STATE OF MICHIGAN
IN THE COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

-vs-

GEORGE GERALD RIDER-BEY,
Defendant-Appellant.
_____/

COA No. 380666
LCt No. 2017-003420-FC
Macomb County Circuit Court

MOTION TO AMEND
APPLICATION FOR LEAVE TO APPEAL
WITH
MEMORANDUM OF LAW INCORPORATED THEREIN

STATE OF MICHIGAN

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COA No. 380666
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GEORGE GERALD RIDER-BEY,
Defendant-Appellant.
_____/

MOTION TO AMEND
APPLICATION FOR LEAVE TO APPEAL

NOW COMES, George Gerald Rider-Bey, Appellant in pro per, and pursuant to MCR 2.118(A) and MCR 7.216(A)(3), asks this Honorable Court for permission to amend his Appeal by Leave filed in this Honorable Court on May 11, 2026 for the following reasons:

1. After having filed his original Application for Leave to Appesal which is currently pending before this Honorable Court, Appellant realized that he omitted a very important ISSUE that involves a radical jurisdictional defect.

LEGAL AUTHORITY

2. With the Court's permission, Appellant bases his request for amending his Motion under the auspices of Richard Schneiderman & Sherman, P.C., 297 Mich App 271, 274-275; 824 NW2d 573 (2012), and Foman v. Davis, 371 U.S. 178, 182, 83 S.Ct. 227, 230, 9 L.Ed2d 222 (1962).

3. These cases are instructive in that they warn against arguments that are frivolous, redundant, or futile. Decker v. Rochowiak, 287 Mich App 666, 682; 791 NW2d 507 (2010). Appellant asserts that his Amendment is neither.

4. In regards to this Honorable Court's plenary powers under MCR

7.216(A)(3), Appellant relies on Formicola v. Formicola, 32 Mich App 417, 423 n.2; 189 NW2d 21 (1971), and Doelle v. Nemeth, 2018 Mich App LEXIS 3279 (October 9, 2018) at *9, n.4. These cases hold that this Honorable Court has the power to permit amendment of or additions to the grounds for appeal.

RATIONALE FOR AMENDING

5. The purpose of this Amendment is to add ISSUE 8 to the Application for Leave to Appeal in a separate pleading attached hereto.

6. In all other respects, Appellant's Application for Leave to Appeal remains the same and is applicable to ISSUE 8 attached to a separate pleading simultaneously filed herewith.

CONCLUSION

7. Based on the facts argued in ISSUE 8, and its importance to the outcome of Appellant's case, as well as the integrity of the Judiciary, Appellant respectfully asks this Honorable Court to grant Appellant's request to amend his current Application for Leave to Appeal now pending before this Honorable Court.

8. Under the penalty of perjury, Appellant asserts that the facts and evidence in the form of EXHIBITS submitted herein, are true to the best of his information and knowledge.

Respectfully submitted,

George G. Rider Bey

May 26, 2026

George Gerald Rider-Bey, 155733
Thumb Correctional Facility
3225 John Conley Drive
Lapeer, MI 48446

STATE OF MICHIGAN

IN THE COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

-vs-

GEORGE GERALD RIDER-BEY,
Defendant-Appellant.

COA No. 380666
LCt No. 2017-003420-FC
Macomb County Circuit Court

AMENDED APPLICATION FOR LEAVE TO APPEAL
WITH
MEMORANDUM OF LAW INCORPORATED THEREIN

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STATEMENT OF JURISDICTION

This Honorable Court has jurisdiction to adjudicate the ISSUE presented herein on the merits pursuant to MCR 2.118(A), and MCR 7.216(A)(3).

STATEMENT OF QUESTION PRESENTED

ISSUE 8

WAS APPELLANT DENIED HIS FUNDAMENTAL DUE PROCESS PROTECTIONS AS GUARANTEED UNDER BOTH STATE AND FEDERAL CONSTITUTIONS, WHEN THE TRIAL COURT ARRAIGNED APPELLANT WITHOUT FIRST HAVING ACQUIRED SUBJECT-MATTER JURISDICTION OVER APPELLANT, CREATING A DEFECT THAT VOIDS APPELLANT'S CONVICTION?

Appellant answers "YES"
The Prosecution has yet to answer
This Honorable Court has yet to make a determination

INTRODUCTION

Appellant files this Amended Application for Leave to Appeal to add ISSUE 8 which is a jurisdictional defect issue that affects the very outcome of Appellant's case as argued herein.

STATEMENT OF FACTS AND PROCEDURAL HISTORY

Appellant adopts the Statement of Facts and Procedural History as prepared in his Application for Leave to Appeal which is currently before this Honorable Court. Appellant will only add those facts as it pertains to this instant Amendment.

