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May 20, 2024

VIA EMAIL AND CERTIFIED FIRST-CLASS MAIL

Elizabeth Hundley  
Livingston County Clerk  
200 E. Grand River Ave  
Howell, Michigan 48843-2399  
countyclerk@livgov.com

Re: Request for Reconsideration of May 3, 2024 Letter Disqualifying Representative Robert J. Bezotte from the Ballot as a candidate for State Representative for the 50<sup>th</sup> District and refusing to certify his name to the Livingston County Board of Election Commissioners

Dear Clerk Hundley:

This Firm represents Robert J. Bezotte with respect to the above-referenced matter. On May 3, 2024, your office disqualified Representative Robert J. Bezotte from the Ballot as a candidate for State Representative for the 50th District and refused to certify his name to the Livingston County Board of Election Commissioners. The stated basis for your office's disqualification of Representative Bezotte and refusal to certify him was based on your apparent investigation and finding that: (1) he does not purportedly reside at 2031 Peavy Road, Howell, Michigan 48843 (the "Residence"); and (2) therefore his listing of the Residence in the "residential address" section of his Affidavit of Identity was a false statement in violation of MCL 168.558. As explained below, your office went beyond a mere facial review (and thus its statutory authority) and in doing so committed clear factual and legal error in making its erroneous finding and conclusion.

Representative Bezotte has owned and lived in the Residence for the last 21 years. During that time Bob Bezotte served three terms as Livingston County Sheriff, two terms as Livingston County Commissioner, and thus far two terms in the Michigan House of Representatives. Indeed, Livingston County's own online property records list "Robert J & Shelia Bezotte" as the owners of the Residence. (**Exhibit A**). The bank which holds the mortgage on the Residence recognizes "Robert J Bezotte Jr" as owning and residing at the Residence. (**Exhibit B**). And, Representative Bezotte's credit unions recognize him as banking from and residing at the Residence. (**Exhibits**

**C and D).**<sup>1</sup> There is simply no evidence in the record upon which your office could deny Representative Bezotte's ownership of the Residence or 21-year history of making his permanent home there.

Rather, it appears your putative finding that Representative Bezotte no longer resides at his long-term Residence was based on your *ultra vires* adjudication of a complaint filed by Dan Wholihan, the husband of Representative Bezotte's primary opponent, Kristina Lyke. The Wholihan Complaint attempts to seize advantage by exploiting a private marital matter and impishly contains an affidavit of Representative Bezotte's wife of 52 years, Shelia Bezotte. Mrs. Bezotte apparently averred that Representative Bezotte "moved out"<sup>2</sup> of the Residence in December 2023 and, during the pendency of their separation proceedings (which are ongoing), has been temporarily staying with their Daughter at 4155 Prairie Rose Drive, Howell, Michigan 48843. See 4/24/24 Shelia Bezotte Aff ¶ 6-7. As explained below, your finding that Representative Bezotte no longer resides at his Residence constitutes clear error. But first we must address the fact that in making that determination your office overreached beyond its statutory authority.

It is true that "[t]he failure to supply a facially proper affidavit of identity (AOI), i.e., an affidavit that conforms to the requirements of the Election Law, is a ground to disqualify a candidate from inclusion on the ballot." *Stumbo v Roe*, 332 Mich App 479, 480; 957 N.W.2d 830 (2020) (holding that differing signature and notary dates in AOI was not a fatal defect and that the clerk had a clear legal duty to certify). But as aptly identified in Mr. Cole Lussier's May 1, 2024 Letter, MCL 168.558(2) merely requires that "[a]n affidavit of identity must contain the candidate's name and residential address . . . ." There is no dispute that Representative Bezotte either resides at his long-term Residence or, as alleged by Mr. Wholihan, at his Daughter's home a few miles away. Notably, and in complete transparency to the voters of the 50<sup>th</sup> District, Representative Bezotte listed both addresses on his Affidavit of Identify; his long-time Residence to which he intends to return as his residential address and his Daughter's home at which he is temporarily staying during the separation proceedings as his mailing address. Because both addresses are contained within the Affidavit of Identify, Representative Bezotte's Affidavit of Identify is facially compliant with MCL 168.558(2). See, e.g., *Moore v Genesee Co*, 337 Mich App 723, 730; 976 NW2d 921 (2021) ("Strict compliance with the content requirements may be achieved even if the applicant fills out the form in an irregular or improper manner"); *Nykoriak v. Napoleon*, 334 Mich. App. 370, 380, 964 N.W.2d 895, 902 (2020) (holding that

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<sup>1</sup> MCL 168.497(3) (providing that a recent bank statement is proof of residency).

