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APPEAL

**U.S. District Court
Eastern District of Michigan (Port Huron)
CIVIL DOCKET FOR CASE #: 3:20-cv-12129-RHC-RSW**

Reed-Pratt v. Winfrey et al
Assigned to: District Judge Robert H. Cleland
Referred to: Magistrate Judge R. Steven Whalen
Cause: 28:1331 Fed. Question

Date Filed: 08/09/2020
Jury Demand: Plaintiff
Nature of Suit: 441 Civil Rights: Voting
Jurisdiction: Federal Question

Plaintiff**Leigh Reed-Pratt**

represented by **Andrew A. Paterson , Jr.**
46350 Grand River Ave.
Novi, MI 48374
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ATTORNEY TO BE NOTICED

V.

Defendant**Janice Winfrey**

represented by **James D. Nosedá**
Detroit City Law Department
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Suite 1650
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Defendant**Detroit Election Commission**

represented by **James D. Nosedá**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**Detroit Department of Elections**

represented by **James D. Nosedá**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text

08/09/2020	1	COMPLAINT filed by Leigh Reed-Pratt against All Defendants with Jury Demand. Plaintiff requests summons issued. Receipt No: AMIEDC-7976517 - Fee: \$ 400. County of 1st Plaintiff: Wayne - County Where Action Arose: Wayne - County of 1st Defendant: Wayne. [Previously dismissed case: United States District Court Eastern District of Michigan, 20-cv-11991, Judge Matthew Leitman] [Possible companion case(s): None] (Paterson, Andrew) (Entered: 08/09/2020)
08/10/2020	2	Emergency MOTION for Temporary Restraining Order <i>or in the Alternative, Motion for Preliminary Injunction with Respect to Count I</i> by Leigh Reed-Pratt. (Paterson, Andrew) (Entered: 08/10/2020)
08/10/2020	3	INDEX of Exhibits re 2 Emergency MOTION for Temporary Restraining Order <i>or in the Alternative, Motion for Preliminary Injunction with Respect to Count I</i> by Leigh Reed-Pratt <i>Affidavits in Support from Plaintiff and Nonparty Robert Davis will be filed separately</i> (Attachments: # 1 Exhibit Ex. B- Letter and Unsolicited Absentee Voter Application Defendants Mailed Plaintiff Reed-Pratt, # 2 Exhibit Ex. C- Approved Minutes from Defendant Detroit Election Commission's May 14, 2020 Meeting, # 3 Exhibit Ex. D- Published Michigan Court of Appeals' July 14, 2020 Opinion in League of Women Voters v Secretary of State, # 4 Exhibit Ex. E- Michigan Supreme Court's July 31, 2020 Order denying leave to appeal in League of Women Voters v Secretary of State) (Paterson, Andrew) (Entered: 08/10/2020)
08/11/2020		A United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at http://www.mied.uscourts.gov (LGra) (Entered: 08/11/2020)
08/11/2020	4	SUMMONS Issued for *Detroit Department of Elections* (LGra) (Entered: 08/11/2020)
08/11/2020	5	SUMMONS Issued for *Detroit Election Commission* (LGra) (Entered: 08/11/2020)
08/11/2020	6	SUMMONS Issued for *Janice Winfrey* (LGra) (Entered: 08/11/2020)
08/11/2020	7	RESPONSE to 2 Emergency MOTION for Temporary Restraining Order <i>or in the Alternative, Motion for Preliminary Injunction with Respect to Count I</i> filed by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1, # 3 Exhibit 2) (Nosed, James) (Entered: 08/11/2020)
08/11/2020	8 	ORDER DENYING IN PART Plaintiff's 2 Emergency MOTION for Temporary Restraining Order <i>or in the Alternative, Motion for Preliminary Injunction with Respect to Count I</i> ; DIRECTING Plaintiff to Serve Defendants and Setting Hearing : (Response due by 8/17/2020, Motion Hearing set for 8/19/2020 02:00 PM before District Judge Robert H. Cleland) (A Separate Zoom Webinar Notice to be issued) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 08/11/2020)
08/11/2020	9	NOTICE OF HEARING BY VIDEO CONFERENCE on 2 Emergency MOTION for Temporary Restraining Order <i>or in the Alternative, Motion for Preliminary Injunction with Respect to Count I</i> . Motion Hearing set for 8/19/2020 02:00 PM before District Judge Robert H. Cleland Zoom Webinar Information: https://zoom.us/j/92818845066?pwd=N3Q4djhvc0JDVDZoRDUxc0MybVB0Zz09 Passcode: 415976 Or iPhone one-tap : US: +13017158592,,92818845066#,,,,,0#,,415976# or +13126266799,,92818845066#,,,,,0#,,415976# (LWag) (Entered: 08/11/2020)
08/11/2020	10	AFFIDAVIT of Robert Davis re 1 Complaint,, 2 Emergency MOTION for Temporary Restraining Order <i>or in the Alternative, Motion for Preliminary Injunction with Respect to Count I</i> by Leigh Reed-Pratt (Paterson, Andrew) (Entered: 08/11/2020)

