

Fw: HB 5724 (Exhibit #3 of 4) - Introduction to Michigan Court of Appeals Judge Colleen O'Brien

From: defilippispeter@aol.com (defilippispeter@aol.com)

To: msweet@house.mi.gov

Cc: defilippispeter@aol.com

Date: Wednesday, June 12, 2024 at 11:16 AM EDT

Dear Judiciary Chair Breen and Standing Committee Members,

RE: Michigan Court of Appeals ethically challenged Judge Colleen O'Brien

Chair Breen, your fellow bar member, ethically challenged Michigan Court of Appeals ("MCOA") Judge Colleen O'Brien, was permitted to be "randomly assigned by the algorithms of the court's case management system", and on **multiple occasions, to** my dockets at the MCOA, **despite** her blatant and undeniable blatant conflict of interest.

For the record and per the attached **corroborating documentation**, Judge Colleen O'Brien was in private practice with Cumming, McClorey, Davis & Acho ("CMDA") for a period of 17 years before she joined the MCOA. CMDA was the law firm representing the Defendants of my dockets, the Redford Police Department.

As you know, it is common practice in business and legal communities to **avoid even the appearance of impropriety**. Ostensibly Judge O'Brien disagrees with this statement if it interferes with her self-interests, as she did not even afford me the courtesy and respect to notify me of her "*prior involvement*" with the CMDA via a Letter of Disclosure. Judge O'Brien's blatant and unconscionable concealment of this **highly relevant fact** was only discovered as a direct result of my due diligence skills. She then ignominiously refused to recuse herself when I filed a motion that she do so. (Exhibit)

And in a case of history repeating itself with her fellow Rick Synder-appointed judge at the MCOA, Brock Swartzle, Judge O'Brien was also eschewed in droves on Election Day 2012 by the discerning voters of Michigan and suffered a humiliating defeat at the polls when she also ran for a seat on the Michigan Supreme Court.

Please make certain that this email and Exhibit are also included as part of the permanent testimony for HB 5724.

Sincerely,

Peter De Filippis



Exhibit - The Ethically Challenged Judge Colleen O'Brien.PDF
250.8kB

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September 29, 2015 12:00 PM

Oakland Circuit Judge Colleen O'Brien appointed to Michigan appeals court

LINDSAY VANHULLE



State of Michigan

Colleen O'Brien

Gov. Rick Snyder today named the Clarkston judge to the Michigan Court of Appeals to replace retiring appellate Judge Pat Donofrio.

LANSING — Gov. Rick Snyder today appointed **Oakland Circuit Court Judge Colleen O'Brien** to the **Michigan Court of Appeals** bench.

O'Brien, of Clarkston, will replace retiring appellate Judge Pat Donofrio and serve the remainder of his term, which ends Jan. 1, 2017. She would be eligible to seek re-election in 2016 for her own six-year term.

O'Brien was elected in 1998 to serve on the Oakland Circuit Court and is presiding judge of its civil-criminal division. Before that, O'Brien worked in private practice at **Cummings, McClorey, Davis & Acho PLC**, which has offices in Livonia, Clinton Township, Grand Rapids and Traverse City.

O'Brien has a bachelor's degree from the **University of Michigan** and a law degree from **Detroit College of Law**, now the **Michigan State University College of Law**. She is president of the **Michigan Judges Association**.

STATE OF MICHIGAN
IN THE COURT OF APPEALS

PETER DE FILIPPIS,

Appellant

v.

REDFORD POLICE DEPARTMENT,

Appellee.

COA Docket 359734

Lower Court No. 21-001626-CZ

PETER DEFILIPPIS
Pro Se
909 Atlantic Avenue #8A
Brooklyn, NY 11238
(718) 596-0167
Defilippispeter@aol.com

STANLEY OKOLI (P73722)
SHANE NOLAN (P78008)
Cumming, McClorey Davis & Acho, PLC
Attorneys for Appellee
17436 College Parkway, 3rd Floor
Livonia, MI 48152
(734) 261-2400/(734) 261-4510 fax
sokoli@cnda-law.com;
snolan@cnda-law.com

APPELLEE REDFORD POLICE DEPARTMENT'S RESPONSE TO THE APPELLANT'S "MOTION FOR ADJOURNMENT GIVEN UPCOMING CRITICAL MEDICAL APPOINTMENTS, ARRANGING OUT OF STATE TRAVEL PLANS, TWO HIGHLY RELEVANT MOTIONS WHICH ARE CURRENTLY BEFORE THIS COURT REGARDING HOW THE CASE CALL PROCEDURE IS ACTUALLY HANDLED"

NOW COMES the Appellee, the Redford Police Department, by and through its attorneys, Cummings, McClorey, Davis & Acho, and for its response to the Appellant's Motion as set forth in the title, posits as follows:

1. The Appellant has filed the ponderously-titled "Motion for Adjournment Given Upcoming Critical Medical Appointments, Arranging Out of State Travel Plans, and Two Highly Relevant Motions which are Currently before this Court Regarding how the Case Call Assignment Procedure is Actually Handled."

Court of Appeals, State of Michigan

ORDER

Re: **Peter Defilippis v Department of Civil Rights**

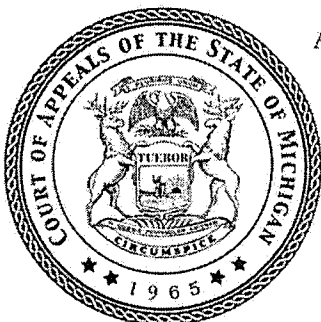
Docket No. **350894**

LC No. **17-015903-AV**

Colleen A. O'Brien, Judge, acting under MCR 2.003(D)(3), orders:

The motion to disqualify is DENIED.

Colleen A. O'Brien



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

August 18, 2020

Date

Jerome W. Zimmer Jr.
Chief Clerk

Court of Appeals, State of Michigan

ORDER

Peter Defilippis v Department of Civil Rights

Docket No. 350894

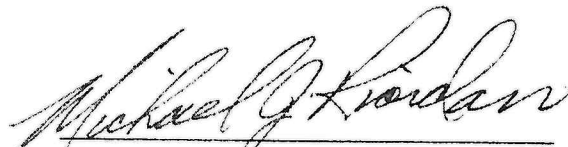
LC No. 17-015903-AV

Michael J. Riordan
Presiding Judge

Colleen A. O'Brien

Brock A. Swartzle
Judges

The motion to adjourn is DENIED.



Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

August 27, 2020

Date



Chief Clerk