

STATE OF MICHIGAN  
WASHTENAW COUNTY CIRCUIT COURT

PATRICK ZIESKE,  
Plaintiff,

v.

Case No. 12-995-AS  
Hon. Archie C. Brown

WASHTENAW COUNTY BOARD  
OF CANVASSERS, and, LUANN  
KOCH, in her capacity as Clerk  
for Sylvan Township,  
Defendants

\_\_\_\_\_/   
Patrick Zieske, Plaintiff  
In Pro Per  
\_\_\_\_\_/

**DENIAL OF PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY  
RESTRAINING ORDER AND PRELIMINARY INJUNCTION, AND GRANT OF  
MOTION TO SHOW CAUSE**

At a session of the Court  
held in Ann Arbor, Michigan  
on September 19, 2012

This matter was brought by Plaintiff's, Patrick Zieske, Ex Parte Motion for a Temporary Restraining Order, Preliminary Injunction and Show Cause Hearing as to Why a Recount of Sylvan Township's August 7, 2012 Special 4.4 Millage Vote Should Not Take Place.

Plaintiff's request for relief was made pursuant to MCR 3.310. Plaintiff's request was defective in part in that Plaintiff failed to comply with either MCR 3.310(B)(1)(a) or (b). Plaintiff failed to plead with supporting evidence that immediate and irreparable injury, loss or damage will result from the delay required to effect notice. Plaintiff also failed to plead with supporting evidence, certifying to the Court in writing, what efforts have been made to give notice to the adverse party and the reasons supporting the claim that notice should not be required.

IT IS ORDERED, that Defendants, Washtenaw County Board of Canvassers and LuAnn Koch, appear before this Court on Wednesday, October 3, 2012 at 9:00 a.m. to

show cause why this Court should not grant the relief prayed for in Plaintiff's Ex Parte Motion.

IT IS FURTHER ORDERED, that Defendant, LuAnn Koch, bring and produce the ballots cast in the August 7, 2012 election in Sylvan Township to this Court, protecting the security of the ballots.

IT IS FURTHER ORDERED, that Defendant, Washtenaw County Board of Canvassers, shall show cause why it cannot perform a recount of the vote for the 4.4 Millage on the Sylvan Township August 7, 2012 ballot.

IT IS FURTHER ORDERED, that Plaintiff shall serve notice of his pleadings and the date and time of the hearing upon Defendants on or before September 26, 2012.

IT IS FURTHER ORDERED, that Defendants shall serve their responsive pleadings, if any, on or before Monday, October 1, 2012 at 4:00 p.m.

Dated: September 19, 2012

  
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Hon. Archie C. Brown, Circuit Judge