ISSUE 8

APPELLANT WAS DENIED HIS FUNDAMENTAL DUE PROCESS PROTECTIONS AS GUARANTEED UNDER BOTH STATE AND FEDERAL CONSTITUTIONS, WHEN THE TRIAL COURT ARRAIGNED APPELLANT WITHOUT FIRST HAVING ACQUIRED SUBJECT-MATTER JURISDICTION OVER APPELLANT; CREATING A DEFECT THAT VOIDS APPELLANT'S CRIMINAL CONVICTION

STANDARD OF REVIEW

The standard of review for the Trial Court's lack of jurisdiction is found in Fox v. Board of Regents, 375 Mich 238, 242; 134 NW2d 146 (1965), where the Supreme Court, relying on In re Fraser, 288 Mich 392; 285 NW 1 (1939), held that when a court is without jurisdiction of the subject-matter, any action with respect to such a cause, other than to dismiss it, is absolutely void. This is mirrored in the Federal Courts as espoused in Steel Co. v. Citizens for a Better Environment, 523 U.S. 83, 95, 118 S.Ct. 1003, 1013, 140 L.Ed2d 210 (1998) and Village of Oakwood v. State Bank & Trust Co., 481 F.3d 364, 366-367 (6th Cir. 2007), citing Steel Co., supra.

It is well-settled that claims of jurisdictional defects are reviewed de novo, and which may be raised at any time as established in People v. Alvin Johnson, 396 Mich 424, 442, 444 n.18; 240 NW2d 729 (1976), Goode v. United States, 305 F.3d 378, 386 (6th Cir. 2002) and United States v. Griffin, 303 U.S. 226, 229, 58 S.Ct. 601, 603, 82 L.Ed. 764 (1938).

ARGUMENT

Appellant was denied his right to Due Process protections as guaranteed under both State and Federal Constitutions [Mich. Const. 1963, art. 1, §§ 17, 20; U.S. Const., Ams. V, VI, XIV] This vested right, which is afforded all criminal Defendants, was denied Appellant when the Trial Court arraigned Appellant in the Circuit Court without first acquiring subject-matter jurisdiction. The result is that Appellant has been illegally serving a void sentence.

Problematic here is the fact that the Warren Police Department, arrested Appellant without authorization. Appellant supports his position based on the fact that: (1) the only document in the Macomb County Circuit Court Clerk's file regarding the arrest is a warrantless arrest form (MC 217B), not an arrest warrant. See Scott Lewis Affidavit as EXHIBIT "1." (2) Under MCL 764.1(1), a judge "shall not issue a warrant" without written prosecutorial authorization. No such authorization exists in the file. No signature by the Prosecutor or authorized substitute. (3) Under MCL 764.1(3)(b), the judge must administer an oath to the complaining witness. No oath appears on this form, and no separate affidavit exists in the file. And, (4) Under MCR 6.102(A), a proper complaint is required. This form is not a complaint, but rather, a post-arrest booking document. Appellant's case is a classic example if something can go wrong, it did. See EXHIBIT "2," which comprises the generic Felony Complaint, Felony Warrant and Felony Information 3-part set. Note that it is incomplete and bare bones, and without the Affidavit of Probable Cause and no evidence of any Oath. All the Officers of the Court PRESUMED that the documents were correct and that the Magistrate had followed the law. In the alternative, they were simply ignored. Either way, Appellant was prejudiced.

The non-compliant documents render the District Court proceedings null and void in that there was no information to support an independent judgment by the

Magistrate that probable cause existed for a Felony Warrant to be issued. See, Whitley v. Warden, Wyoming State Penitentiary, 401 U.S. 580, 584, 91 S.Ct. 1031, 1035, 28 L.Ed2d 306 (1971), where the United States Supreme Court held that the appropriate remedy in that case was release from custody.

The same scenario is mirrored in Michigan where the Court in the case of In re Way, 41 Mich 299, 301, 303-304; 1 NW 1021 (1879), held over a century ago, that no warrant shall issue without probable cause. The Court further held that the wholesale swearing of statements, some of which the complainant could not possibly have known, and none of which were specific, violated Due Process of law. The Court also held that the appropriate remedy was release from custody.

Compounding the problem here is the fact that the Michigan Supreme Court acknowledged that judicial and prosecutorial authorities in this State do not follow the law on the issue of probable cause determinations as discussed in In re Doran, 401 Mich 235; 258 NW2d 406 (1977), where the Court, relying on People v. Burrill, 391 Mich 124, 129; 214 NW2d 823 (1974) and MCL 766.3, held:

> "In this state, the statute provides that an arrest warrant shall issue if it appears from such an examination that an offense has in fact been committed, the practice has not been to conduct an examination to establish probable cause." Id., at 249 [Emphasis added].

Moreover, Macomb County authorities also violated the mandate of MCR 6.102(B), which holds:

> "A finding of probable cause may be based on hearsay evidence and rely on factual allegations in the complaint, affidavits from the complainant or others, the testimony of a sworn witness adequately preserved to permit review, or any combination of these sources."

Since none of these mandates were followed in Appellant's case, any subsequent charging document would have been issued based on no facts whatsoever.

As such, the jurisdictional defects argued herein tainted the remainder of Appellant's criminal proceedings against Appellant as explained in People v.

Gregory, 30 Mich 370 (1874), where the Court held:

> "The prosecution in the circuit court rested upon the appeal, rested finally upon the proceedings instituted before the justice, and as that proceeding was invalid for the jurisdictional defects pointed out, the proceeding on appeal was equally so. The infirmity in the inception of the case affected it in all of the subsequent stages. It should be certified as the judgment of this court that the conviction is quashed, and the Petitioner discharged." Id., at 373 [Emphasis added].