<sup>2</sup> Mrs. Bezotte's statement that Representative Bezotte allegedly "moved out" is not materially true for reason that it omits a dispositive fact. While the affidavit identifies that Mrs. Bezotte filed for divorce on December 1, 2023, the affidavit fails to identify that upon returning from a trip to visit his sisters (who are suffering health issues) in early January 2024, Representative Bezotte discovered that Mrs. Bezotte had changed the locks to the Residence. Cf. 5/1/24 Bob Bezotte Aff ¶¶ 2, 4. Only in an effort to ameliorate relations with a hope toward reconciliation has Mr. Bezotte temporarily stayed at 4155 Prairie Rose Drive, Howell, Michigan 48843 which is the home of his Daughter and also located within the 50th District. Cf. 4/24/24 Shelia Bezotte Aff ¶ 6(c).

improper location of the required notarization did not render the AOI facially defective and commenting that “[t]o conclude otherwise would elevate form over substance”). Because your office went beyond conducting a facial review of the Affidavit of Identify and purported to make a factual finding that Representative Bezotte’s long-time home (which he still owns and intends to return) is somehow not his Residence, your office exceeded its statutory authority and failed to perform the ministerial duty of certifying Representative Bezotte on the ballot.

As explained below, once your office ventured beyond its statutory authority, it made clear errors of fact and law. Contrary to the finding of your office, Representative Bezotte’s long-term Residence is still his “residential address” and his Affidavit of Identify was truthful.<sup>3</sup>

It is well-established Michigan law that one does not abandon one’s residence by temporarily residing elsewhere. In March of 1976, former Attorney General Frank Kelly elegantly summarized Michigan law governing residency requirements for members of the state legislature and opined that, under the law of this state, a state legislator's legal residence is unaffected in the absence of an intention to change it. Op.Atty.Gen.1976, No. 4931, p. 332, attached as **Exhibit E**. More specifically, the Attorney General emphasized that the terms “residence” and “domicile” mean “the place where a person has his or her permanent home” and “[t]hat place continues to be the domicile of a person unless he or she renounces it and takes up another domicile in its stead.” *Id.*

This has been the law in Michigan since at least 1876 when the Michigan Supreme Court held that when determining a person’s residence “the intention of the party is one of the most important inquiries involved in such a question” and that “[n]o one will contend that a party loses his residence and rights as an elector because himself and family temporarily reside in some other city, township or ward, even although such temporary residence should extend over a series of years.” *Harbaugh v. People ex rel. Cicott*, 33 Mich. 241, 252 (1876). A decade later the Michigan Supreme Court again addressed the question reaffirming that “[t]here can never, in the eye of the law, be more than one domicile of citizenship; and that continues, in the case of a citizen, till he himself renounces it absolutely, and takes up another in its stead.” *Warren v. Bd. of Registration*, 72 Mich. 398, 400, 40 N.W. 553, 553–54 (1888). To be sure, the *Warren Court* elaborated that:

Mere bodily presence or absence can have no effect in determining residence, when once existing. There is probably not a precinct in any city which has not resident and qualified voters who spend most of their time in pursuits out of the ward or state; and persons who travel for

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<sup>3</sup> Further, because your office has falsely and publicly accused Representative Bezotte of perjury, Representative Bezotte demands a retraction. In Michigan, it is illegal to falsely accuse a public official of committing a crime if such accusation is made with actual malice. Upon information and belief, you have expressed personal dislike for Representative Bezotte and are on notice through the records of the public separation proceeding that he intends to maintain his residency.

pleasure or business, for long or short periods, do not lose their residence by such absence. Senators and representatives and other persons often occupy residences in Washington, but they are not disfranchised for doing so. [*Id.* at 402.]

This binding caselaw continues to govern as MCL 168.11(1) expressly provides that “[t]his section does not affect existing judicial interpretation of the term residence.”

