because plaintiff sued defendants Bowker and Dechamps in their individual capacities, the Court does not have jurisdiction over the claims against them.

Accordingly, IT IS ORDERED THAT defendants Posthumus Lyons, John/Jane Doe Clerk, Bowker, and Dechamps are DISMISSED from this lawsuit without prejudice and without limiting plaintiff's ability to file suit against these defendants in circuit court.

This order does not resolve the last pending claim and does not close the case.

Date: November 10, 2026

Hon. Randy J. Wallace
Judge, Court of Claims