Thus, Appellant avers in the absence of complete charging documents in the District Court, no subject matter jurisdiction was ever obtained in that Court, and thus, no subject matter jurisdiction could have been subsequently transferred to the Circuit Court.

As far back as Turner v. People, 33 Mich 363 (1876), the Court held:

> "Upon the fact of a complaint, the magistrate is moved to act. Then he must examine on oath the complaint and witnesses produced, to ascertain the truth, to develop particulars and to find out whether there is probable cause, and if so, of what nature, for the issuance of the warrant." Id., at 369.

This did not take place in Appellant's case. What ensued was the condemned act of the magistrate as being a mere "rubber stamp" for the police. Aguilar v. Texas, 378 U.S. 108, 111, 84 S.Ct. 1509, 1512, 12 L.Ed2d 723 (1964). Such actions are condemned because it reduces the judicial officer's findings to nothing more than a mere ratification of the bare conclusions of others. Illinois v. Gates, 462 U.S. 213, 239, 103 S.Ct. 2317, 2333, 76 L.Ed2d 527 (1983). See also, United States v. Allen, 168 F.3d 293, 297-298 (6th Cir. 1999) and United States v. Bryant, 951 F.Supp 674 (E.D. Mich. 1997), holding same.

The so-called charging documents in Appellant's case failed to provide the answer to the magistrate's hypothetical question, "What makes you think that the Petitioner committed the charged offense?" Jaben v. United States, 381 U.S. 214, 224-225, 85 S.Ct. 1365, 1371, 14 L.Ed2d 345 (1965), Giordenello v. United States, 357 U.S. 480, 484, 78 S.Ct. 1245, 1249, 2 L.Ed2d 1503 (1958) and Overton v. Ohio,

534 U.S. 982, 122 S.Ct. 389, 151 L.Ed2d 317 (2001).

The issue presented herein is clearly supported by well settled case law. In fact, this law was settled in Michigan in the case of Spear v. Carter, 1 Mich 19 (1847), where the Court held:

> "Nothing is presumed in favor of jurisdiction; it must be shown affirmatively. In Wright v. Warner, I Doug. 384 (1844) and Clark v. Holmes, Id., 390 (1844), all the cases are cited, and the doctrine above stated is fully illustrated and enforced. GOODWIN, J., in giving judgment in the first case, says, 'What is necessary to give jurisdiction must fully appear." Id., at 22.

This doctrine is mirrored in Ex parte Smith, 94 U.S. 455, 24 L.Ed. 165 (1876), where the United States Supreme Court held:

> "The facts upon which the jurisdiction of the courts of the United States rests must, in some form, appear in the record of all suits prosecuted before them. To this rule there are no exceptions."Id., 94 U.S. at 456; 24 L.Ed. 165.

The Trial Court's failure to abide by Michigan Court Rules and well settled authority was fatal and resulted in jurisdictional defects as decided in People v. Price, 23 Mich App 663; 179 NW2d 177 (1970), where the Court held:

> "A radical defect in jurisdiction contemplates, we think, an act or OMISSION by state authorities that clearly contravenes an express legal requirement at the time of the act or omission." Id., at 671 [Emphasis added].

Exacerbating Appellant's situation is the fact that Defense Counsel failed or ignored to investigate whether or not the charging documents were in compliance with the law. Counsel failed miserably in that failure to investigate. Moreover, as evidenced by the sanctions imposed on Defense Counsel being EXHIBIT "3 " her failure to communicate with Appellant and keep him informed is at the forefront. Her failure or refusal is the reason Appellant argued abandonment of Defense Counsel in his original Application before this Honorable Court. Appellant only brings this up here to demonstrate how far-reaching her abandonment was.

Appellant avers that he has established that the Trial Court did not have

subject matter jurisdiction over Appellant. As such, Appellant submits that the Trial Court was without jurisdiction to conduct Appellant's criminal proceedings. Thus, the only action the Trial Court had jurisdiction to perform, was to dismiss the action against Appellant pursuant to the mandate of Fox v. Board of Regents, supra.

Appellant respectfully submits that this remedy is in keeping with the seminal mandate of Marbury v. Madison, 5 U.S. 137, 163 (1 Cranch) 2 L.Ed. 60, 69 (1803). There the Court held that for every injury there is a remedy by law. Thus, in keeping with the Law as it relates to Michigan, the appropriate remedy is release from custody.

The Notice of Compliance with the AEDPA Mandate pertains to this Issue as Appellant has supported it with United States Supreme Court mandates.

The Conclusion, as it applies to this ISSUE is at the discretion of the Court should it require that an Evidentiary Hearing be conducted to resolve any and all disputed facts.

RELIEF REQUESTED

WHEREFORE, for all of the aforementioned arguments, and as supported by well-settled authority, Appellant respectfully prays this Honorable Court will:

1. Accept Appellant's Motion to Amend and Amended Application for Leave to Appeal with Memorandum of Law Incorporated Therein and supporting EXHIBITS as timely and properly filed,

2. Adjudicate the ISSUE presented on the merits, or,

3. Remand this matter for an Evidentiary Hearing under MCR 6.507(A) and MCR 6.508(C) to resolve any and all disputed facts, should this Court deem it necessary, and

4. Simultaneously appoint Counsel under MCR 6.505(A) to represent Appellant in that proceeding, and/or,

5. Grant any and other relief this Honorable Court deems just and appropriate.

Under the penalty of perjury, Appellant declares that the statements above and the supporting evidence presented herein, are true to the best of his information and knowledge.

