

**STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF HILLSDALE**

STATE OF MICHIGAN,  
Plaintiff,

File No. 25-49-6230 FH

vs.

Hon. Sara S. Lisznyi

STEPHANIE SCOTT,  
Defendant.

---

Richard Cunningham (P29735)  
Assistant Attorney General  
3030 W Grand Blvd. Suite 10-354  
Detroit, MI 48202  
(517) 881-4509

David A. Kallman (P34200)  
Attorney for Defendant  
5600 W. Mt. Hope Highway  
Lansing, MI 48917  
(517) 322-3207

---

**STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF HILLSDALE**

STATE OF MICHIGAN,  
Plaintiff,

File No. 25-49-6229 FH

vs.

Hon. Sara S. Lisznyi

STEFANIE LYNN JUNTILA,  
Defendant.

---

Richard Cunningham (P29735)  
Assistant Attorney General  
3030 W Grand Blvd. Suite 10-354  
Detroit, MI 48202  
(517) 881-4509

Stefanie Lambert Junttila (P71303)  
In Pro Per  
400 Renaissance Center, 26<sup>th</sup> Floor  
Detroit, MI 49243  
(313) 410-6872

**ORDER GRANTING MOTION TO QUASH BINDOVER**

At a session of said Court, held in the Circuit Court for the  
City and County of Hillsdale, State of Michigan, on the  
30th day of April, 2026

PRESENT: THE HONORABLE SARA S. LISZNYAI, CIRCUIT JUDGE

This matter having come before the Court for a hearing on Defendant, Stephanie Scott's Motion to Quash Bindover, Assistant Attorney General Richard Cunningham appearing for the People of the State of Michigan, Defendant Stephanie Scott appearing with her attorney David Kallman, and Defendant Stefanie Junttila appearing, *in pro per*. The Court heard oral argument, allowed Defendant Junttila additional time to file a concurrence with the Motion to Quash Bindover, and took the matter under advisement.

The Court having now had an opportunity to review the transcripts, the pleadings and file, and Defendant Junttila having now joined in Defendant Scott's Motion to Quash Bindover through her unopposed motion dated April 15, 2026, and the Court being otherwise fully advised in the premises finds as follows:

1. That on December 18, 2024, July 11, 2025, August 11, 2025 and August 12, 2025 a preliminary examination was held in these matters in the Hillsdale County District Court.
2. That on November 26, 2025 Hillsdale District Court Judge Megan Stiverson bound Defendant, Stephanie Scott over to Circuit Court on all charges on the Complaint to include:
  - a. **Count 1** Computer-Unauthorized Access. This is a felony carrying a potential penalty of five (5) years imprisonment and/or a \$10,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f.
  - b. **Count 2** Conspiracy to Commit Computers-Unauthorized Access. This is a felony carrying a potential penalty of five (5) years imprisonment and/or a \$10,000.00 and \$10,000.00 additional fee.
  - c. **Count 3** Computers-Using to Commit a Crime-Maximum Imprisonment of 4 Years or More but Less Than 10 Years. This is a felony carrying a potential penalty of seven (7) years and/or \$5,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f. A consecutive sentence may be imposed for the underlying conviction.
  - d. **Count 4** Common Law Offenses. This is a felony carrying a potential penalty of five (5) years imprisonment and/or \$10,000.00.

- e. **Count 5** alleges a charge of Election Law- Failure to Perform Duty. This is a Misdemeanor carrying the potential penalty of 90 days in jail and/or \$500.00.
3. On November 26, 2025 Hillsdale District Court Judge Megan Stiverson bound Defendant Stefanie Junttila over to Circuit Court on all charges on the Complaint to include:
  - a. **Count 1** Computer-Unauthorized Access. This is a felony carrying a potential penalty of five (5) years imprisonment and/or a \$10,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f.
  - b. **Count 2** Conspiracy to Commit Computers-Unauthorized Access. This is a felony carrying a potential penalty of five (5) years imprisonment and/or a \$10,000.00 and \$10,000.00 additional fee.
  - c. **Count 3** Computers-Using to Commit a Crime-Maximum Imprisonment of 4 Years or More but Less Than 10 Years. This is a felony carrying a potential penalty of seven (7) years and/or \$5,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f. A consecutive sentence may be imposed for the underlying conviction.
4. On March 20, 2026 Stephanie Scott, through her attorneys, Kallman Legal Group timely filed her Motion to Quash and Dismiss pursuant to MCR 2.119.
5. On March 30, 2026 the People filed an Answer to Defendant's Motion to Quash.
6. On April 13, 2026 this Court heard oral argument on Defendant Scott's Motion to Quash and Dismiss, and ordered that Defendant Junttila would have an additional period of time to join the Motion to Quash.
7. On April 15, 2026 Defendant Junttila filed her Unopposed Motion to Join Defendant Ms. Scott's March 20, 2026 Motion to Quash and Dismiss.