08/12/2020	<u>11</u>	AFFIDAVIT re <u>1</u> Complaint,, <u>2</u> Emergency MOTION for Temporary Restraining Order or in the Alternative, Motion for Preliminary Injunction with Respect to Count I by Leigh Reed-Pratt (Paterson, Andrew) (Entered: 08/12/2020)
08/12/2020	<u>12</u>	Ex Parte MOTION for Order to Show Cause <i>why Defendants Should Not Be Held In Criminal Contempt Under Michigan Law Pursuant to MCR 3.606(A)</i> by Leigh Reed-Pratt. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Ex. A- Asst. Attorney General Heather Meingast Email to Activist Robert Davis) (Paterson, Andrew) (Entered: 08/12/2020)
08/12/2020	<u>13</u>	EXHIBIT <i>Exhibit B- Michigan Court of Claims' Opinion and Order denying motion for preliminary injunction in the matter of Cooper-Keel v Benson re absentee ballot apps</i> re <u>12</u> Ex Parte MOTION for Order to Show Cause <i>why Defendants Should Not Be Held In Criminal Contempt Under Michigan Law Pursuant to MCR 3.606(A)</i> by Leigh Reed-Pratt (Paterson, Andrew) (Entered: 08/12/2020)
08/13/2020	<u>14</u>	CERTIFICATE of Service/Summons Returned Executed. Janice Winfrey served on 8/12/2020, answer due 9/2/2020. (Paterson, Andrew) (Entered: 08/13/2020)
08/13/2020	<u>15</u>	CERTIFICATE of Service/Summons Returned Executed. Detroit Election Commission served on 8/12/2020, answer due 9/2/2020. (Paterson, Andrew) (Entered: 08/13/2020)
08/13/2020	<u>16</u>	CERTIFICATE of Service/Summons Returned Executed. Detroit Department of Elections served on 8/12/2020, answer due 9/2/2020. (Paterson, Andrew) (Entered: 08/13/2020)
08/13/2020	<u>17</u> R	ORDER DENYING <u>12</u> ExParte Motion for an Order to Show Cause and ADJOURNING Preliminary Injunction Hearing; ORDER for Leigh Reed-Pratt to Show Cause why the entire case should not be stayed or dismissed without prejudice pursuant to issues of comity, federalism and abstention and why the court should not decline to exercise supplemental jurisdiction over Count II and dismiss it without prejudice.(Plaintiff's Show Cause Response due by 8/24/2020; Defendants' Responsive Brief due by 8/31/2020) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 08/13/2020)
08/14/2020	<u>18</u>	Emergency MOTION for Reconsideration re <u>17</u> R Order,,, Order to Show Cause,, of the Court's August 13, 2020 Order (ECF No. 17) by Leigh Reed-Pratt. (Attachments: # <u>1</u> Exhibit Exhibit A- Stipulated Order Dismissing Without Prejudice A Felon's Crusade's State-Court Action, # <u>2</u> Exhibit Exhibit B- Register of Actions for A Felon's Crusade's State-Court Action, # <u>3</u> Exhibit Exhibit C- Email Chain Between Attorneys Paterson and Nosedá) (Paterson, Andrew) (Entered: 08/14/2020)
08/14/2020	<u>19</u> R	AMENDED COMPLAINT with Jury Demand <i>First-Amended Complaint</i> filed by Leigh Reed-Pratt against All Defendants. NO NEW PARTIES ADDED . (Paterson, Andrew) (Entered: 08/14/2020)
08/14/2020	<u>20</u>	EXHIBIT <i>Wayne County Circuit Court Chief Judge Tim Kenny's Signed Order Dismissing Without Prejudice A Felon's Crusade's State-Court Action Against Defendants Winfrey, Detroit Election Commission, and Detroit Department of Elections</i> re <u>18</u> Emergency MOTION for Reconsideration re <u>17</u> R Order,,, Order to Show Cause,, of the Court's August 13, 2020 Order (ECF No. 17) by Leigh Reed-Pratt (Paterson, Andrew) (Entered: 08/14/2020)
08/17/2020	<u>21</u>	RESPONSE TO ORDER TO SHOW CAUSE by Leigh Reed-Pratt. (Attachments: # <u>1</u> Exhibit Exhibit A- Wayne Co. Circuit Court Chief Judge Tim Kenny's Signed Stipulated Order Dismissing Without Prejudice A Felon's Crusade's State-Court Action) (Paterson, Andrew) (Entered: 08/17/2020)