Respectfully submitted,

George G. Rider Bey

Dated: May 26, 2026

George Gerald Rider-Bey, 155733
Thumb Correctional Facility
3225 John Conley Drive
Lapeer, MI 48446

STATE OF MICHIGAN
IN THE COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

-vs-

GEORGE GERALD RIDER-BEY,
Defendant-Appellant.
_____/

COA No. 380666
LCt No. 2017-003420-FC
Macomb County Circuit Court

E X H I B I T S

INDEX TO EXHIBITS

Exhibit 1 - Affidavit of Scott Lewis

EXHIBIT 2 - 3-set Felony Complaint, Felony Warrant, and Felony Information, that is bare bones and lacks Affidavit of Probable Cause and no Oath

EXHIBIT 3 - Suspension and Sanctions imposed on Defense Counsel by the Attorney Grievance Commission

EXHIBIT 4 - Defendant's Affidavit

11-30-23

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF MACOMB

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff,

Case No. 17-003420-FC

v

GEORGE RIDER,
Defendant.

Affidavit of Scott Lewis Mischnick

BEFORE ME, the undersigned Notary, personally appeared Scott Lewis Mischnick, who being by me first duly sworn, on his oath, deposes and says:

1. My name is Scott Lewis Mischnick, and I make this affidavit from personal knowledge of the matters addressed herein.

2. I am a licensed private investigator in the State of Michigan. I am a former TV investigative reporter with over 30 years of investigative experience, and I go by the professional name of Scott Lewis. The name of my company is Scott Lewis Private Investigations.

3. On June 13, 2023, I was retained to do investigative work for an appeal in the above captioned case. Among other things, I was asked by George Rider to obtain a copy of the arrest warrant and affidavit for his case.

4. On September 18, 2023, I called the clerk's office at the 37th District Court in Warren and requested these documents. A clerk advised me that they would not have these records because once a case is bound over for trial, the file is moved to the Macomb County Circuit Court.

5. On the same day, September 18th, I ordered the records requested by Mr. Rider, on line, from the Macomb County Circuit Court.

6. Eleven days later, on September 29th, I called the circuit court to check on the status of my request. I was advised by a clerk that their office was not in possession of Mr. Rider's file, because it was moved to the Michigan Court of Appeals. The clerk said she didn't know when the file would be returned and I would have to check back with their office.

7. On October 16, 2023, I received an email from the Macomb County Clerk's Office record room stating the following:
We have received your request for documents on 9/18/23. However, the files are still over at the Court of Appeals. We do not know when they will be returned. Thus this request is being deleted. When the files return please submit a new request for documents.

EXHIBIT 1

8. On October 20, 2023, I reached the Michigan Court of Appeals docketing clerk, Stephanie Stockwell, by phone. She stated that Mr. Rider's case was currently before the Michigan Supreme Court, but she did have access to his electronic file. Ms. Stockwell then searched the file. She said that she located a complaint and arrest warrant for Mr. Rider's case, but there was no affidavit in the file. A short time later, Ms. Stockwell emailed me a copy of the complaint and arrest warrant.

9. I subsequently mailed a copy of the documents to George Rider at the Saginaw Correctional Facility.

10. The information in this affidavit is true and accurate. I have not been promised anything, bribed or coerced in any way to make this statement and I am willing to testify under oath in a court of law.

FURTHER, YOUR AFFIANT SAYETH NOT.

Scott Lewis Mischnick

[signature of affiant]
Scott Lewis Mischnick

Subscribed and sworn to before me on Nov. 30, 23, in Manatee County, Florida.
My commission expires: 12/20/2026

Signature: Cara Lane
Notary Public, Florida, County of Manatee

CARA LANE
Notary Public - State of Florida
Commission # HH 339744
My Comm. Expires Dec 20, 2026
Bonded through National Notary Assn.

2017002304 DH

STATE OF MICHIGAN 37A JUDICIAL DISTRICT 16TH JUDICIAL CIRCUIT	COMPLAINT FELONY	CASE NO.: 17-002032 DISTRICT: CIRCUIT:

District Court ORI: MI500025J 8300 Common Road, Warren, MI 48093 586-574-4900	Circuit Court ORI: MI500015J 40 N. Main, Mount Clemens, MI 48043 586-469-5208

Defendant's name and address	Victim or complainant
THE PEOPLE OF THE STATE OF MICHIGAN V GEORGE GERALD RIDER B / M 18736 HUNTINGTON HARPER WOODS, MI 48225	Complaining Witness DET. D. BOZEK
Co-defendant(s) MARCIE GRIFFIN, ERIC GIBSON, GEORGE RIDER	Date: On or about 01/13/2017

City/Twp./Village	County in Michigan	Defendant TCN	Defendant CTN	Defendant SID	Defendant DOB
WARREN	Macomb		50-17002304-01	2108587A	08/28/1958

Police agency report no.	Charge	DLN Type:	Vehicle Type	Defendant DLN
50WRPD 17-2166	See below			R 360 275 275 841

Witnesses

DET. D. BOZEK OIC — APA JURIJ FEDORAK (P46866)

STATE OF MICHIGAN, COUNTY OF MACOMB

The complaining witness says that on the date and at the location described, the defendant, contrary to law,

COUNT 1: HOMICIDE - MURDER FIRST DEGREE - PREMEDITATED

did deliberately, with the intent to kill, and with premeditation, kill and murder one Julii Johnson; contrary to MCL 750.316. [750.316-A]

FELONY: Life without parole; DNA to be taken upon arrest.

