

RECEIVED

Waterford Twp Board of Trustees
5200 Civic Center Drive
Waterford, Mich 48329

APR 29 2021

Date: 04-23-21**WATERFORD TOWNSHIP
SUPERVISOR'S OFFICE**

RE: APPEAL FOIA REQUEST FOR NON-EXEMPT PUBLIC RECORDS AND LEGAL NOTICE OF INTENT

Dear Waterford Twp Board of Trustees, et al,

PLEASE BE ADVISED. That this is a APPEAL Request under the Michigan Freedom of Information Act, pursuant to the Michigan FOIA Statute, MCL 15.231 et seq to the Honorable Waterford Twp Board of Trustee Members for the immediate release/disclosure of existing non-exempt Public Records that the Waterford PD falsely "arbitrarily and capriciously" asserts(that has been released to the media) "This report is still open and under investigation" signed/dated APRIL 13,2021 by WTPD Typist Clerk 1, CHERI E.A. EVANS that had a legal duty to disclose(see attached) to the Public/Person that is entitled to it by Right, based upon the following:

(1) That the Waterford Police Dept FOIA Coordinator and/or any other Waterford Police Dept Person/Employee/Respondent to deny or release said requested Michigan Public Records, and is defined as a "Public Body", per MCL 15.231

(2) That I/Requester is a "Person" subject to request/obtain/demand a copy of a requested Michigan Public Record from said Public Body, per MCL 15.231.

(3) That I/Requester request a copy of any/all unedited 911 audio recordings from unknown caller(s) to/between the Waterford Twp Police Dept Dispatcher for the date of MARCH 22,2021 at 10-10:30 PM reporting a possible hit-and-run of pedestrian by unknown vehicle in Waterford Mich in area of Dixie Hwy and Telegraph Rd.

(4) That I/Requester request a copy of any/all unedited audio/video dashcam and/or bodycam from the Unknown Waterford Twp Police Officer(s) and Waterford Twp PD Patrol Car(s) that responded on MARCH 22,2021 at approximately 10-10:30 PM to investigate the reporting a possible hit-and-run of pedestrian by unknown vehicle in Waterford Mich in area of Dixie Hwy and Telegraph Rd.

(5) That I/Requester request a copy of any/all unedited private security surveillance videos from the businesses that voluntarily provide security that was collected/obtained by Unknown Waterford

Two Police Officer(s) that responded on MARCH 22,2021 at approximately 10-10:30 PM to investigate the reporting a possible hit-and-run of pedestrian by unknown vehicle in Waterford Mich in area of Dixie Hwy and Telegraph Rd.

(6) That I/Requester request a copy of any/all search warrants obtained by Unknown Waterford Twp Police Officer(s) from Unknown Judge/Magistrate to seize/open this Requester's cell phone and vehicle on MARCH 22-23,2021 to investigate the reporting a possible hit-and-run of pedestrian by unknown vehicle in Waterford Mich in area of Dixie Hwy and Telegraph Rd.

(7) This I/Requester hereby give legal notice to Waterford Township and Waterford Twp PD that I will file a immediate Civil Action FOIA Complaint to seek court-ordered disclosure, and a Federal Class Action Lawsuit for unlawfully seizing my phone in violation of US Supreme Court decision that numerous Waterford Twp Employees/Police will be questioned about a Jury Trial. This is not a game.

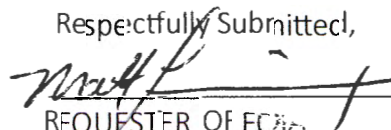
(8) I/Requester will provide blank CDs, DVDs, Flashdrives etc that may be necessary to promptly provide a copy and transfer/convert to blank CDs, DVDs, and Flashdrives for I/Requester to play, via, DVD/CD Player for TV Screen and DVD/CD Player.

(9) That I/Requester claims/states that said demanded Public Records would NOT be exempt, and would unambiguously be released by court-ordered disclosure based upon being arbitrarily and capriciously denied by the Waterford Police Dept. FOIA Coordinator(or Information Officer).

WHEREFORE, I/Requester requests that this Waterford Twp Board of Trustees via Waterford Twp PD FOIA Coordinator honors/grants my Michigan Freedom of Information Act Request(FOIA Request) by promptly collecting and providing me with said Requested Non-Exempt Public Records/Information promptly within FIVE(5) Business Days, or I will deem my Request under the Michigan FOIA arbitrarily and/or capriciously denied and will moveforth by filing a meritorious Complaint For Civil Action for Court-Ordered disclosure, and monetary award pursuant to MCL 15.240 et seq. Since I/Requester has exhausted administrative remedies as all circumstances should dictate and Justice would so demand.

Date: 04-23-21

XC: File

Respectfully Submitted,

REQUESTER OF FOIA
MATTHEW LEMIEUX
C/O BLAKE GROAT
4895 HATCHERY RD.
WATERFORD, MICH 48327



WATERFORD TOWNSHIP

Waterford Police Department
5150 Civic Center Drive
Waterford, MI 48329
www.waterfordmi.gov/police
248-674-0351

April 13, 2021

Matthew Lemieux
c/o Blake Groat
4895 Hatchery Rd
Waterford, MI 48327

Dear Mr. Lemieux

This letter is in response to your Freedom of Information Act Request received on the 12 day of April, 2021

RE: 21-8071

This report is still open and under investigation. On that basis your request has been denied.

For any of your requests that have been denied, or any aspects of this response you consider to be a denial, you have the right to submit a written appeal to the Township Board of Trustees that specifically states the word "appeal" and identifies the reason or reasons for reversal of denial. Appeals should be delivered to the Township Clerk's office at 5200 Civic Center Drive Waterford, Michigan 48329. In addition, you may also seek judicial review of a denial pursuant to MCL15.240, and may have the right to receive attorney's fees and damages as provided in MCL 15.240, if after the judicial review, the circuit court determines that the Township has not complied with MCL 15.235 and orders disclosures of all or a portion of a public record.

Waterford Township's FOIA procedures and guidelines are available free of charge from the Township Clerk's office on the second floor of Township Hall during regular business hours at 5200 Civic Center Drive Waterford, Michigan 48329 or online at:

<http://www.waterfordmilgov/149/Freedom-of-Information-Act-Requests>

Sincerely,

A handwritten signature in black ink, appearing to read "Cheri E.A. Evans". The signature is stylized and cursive.

Cheri E.A. Evans
Typist Clerk-I

cc: Sgt. Will Dolehanty/WTPD Coordinator

"to protect and to serve"