08/17/2020	22 R	ORDER DENYING 18 Emergency MOTION for Reconsideration; ORDER to Show Cause why the court should not decline to exercise supplemental jurisdiction over Counts II and III and dismiss them without prejudice.(Show Cause Response due by 8/24/2020 AND SETTING a (TELEPHONIC Status Conference for 8/18/2020 03:30 PM before District Judge Robert H. Cleland , (SEE ORDER FOR DETAILS) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 08/17/2020)
08/18/2020	23	RESPONSE to 18 Emergency MOTION for Reconsideration re 17 R Order,,, Order to Show Cause,, <i>of the Court's August 13, 2020 Order (ECF No. 17)</i> filed by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit) (Nosedal, James) (Entered: 08/18/2020)
08/18/2020		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 8/18/2020. Disposition: Order to Enter (LWag) (Entered: 08/18/2020)
08/19/2020	24 R	ORDER ADJOURNING without date the hearing on Plaintiff's request for a preliminary injunction, ADJOURNING without date deadline for a responsive pleading and THIRD ORDER for Leigh Reed-Pratt to Show Cause why the entire case should not be stayed or dismissed without prejudice pursuant to issues of comity, federalism and abstention..(Show Cause Response due by 8/24/2020, Defendants' responsive brief due by 8/31/2020) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 08/19/2020)
08/19/2020		TEXT-ONLY ORDER re 22 R Order, 23 Response to Motion, filed by Detroit Department of Elections, Janice Winfrey, Detroit Election Commission. -- Concerning the parties earlier statements concerning the existence or absence of a date for hearing dispositive motions in state court (Chief Judge Kenny presiding), the court acknowledges Defendants response addressing Plaintiffs allegation that Defendants had intentionally misled this court; the court notes Defendants explanation of the motion date-setting process in state court. The court has no further need for information on this issue and sees no basis to criticize Defendants statements about the state court motion hearing date. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 08/19/2020)
08/20/2020	25	RESPONSE TO ORDER TO SHOW CAUSE <i>Plaintiff Reed-Pratt does not oppose the Court declining to exercise supplemental jurisdiction over the state-law claims and Plaintiff prays and requests the Court to IMMEDIATELY enter an order dismissing without prejudice the state-law claims Counts II and III</i> by Leigh Reed-Pratt. (Paterson, Andrew) (Entered: 08/20/2020)
08/23/2020	26	RESPONSE TO ORDER TO SHOW CAUSE <i>Response to Court's Third Order to Show Cause Dated August 19, 2020 (ECF No.24) Addressing Colorado River Abstention Doctrine</i> by Leigh Reed-Pratt. (Attachments: # 1 Index of Exhibits, # 2 Exhibit Ex. A- Michigan Court of Claims Judge Cynthia Stephens June 18, 2020 Opinion and Order denying preliminary injunctions in consolidated Court of Claims cases re SOS Benson's authority and powers, # 3 Exhibit Ex. B- Assistant Attorney General Meingast's Email to Robert Davis, # 4 Exhibit Ex. C- Minutes from Defendant Detroit Election Commission Meeting, # 5 Exhibit Ex. D- Unsolicited Absentee voter application Plaintiff Reed-Pratt received from Defendants, # 6 Exhibit Ex. E- Verified Complaint Filed in Activist Robert Davis' Court of Claims case against Secretary of State Benson) (Paterson, Andrew) (Entered: 08/23/2020)
08/31/2020	27	RESPONSE TO ORDER TO SHOW CAUSE by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A, # 3 Exhibit b, # 4 Exhibit c, # 5 Exhibit d, # 6 Exhibit e, # 7 Exhibit f, # 8 Exhibit g) (Nosedal, James) (Entered: 08/31/2020)

09/02/2020	28	Emergency MOTION for Leave to File <i>Reply Brief Not to Exceed 5 Pages</i> by Leigh Reed-Pratt. (Attachments: # 1 Exhibit Exhibit A- Michigan Court of Claims Judge Cynthia Stephens' August 25, 2020 Opinion and Order, # 2 Exhibit Exhibit B- August 27, 2020 Order of the Michigan Court of Appeals Granting Robert Davis' Motion to Expedite Appeal, # 3 Exhibit Exhibit C- August 28, 2020 Amended Order of Court of Appeals Granting Robert Davis' motion to expedite appeal and setting expedited briefing and submission schedule, # 4 Exhibit Exhibit D- August 31, 2020 Letter from Michigan Court of Appeals informing parties in Robert Davis state-court appeal of date of submission for decision) (Paterson, Andrew) (Entered: 09/02/2020)
09/09/2020	29 R	OPINION AND ORDER DISMISSING WITHOUT PREJUDICE Plaintiff's State Claims, STAYING Plaintiff's Federal Claim and DENYING 28 Emergency Motion for Leave to File a Reply Brief. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 09/09/2020)
09/10/2020	30	NOTICE OF APPEAL by Leigh Reed-Pratt re 29 R Order on Motion for Leave to File. Receipt No: AMIEDC-8037350 - Fee: \$ 505 - Fee Status: Fee Paid. (Attachments: # 1 Exhibit September 9, 2020 Order Granting Stay of Plaintiff's Federal Claims Under Colorado River Abstention Doctrine) (Paterson, Andrew) (Entered: 09/10/2020)
09/10/2020	31	Certificate of Service re 30 Notice of Appeal,. (SOso) (Entered: 09/10/2020)