Upon conviction of a felony or an attempted felony court shall order law enforcement to collect DNA identification profiling samples.

The complaining witness asks that defendant be apprehended and dealt with according to law.

Warrant authorized on 1/22/17
Date

by:

Jurij Fedorak P46866
Prosecuting official

D. Bozek #462
Complaining Witness Signature

FEB 23 2017

Subscribed and sworn to before me on _____ Date

Judge/Court Clerk/Magistrate

CIRCUIT COURT COPY

EXHIBIT 2

2017002304 DH

STATE OF MICHIGAN 37A JUDICIAL DISTRICT 16TH JUDICIAL CIRCUIT	WARRANT FELONY	CASE NO.: 17-002032 DISTRICT: CIRCUIT: 17171418

District Court ORI: MI500025J 8300 Common Road, Warren, MI 48093 586-574-4900	Circuit Court ORI: MI500015J 40 N. Main, Mount Clemens, MI 48043 586-469-5208

Defendant's name and address THE PEOPLE OF THE STATE OF MICHIGAN V GEORGE GERALD RIDER B / M 18736 HUNTINGTON HARPER WOODS, MI 48225	Victim or complainant Complaining Witness DET. D. BOZEK
Co-defendant(s) MARCIE GRIFFIN, ERIC GIBSON, GEORGE RIDER	Date: On or about 01/13/2017

City/Twp./Village	County in Michigan	Defendant TCN	Defendant CTN	Defendant SID	Defendant DOB
WARREN	Macomb		50-17002304-01	2108587A	06/28/1958

Police agency report no.	Charge	DLN Type:	Vehicle Type	Defendant DLN
50WRPD 17-2166	See below			R 360 275 275 644 505

Witnesses

DET. D. BOZEK OIC — APA JURIJ FEDORAK (P46866)

STATE OF MICHIGAN, COUNTY OF MACOMB

To any peace officer or court officer authorized to make arrest: The complaining witness has filed a sworn complaint in this court stating that on the date and the location described above, the defendant, contrary to law,

COUNT 1: HOMICIDE - MURDER FIRST DEGREE - PREMEDITATED
did deliberately, with the intent to kill, and with premeditation, kill and murder one Julii Johnson; contrary to MCL 750.316. [750.316-A]
FELONY: Life without parole; DNA to be taken upon arrest.

Upon conviction of a felony or an attempted felony court shall order law enforcement to collect DNA identification profiling samples.

Upon examination of the complaining witness, I find that the offense charged was committed and that there is probable cause to believe that defendant committed the offense. THEREFORE, IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN, I order you to arrest and bring defendant before the _____ District Court immediately.

☐ The defendant may be released before arraignment if $_____ is posted as interim bail by _____.
Date

Date FEB 22 2017 (SEAL) Judge/Magistrate P56L4 Bar no.

See attached return.

COURT COPY

2017002302 am

STATE OF MICHIGAN 37A JUDICIAL DISTRICT 16TH JUDICIAL CIRCUIT	INFORMATION FELONY	CASE NO.: 17-3421-FC DISTRICT: CIRCUIT:

District Court ORI: MI500025J
8300 Common Road, Warren, MI 48093 586-574-4900

Circuit Court ORI: MI500015J
40 N. Main, Mount Clemens, MI 48043 586-469-5208

	Defendant's name and address	Victim or complainant
THE PEOPLE OF THE STATE OF MICHIGAN	V MARCIE TASHONNIE GRIFFIN B / F 17777 EGO EASTPOINTE, MI 48021	Complaining Witness DET. D. BOZEK
Co-defendant(s) MARCIE GRIFFIN, ERIC GIBSON, GEORGE RIDER		Date; On or about 01/13/2017

City/Twp./Village	County in Michigan	Defendant TCN	Defendant CTN	Defendant SID	Defendant DOB
WARREN	Macomb	AM17054009P	50-17002302-01	1865325L	02/13/1971

Police agency report no.	Charge	DLN Type:	Vehicle Type	Defendant DLN
50WRPD 17-2166	See below			G 615 585 785 116

Witnesses
DET. D. BOZEK OIC

APA JURIJ FEDORAK (P46866)

STATE OF MICHIGAN, COUNTY OF MACOMB

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: The prosecuting attorney for this county appears before the court and informs the court that on the date and at the location described above, the defendant:

COUNT 1: HOMICIDE - MURDER FIRST DEGREE - PREMEDITATED
did deliberately, with the intent to kill, and with premeditation, kill and murder one Julii Johnson; contrary to MCL 750.316. [750.316-A]
FELONY: Life without parole; DNA to be taken upon arrest.

