FILED by Macomb County Circuit Court
8/24/2026

STATE OF MICHIGAN

SIXTEENTH JUDICIAL CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs. Case No. 2017-3420-FC

GEORGE GERALD RIDER,

Defendant.

_____/

OPINION AND ORDER

Defendant George Gerald Rider ("Defendant") has filed a motion to enforce court order.

Factual and Procedural History

In this case, Defendant was found guilty following a jury trial of first-degree premeditated murder. On July 31, 2019, Defendant was sentenced to life imprisonment without parole. On August 7, 2019, Defendant appealed his conviction, which included an argument that his counsel was ineffective for failing to argue that the warrant issued did not authorize seizure of his phone. The Michigan Court of Appeals denied Defendant's appeal as to all issues except ineffective assistance of counsel. See *People v Rider*, unpublished per curiam opinion of the Court of Appeals, issued August 18, 2022 (Docket No. 350096). The matter was remanded for an evidentiary hearing to determine whether defense counsel's deficient performance had a reasonable probability of affecting the outcome of Defendant's trial. *Id.*

On remand, this Court found that the exigent circumstances exception to the warrant requirement applies and that Defendant was thus unable to establish that his defense counsel's deficient performance had a reasonable probability of affecting the outcome of the trial. On June

1, 2023, the Court of Appeals affirmed this Court's finding. See *People v Rider*, unpublished per curiam opinion of the Court of Appeals, issued June 1, 2023 (Docket No. 350096). On April 29, 2024, the Michigan Supreme Court denied Defendant's application for leave to appeal.

On June 25, 2024, Defendant filed motions for a post-conviction *Brady* hearing, post-conviction *Franks* hearing, post-conviction *Ginther* hearing, and for relief from judgment. In his motion for relief from judgment, Defendant argued that his counsel was ineffective for failing to raise the following three issues on appeal. First, that the prosecution committed a *Brady* violation by withholding the oath and affidavit of Detective Bozek that led to the issuance of his arrest warrant. Second, that the prosecutor committed misconduct by knowingly withholding information about the oath given to the magistrate and knowing that the oath contained false statements. Third, that he was entitled to a *Franks* hearing to determine the veracity of the statements in the oath and affidavit. Defendant also argued that the Michigan Supreme Court violated his constitutional rights by failing to provide him with a concise statement of facts in the denial of his application for leave to appeal.

On July 22, 2024, the Court entered an Order finding that Defendant's sole recourse was a motion for relief from judgment and ordered the prosecution to file a response to the arguments contained in Defendant's motion for relief from judgment. The Order also requested that the prosecution provide a copy of any oath and affidavit prepared by Detective Bozek. On September 23, 2024, the People filed a response in opposition to Defendant's motion for relief from judgment.

On September 26, 2024, the Court issued its Opinion and Order denying Defendant's motion for relief from judgment. In the Opinion and Order, the Court found, *inter alia*, that Defendant failed to establish that the prosecution suppressed evidence of the oath and affirmation of Detective Bozek because Defendant's arrest warrant was issued following a February 22, 2017

hearing to authorize the warrant in the 37th District Court. The District Court orally heard the sworn statements of Detective Bozek and found that probable cause had been established. The Court also found that irrespective of whether there were errors associated with the warrant, Defendant was not entitled to relief because "a court's jurisdiction to try an accused person cannot be challenged on the ground that physical custody of the accused was obtained in an unlawful manner." *People v Muhammad*, 326 Mich App 40, 72; 931 NW2d 20 (2018). Defendant's motion for reconsideration was denied on October 31, 2024.

Defendant then filed a delayed application for leave to appeal to the Michigan Court of Appeals. On August 25, 2025, the Michigan Court of Appeals denied the delayed application finding that Defendant failed to establish that the Court erred in denying the motion for relief from judgment. The Court of Appeals also denied Defendant's motion for reconsideration. In March 2026, Defendant filed a second motion for relief from judgment and an amended motion for relief from judgment. On April 16, 2026, the Court entered its Opinion and Order denying Defendant's second motion for relief from judgment. Defendant has now filed his instant motion to enforce the July 22, 2024 Order requesting that the prosecution provide a copy of any oath and affidavit prepared by Detective Bozek.

Arguments & Analysis

Defendant contends that the prosecution failed to provide a copy of the oath and affidavit prepared by Detective Bozek, as ordered by the Court's July 22, 2024 Order. Defendant also argues that the Court's September 26, 2024 Opinion and Order denying his motion for relief from judgment was impermissibly based on reasoning not argued by Defendant in his motion. Defendant also requests an evidentiary hearing pursuant to MCR 6.507(A) and MCR 6.508(C) and for the Court to appoint counsel under MCR 6.505(A).

Pursuant to MCL 600.611, "[c]ircuit courts have jurisdiction and power to make any order proper to fully effectuate the circuit court's jurisdiction and judgments." In the Court's July 22, 2024 Order, the Court ordered the prosecution to file a response addressing each argument presented in Defendant's motion for relief from judgment and requested that the prosecution provide a copy of any oath and affidavit prepared by Detective Bozek. In response, the People established that Defendant's arrest warrant was issued following a February 22, 2017 hearing to authorize the warrant in the 37th District Court. The hearing transcript was presented by Defendant. *See* Defendant's June 25, 2024 motion for relief from judgment, Attachment B. Thus, it was established that the hearing transcript formed the basis for the arrest warrant, which was permitted pursuant to MCR 6.102(B). *See* September 26, 2024 Opinion and Order.

Further, Defendant already argued in his motion for reconsideration of the September 26, 2024 Opinion and Order that the Court committed palpable error in denying his motion for relief from judgment because the prosecution failed to provide the oath and affidavit of Detective Bozek. In denying Defendant's motion for reconsideration, the Court found that there is no evidence that Detective Bozek prepared an affidavit. *See* October 31, 2024 Opinion and Order. Consequently, the prosecution complied with the July 22, 2024 Order and the findings of the Court were directly related to Defendant's arguments made in his motion for relief from judgment.

The Court also found merit in the People's argument that Defendant was not entitled to relief irrespective of whether there were errors associated with the warrant, which was directly related to Defendant's arguments regarding the testimony of Detective Bozek. *See* the Court's September 26, 2024 Opinion and Order. Therefore, even if some other oath and affidavit existed outside of the February 22, 2017 hearing transcript, for which there is no evidence, the Court properly found that Defendant's appellate counsel was not ineffective. Accordingly, the Court

finds that the prosecution did not violate the order of the Court and Defendant fails to establish that he is entitled to any relief.

Conclusion

For the reasons stated above, Defendant's motion to enforce court order is DENIED. Pursuant to MCR 2.602(A)(3), this Opinion and Order resolves the last pending claim and this case remains CLOSED.

IT IS SO ORDERED.

HON. JOSEPH TOIA, CIRCUIT COURT JUDGE

Dated: August 24, 2026
Cc: Attorneys of record - via eservice.