8. That the standard of proof for a bind over to circuit court is that probable cause exists that defendant committed the crime charged. *People v Duncan* 388 Mich 489, 201 NW2d 629 (1972).
9. A challenge to the District Court's interpretation of law applied to the facts presented at the exam is reviewed by the Circuit Court *de novo*. *People v Waltonen*, 272 Mich App 6787, 728 NW2d 881 (2006).
10. A court by definition abuses its discretion when it makes an error of law. *People v Giovannini*, 271 Mich App 409, 722 NW2d 237 (2006).
11. The People have taken the position that the felony charges bound over against both Defendants are based upon MCL 168.509gg(1) being interpreted as having a confidentiality requirement that was violated by both Defendants.
12. MCL 168.509gg is contained in Chapter XXIII Registration of Electors, is titled, "Information Exempt from the Freedom of Information Act" and section one reads as follows: (1) Subject to subsection (3), the information described in this subsection that is contained in a registration record is exempt from disclosure under the freedom of information act (FOIA), 1976 PA 442, MCL 15.231 to 15.246. The secretary of state, a designated voter registration agency, or a county, city, township, or village clerk shall not release a copy of that portion of a registration record that contains any of the following: (a) The record that an individual declined to register to vote. (b) The office that received a registered elector's application. (c) A registered elector's driver license or state personal identification card number. (d) The month and day of birth of a registered elector. (e) The telephone number that is provided by a registered elector. (f) The digitized signature of an elector that is captured or reproduced and transmitted to the qualified voter file by the secretary of state or a county, city, or township clerk under section 509hh or by the secretary of state under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307.
13. The People have stated that this statute "must be viewed in the disjunctive", however no authority for this position is cited.

14. Additionally, the People's brief states that MCL 168.509gg(1) imposes a duty on Defendants to not release that specific information, whether in response to the FOIA request **or otherwise** (emphasis added).
15. Defendants have taken the position that MCL 168.509gg(1) is a declaration that the information listed cannot be disclosed pursuant to a FOIA request.
16. When interpreting a statute, courts "use the fair reading standard, where the text, context and statutory history are consulted to construe a statute as a reasonable reader would do." *Eagan v Detroit*, 2025 Mich App LEXIS 2025.
17. In discerning legislative intent, a court must give effect to every word, phrase, and clause in a statute...and consider both the plain meaning of the critical word or phrase as well as its placement and purpose in the statutory scheme. The statutory language must be read and understood in its grammatical context, unless it is clear that something different was intended. If the language of a statute is unambiguous, the Legislature must have intended the meaning clearly expressed, and that statute must be enforced as written." *Shinholster v Annapolis Hosp.*, 471 Mich 540, 549, 685 NW2d 275 (2004).
18. "A necessary corollary...is that a court may read nothing into an unambiguous statute that is not within the manifest intent of the Legislature as derived from the words of the statute itself. *SBC Health Midwest, Inc. v City of Kentwood*, 500 Mich 65, 894 NW2d 535 (2017).
19. Contrary to the People's assertion, MCL 168.509gg(1) does not contain additional language, such as "or otherwise".
20. Also contrary to the People's assertion, confidentiality is not imposed by MCL 168.509gg(1) and the term "confidential" is not in this section.
21. MCL 168.509gg(2) discusses the last four (4) digits of a registered elector's social security number being exempt from disclosure under a FOIA request.
22. Unlike MCL 168.509gg(1), MCL 168.509gg(2) does contain additional language "and must not be used or released for any other purpose."