Upon conviction of a felony or an attempted felony court shall order law enforcement to collect DNA identification profiling samples.

and against the peace and dignity of the State of Michigan.

9-20-17
Date

Prosecuting Attorney
By: Joshua D. Abbott
Joshua D. Abbott
P53528

CIRCUIT COURT COPY

MEMBERS
ALAN GERSHEL
CHAIRPERSON
PETER A. SMIT
VICE-CHAIRPERSON
REV. DR. LOUIS J. PRUES
SECRETARY
LINDA M. ORLANS
JASON M. TURKISH
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STATE OF MICHIGAN
ATTORNEY DISCIPLINE BOARD

333 WEST FORT STREET, SUITE 1700
DETROIT, MICHIGAN 48226-3147
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WENDY A. NEELEY
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March 10, 2026

George Gerald Rider, #155733
Thumb Correctional Facility
3225 John Conley Dr.
Lapeer, MI 48446

Re: Attorney Suzanna Kostovski, P 39535

Dear Mr. Rider:

I am writing in response to your correspondence, which was received by this office on March 5th, 2026, regarding the above referenced attorney. Please be advised that I have checked the records of the Attorney Discipline Board and found that Ms. Kostovski has been the subject of two (2) discipline matters. I have enclosed the notices of discipline issued by this office for those matters.

- *Grievance Administrator v Suzanna Kostovski,* 22-10-GA
  - Notice of 90-Day Suspension with Conditions
- *Grievance Administrator v Suzanna Kostovski,* 24-66-GA
  - Notice of 180-Day Suspension with Reprimand

There is also one (1) matter pending which has not been concluded at the time of sending of this response letter:

- *Grievance Administrator v Suzanna Kostovski,* 25-97-GA

Please feel free to contact this office should you need anything further. Thank you.

Very truly yours,

/s/ Chelsea Montgomery

enclosures

EXHIBIT 3

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NOTICE OF SUSPENSION AND RESTITUTION

Case No. 24-66-GA

Notice Issued: April 3, 2025

Suzanna Kostovski, P 39535, Washington, Michigan

Suspension - 180 Days, Effective April 3, 2025[1]

After proceedings conducted pursuant to MCR 9.115, Tri-County Hearing Panel #21 found that respondent committed professional misconduct as alleged in the five-count formal complaint. Specifically, the panel found that respondent failed to exercise reasonable diligence and neglected four separate client matters; failed to adequately communicate with those clients and keep them reasonably informed; failed to surrender clients' files and failed to refund an unearned fee; and engaged in the practice of law while her license was suspended, and otherwise failed to comply with the requirements of her order of suspension.

The panel found that respondent handled a legal matter without preparation adequate in the circumstances, in violation of MRPC 1.1(b) [Count One]; neglected a legal matter entrusted to the lawyer, in violation of MRPC 1.1(c) [Counts One through Four]; failed to seek the lawful objectives of a client through reasonably available means permitted by law, in violation of MRPC 1.2(a) [Counts One through Four]; failed to act with reasonable diligence and promptness, in violation of MRPC 1.3 [Counts Two, Three, Four]; failed to keep a client reasonably informed about the status of a matter and comply with reasonable requests for information, in violation of MRPC 1.4(a) [Counts One through Four]; failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b) [Counts One through Four]; failed to communicate the basis or rate of her fee, in violation of MRPC 1.5(b) [Count Four]; upon termination of representation, failed to take reasonable steps to protect a client's interests, such as surrendering papers to which the client is entitled and refunding an unearned fee, in violation of MRPC 1.16(d) [Counts Two, Four]; engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b) [Count Five]; violated an order of discipline, in violation of MCR 9.104(9) [Count Five]; failed to provide the required notification to all active clients of her order of suspension, and in those cases in which she provided the notice, failed to timely provide the notice, in violation of MCR 9.119(A) [Count Five]; failed to provide the required notice to all tribunals and

[1]Respondent's license to practice law in Michigan has been continuously suspended since December 14, 2023. See Notice of Suspension With Conditions (By Consent), issued on December 18, 2023, in *Grievance Administrator v Suzanna Kostovski*, 22-10-GA.

parties of her disqualification from the practice of law, and in those cases in which she provided the notice, failed to timely provide the notice, in violation of MCR 9.119(B) [Count Five]; practiced law while her license was suspended, in violation of MCR 9.119(E)(1) [Count Five]; communicated with clients while her license was suspended, in violation of MCR 9.119(E)(2) [Count Five]; and held herself out as an attorney while her license was suspended, in violation of MCR 9.119(E)(4) [Count Five]. The panel further found that respondent's conduct violated MCR 9.104(1)-(3) [Counts One through Five]; and MRPC 8.4(a) and (c) [Counts One through Five].

The panel ordered that respondent's license to practice law in Michigan be suspended for 180 days, effective April 3, 2025, and that she pay restitution totaling $8,500.00. Costs were assessed in the amount of $2,777.14.

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NOTICE OF SUSPENSION WITH CONDITIONS
(By Consent)

Case No. 22-10-GA

Notice Issued: December 18, 2023

Suzanna Kostovski, P 39535, Detroit, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #5

Suspension - 90 Days, Effective December 14, 2023

Respondent and the Grievance Administrator filed a Stipulation for Consent Order of Discipline, pursuant to MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The stipulation contained respondent's admissions to all of the factual allegations and respondent's plea of no contest to all of the allegations of professional misconduct set forth in the four-count formal complaint.

Specifically, the panel found in Count One that, while acting as appointed counsel in post-conviction proceedings, respondent communicated sporadically with her client and failed to file pleadings as instructed by the court. In Count Two, the panel found that, while acting as appointed appellate counsel, respondent had minimal communication with her client and, filed a delayed application for leave to appeal brief that was nonconforming in that it failed to contain citations to the trial court record as required.

The panel found in Count Three that, while acting as substitute appellate counsel, respondent failed to file a supplemental brief provided to her by her client in July 2019, until April 2020, at which time respondent had to also file a motion to file a late brief. The motion was denied by the Court of Appeals, in part because it did not provide any explanation for the delay, and did not cite any law. The panel found in Count Four that, while acting as appointed counsel in post-conviction proceedings, respondent failed to communicate with her client, failed to take any action on his behalf for fourteen months, and eventually had to be replaced by the State Appellate Defender's Office.

Based on respondent's admissions, plea of no contest, and the stipulation of the parties, the panel found that respondent handled a legal matter without preparation adequate in the circumstances, in violation of MRPC 1.1(b) (Counts Two and Three); neglected a legal matter entrusted to the lawyer, in violation of MRPC 1.1(c) (Counts One and Four); failed to seek the

lawful objectives of a client through reasonably available means permitted by law, in violation of MRPC 1.2(a) (Counts One-Four); failed to act with reasonable diligence and promptness, in violation of MRPC 1.3 (Counts One-Four); failed to keep a client reasonably informed about the status of a matter and comply with reasonable requests for information, in violation of MRPC 1.4(a) (Counts One-Four); failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b) (Counts One-Four); violated or attempted to violate the Rules of Professional Conduct, in violation of MRPC 8.4(a) (Counts One-Four); engaged in conduct prejudicial to the administration of justice, in violation of MCR 9.104(1) and MRPC 8.4(c) (Counts One-Four); engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2) (Counts One-Four); and, engaged in conduct contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3) (Counts One-Four).

In accordance with the stipulation of the parties, the hearing panel ordered that respondent's license to practice law in Michigan be suspended for 90 days and that she be subject to conditions relevant to the established misconduct, effective December 1, 2023. Respondent subsequently filed a motion requesting that the order of suspension be amended to extend the effective date to December 14, 2023. The Grievance Administrator had no objection. The panel granted respondent's motion in an order issued December 1, 2023. Total costs were assessed in the amount of $1,047.96.

STATE OF MICHIGAN
IN THE MACOMB COUNTY CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff,

File No. 2017-003420-FC
-vs- Hon. Joseph Toia

GEORGE GERALD RIDER-BEY,
Defendant.
_____/

AFFIDAVIT OF GEORGE GERALD RIDER-BEY

NOW COMES, George Gerald Rider-Bey, being duly sworn and deposed, and says:

1. I am above the age of 18 and am competent to make this Affidavit.

2. I am the Defendant in the above named action, and make this Affidavit of my own free will.

3. I declare that I am innocent of the crime I was charged with and can support my position via my alibi witness, Amir A. Rider, by and through his Affidavit as EXHIBIT "B."

4. My retained Defense Counsel, Suzanna Kostovski, abandoned all legal representation after being approached by Federal agents who informed her that I was a suspected murderer with multiple victims. This was her first Conflict of Interest." See Affidavit of Scott Lewis Mischnick which is EXHIBIT "C." See also Motion Transcript as EXHIBIT "H."

5. The second "Conflict of Interest" came about over money. After negotiations, she was paid extra, but her performance failed as disclosed in the arguments outlined in the simultaneously filed Motion for Relief from Judgment Based on Newly Discovered Evidence.

6. When I requested new Defense Counsel, the Trial Court refused to conduct the Ginther Hearing. See Transcript as EXHIBIT "D."

7. Defense Counsel did not object to Police Officer Brandon Roy's false statements to obtain Search Warrants to cell phone data which became the basis for confiscating the cell phones in Defendant's possession, under the guise of securing valuable information pertinent to the murder EXHIBIT "E," none of the cellphones

EXHIBIT 4

provided any information leading to or confirming the murder whatsoever. See Scott Lewis Meschnick's Affidavit as EXHIBIT "C," and Evidentiary Hearing Transcript as EXHIBIT "G."

8. Although Defense Counsel informed the Jury that I had three witnesses, not one was called, and no Notice of Alibi under MCL 768.20 was filed with the Court. See Scott Lewis Mischnick's Affidavit as EXHIBIT "C," and Jury Trial Transcript as EXHIBIT "F."