23. In contrast to the information listed in section one, section two information is both “must not be used or released for any other purpose” and not subject to disclosure under FOIA.
24. MCL 168.509gg(3) is the only section of the statute to use the additional term “confidential” and it specifically refers to information contained in an individual’s preregistration record. In contrast to the information listed in section one, section three information is both “confidential” and not subject to disclosure under the Freedom of Information Act.
25. There has been no claim by the People that MCL 168.509gg(2) or MCL 168.509gg(3) apply to the criminal charges at issue in this matter, but this Court notes that the Legislature treated the information referenced in those sections differently than it did the information in MCL 168.509gg(1), causing the section two and three information to be “must not be used or released for any other purpose” or “confidential” and not subject to disclosure under FOIA.
26. This Court must give effect to every word, phrase and clause, and may not read into an unambiguous statute.
27. Had the Legislature intended for MCL 169.509gg(1) to do more than exempt from disclosure under FOIA the information listed therein, it would have included additional language to do so. It did not.
28. Given all of the foregoing a fair reading of MCL 168.509gg(1) is that the listed information is not to be copied and released following a FOIA request. No additional requirement for nondisclosure or confidentiality is stated and none is found.
29. By finding that there was a basis to bind over the felony charges against both Defendants, the Hillsdale District Court made the finding that MCL 168.509gg(1) had a confidentiality requirement.
30. This Court finds that for the reasons stated herein, that was an error of law and by definition it abused its discretion.

**IT IS HEREBY ORDERED** that since the district court read MCL 168.509gg(1) as having a confidentiality requirement that this Court finds does not exist, there is no longer a basis for one of the elements required to bind over Defendant Scott on Count I. Probable cause cannot be found that Defendant Scott accessed the computer without or exceeding her authority.

**IT IS FURTHER ORDERED** that for the same reasons, there is no longer a basis for one of the elements required to bind over Defendant Scott on Count II. Probable cause cannot be found that Defendant Scott accessed the computer without or exceeding her authority, and therefore probable cause cannot be shown that she conspired to do so.

**IT IS FURTHER ORDERED** that because Counts I and II against Defendant Scott fail, and because Count III is based upon a finding of probable cause that Defendant Scott committed either Count I or Count II, it too must be dismissed as lacking an element required for bind over.

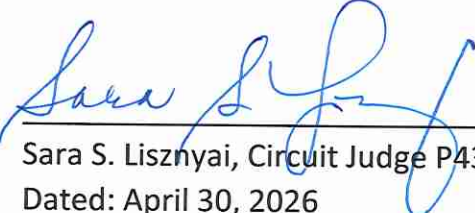
**IT IS HEREBY ORDERED** that since the district court read MCL 168.509gg(1) as having a confidentiality requirement that this Court finds does not exist, there is no longer a basis for one of the elements required to bind over Defendant Junttila on Count I. Probable cause cannot be found that Defendant Junttila accessed the computer without or exceeding her authority.

**IT IS FURTHER ORDERED** that for the same reasons, there is no longer a basis for one of the elements required to bind over Defendant Junttila on Count II. Probable cause cannot be found that Defendant Junttila accessed the computer without or exceeding her authority, and therefore probable cause cannot be shown that she conspired to do so.

**IT IS FURTHER ORDERED** that because Counts I and II against Defendant Junttila fail, and because Count III is based upon Defendant committed either Count I or Count II, it too must be dismissed as lacking an element required for bind over.

**IT IS FURTHER ORDERED** that the misdemeanor charge against Defendant Scott is remanded to the Hillsdale District Court for further proceedings. This was included in the bindover, but this Court does not have jurisdiction without the pending felony matters.

**IT IS FURTHER ORDERED** that any and all previous orders not in conflict with the foregoing shall remain in full force and effect.

  
\_\_\_\_\_  
Sara S. Lisznyai, Circuit Judge P43799  
Dated: April 30, 2026

Proof of Service

On April 30, 2026, I did provide a true copy of this order to the Attorney General, Defendant and/or their attorneys, with the original being filed in the Hillsdale County Circuit Court.

  
\_\_\_\_\_