9. The Affidavit of Lawrence Rider-El which is EXHIBIT "I," outlines the fact that I was not involved in the murder in any way as sworn to by Detective Bozek as in District Court Transcript as EXHIBIT "J." This fact is supported by the Court Order dated July 22, 2024, ordering the prosecution to surrender the Oath and Affidavit prepared by Detective Bozek. The Prosecution never provided these documents because they simply do not exist. The Court Order is attached to this Affidavit. I never conspired with anyone to kill anyone at any time for any reason. The Affidavit of Lawrence Rider-El also outlines that all communications using the company cellphone was between Lawrence Rider-El and Marcie Griffin.

10. The sad part here is that Defense Counsel had in her possession the Affidavit of Amir A. Rider, which was Defendant's alibi witness and submitted as EXHIBIT "B."

11. The cell phone issue EXHIBIT "E," that created a remand from the Court of Appeals should never have happened in the first place. See Evidentiary Hearing Transcript dated November 21, 2018 as EXHIBIT "G." See also Scott Lewis Mischnick's Affidavit as EXHIBIT "C," where Defense Counsel equated the cell phone data and the confiscation of the cell phones as one in the same. Even though the Court of Appeals upheld the Trial Court's ruling that exigent circumstances existed, that Court and the Supreme Court never had the complete story as illustrated in the pleading that is before this Honorable Court.

12. Regarding legal representation, I saw Defense Counsel three (3) times for 30-minutes each in the 888-days I was confined in the Macomb County Jail.

13. I saw Appellate Counsel only two (2) times on Zoom for some 30-minutes each time. I was never informed that I had a right to file a Standard 4 Brief under [AO-2004-6], nor did I see the appellate brief before it was filed in the Court of Appeals.

14. If called to testify, I will be willing to testify to the facts contained in this Affdavit.

Under the penalty of perjury, I declare that the statements herein, and

supporting EXHIBITS and ATTACHMENT to this Affidavit are true to the best of my information and knowledge.

Further, Affiant sayeth not.

Respectfully submitted,

George G. Rider Bey

Dated: May 26, 2026

George Gerald Rider-Bey, 155733
Thumb Correctional Facility
3225 John Conley Drive
Lapeer, MI 48446

Subscribed and sworn to before
me this 26 day of May, 2026.

Rochelle Gallimore

Notary Public
My Commission Expires: 8/22/2029

ROCHELLE GALLIMORE
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Aug 22, 2029
ACTING IN COUNTY OF Lapeer

STATE OF MICHIGAN

SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs. Case No. 2017-3420-FC

GEORGE GERALD RIDER,

Defendant.
_____/

ORDER

Defendant George Gerald Rider ("Defendant") has filed motions for a post-conviction *Brady*[1] hearing, post-conviction *Franks*[2] hearing, post-conviction *Ginther*[3] hearing, and for relief from judgment pursuant to MCR 6.500, *et seq*. Pursuant to MCR 6.501, "a judgment of conviction and sentence entered by the circuit court not subject to appellate review under subchapters 7.200 or 7.300 may be reviewed only in accordance with the provisions of [MCR 6.500]." Here, Defendant's time for filing an appeal has expired. Thus, Defendant's sole recourse is a motion for relief from judgment. Accordingly, the Court will only address Defendant's motion for relief from judgment.

In his motion for relief from judgment, Defendant requests an evidentiary hearing and new trial pursuant to MCR 6.500 and asserts that his appellate counsel was ineffective for failing to raise the following arguments on appeal:

> I. He was denied his constitutional rights of due process and discovery where the prosecution committed a *Brady* violation by withholding the oath and affidavit that led to the issuance of a warrant in violation of the Michigan Rules of Evidence and *Brady*.

[1] *Brady v Maryland*, 373 US 83; 83 S Ct 1194; 10 L Ed 215 (1963).
[2] *Franks v Delaware*, 438 US 154; 98 S Ct 2674; 57 L Ed 2d 667 (1978).
[3] *People v Ginther*, 390 Mich 436; 212 NW2d 922 (1973).

ATTACHMENT

II. Prosecutorial misconduct where the prosecution knowingly withheld information about the oath given to the magistrate and knew that the oath of Detective Daniel Bozek contained false statements.

III. He was entitled to a *Franks* hearing to determine the veracity of Detective Bozek's statements in the oath and affidavit since the fraudulent and defective warrant led to his illegal arrest.

Lastly, Defendant argues that he is entitled to relief from judgment because the Michigan Supreme Court violated his constitutional rights under Article 6, Section 6 of the Michigan Constitution by failing to provide him with a concise statement of facts in the denial of his application for leave to appeal.

Pursuant to MCR 6.504(B)(4) and MCR 6.506, the Court hereby orders the Prosecuting Attorney to file a response to Defendant's arguments contained in his motion for relief from judgment within 60 days of this Order. The Court also requests that the Prosecuting Attorney provide a copy of the any oath and affidavit prepared by Detective Bozek. *See* MCR 6.504(B)(1). Until all matters are resolved, this case remains OPEN. MCR. 2.602(A)(3).

IT IS SO ORDERED.

COUNTY OF MACOMB · STATE OF MICHIGAN

HON. JOSEPH TOIA, CIRCUIT COURT JUDGE

Dated: July 22, 2024
Cc: Attorneys of record - via eservice.