In this case, Representative Bezotte has in no way abandoned or renounced his home of 21 years. Throughout his separation proceeding in the 44<sup>th</sup> District Court Representative Bezotte has maintained his intention to return to the Residence. Nearly all of his personal effects remain at the Residence including, *inter alia*, his sports memorabilia collection, prized 1930 Ford Model A two-door coupe, and military and law enforcement collection of firearms. Even his dog, Shelby, who he misses dearly, remains at the Residence. MCL 168.11 (emphasizing the location of personal effects).

His Michigan driver’s license, registration, and automotive insurance lists the Residence as his residential address. (**Exhibits F, G, and H**).<sup>4</sup> He is still registered to vote at the Residence. (**Exhibit I**). His medical insurer still recognizes the Residence as his residential address. (**Exhibit J**). The Residence serves as the address for his campaign committee. (**Exhibit K**). And, despite temporarily staying with his Daughter, Representative Bezotte has continued to pay the utility bills for the Residence which list him as the owner. (**Exhibit L**).<sup>5</sup> *Moreover, and dispositively, the 44<sup>th</sup> District Court on May 16, 2024, denied Mrs. Bezotte’s motion for exclusive possession of the Residence in recognition of Representative Bezotte’s intent and legal right to continue to reside there. (Exhibit M).*<sup>6</sup>

Accordingly, Representative Bezotte’s Affidavit of Identity properly contained his residential address. His legal right to be on the ballot is clear and indisputable. Because irreparable harm mounts daily, Representative Bezotte will be constrained to institute appropriate legal action and recovery of costs should your office not qualify him for the ballot and certify his name to the Board of Election Commissioners by May 22, 2024.

Sincerely,

CLARK HILL

Michael J. Pattwell



Member

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<sup>4</sup> MCL 168.497(2) (providing that a driver’s license is conclusive proof of residency).

<sup>5</sup> MCL 168.497(3) (providing that a recent utility bill is conclusive proof of residency).

<sup>6</sup> *Ramamoorthi v. Ramamoorthi*, 323 Mich. App. 324, 918 N.W.2d 191 (2018) (holding that an established domicile is not destroyed by a temporary absence).

### VERIFICATION

The statements of fact contained in my request for reconsideration are true and accurate to the best of my knowledge, information, and belief.

Dated: 5-20-24

Robert J. Bezotte  
By: Bob Bezotte

MJP:nb  
Attachments

cc: Zach Larsen

# EXHIBIT A

**2031 PEAVY RD HOWELL, MI 48843** (Property Address)

Parcel Number: 10-11-400-026

**Property Owner: BEZOTTE ROBERT J & SHELLA**

**Summary Information**

> 19 Building Department records found

**2 Associated Properties Found for This Parcel**

Currently viewing **2031 PEAVY RD**. [Click here to select a different property.](#)

**Amount Due**  
Property Total **\$0.00**

**Projects**

Project Number	Filed As	Status	Number of Items
JMEC2015-11190	MEC2015-11190	Finished: Finished	1 <a href="#">View</a>
JP101263		Finished: Finished	4 <a href="#">View</a>
JP60451		Finished: Finished	4 <a href="#">View</a>
JP82988		In Progress: 1 Item(s) Pending	3 <a href="#">View</a>
JPRJ2004-01970		In Progress: 2 Item(s) Pending	2 <a href="#">View</a>
JPRJ2016-00403		Finished: Finished	2 <a href="#">View</a>
JRSH2022-00605	Re Shingle	Finished: Finished	4 <a href="#">View</a>

1

Displaying items 1 - 7 of 7

**Permits**

To request an inspection or pay on a record, click View

Permit Type	Permit Number	Associated Project	Status	Date Issued	Last Inspection	Amount Due	<a href="#">View</a>
			NALED	6/1/2001	5/30/2003	\$0.00	<a href="#">View</a>

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Permit Type	Permit Number	Associated Project	Status	Date Issued	Last Inspection	Amount Due
Electrical	P1012633	JP101263	FINALED	6/28/2001	11/8/2001	\$0.00 <a href="#">View</a>
Plumbing	P1012634	JP101263	FINALED	6/27/2001	11/2/2001	\$0.00 <a href="#">View</a>
Mechanical	P1012635	JP101263	FINALED	7/13/2001	11/6/2001	\$0.00 <a href="#">View</a>
Building	P60451	JP60451	FINALED	5/3/1993	11/15/1993	\$0.00 <a href="#">View</a>
Electrical	P604513	JP60451	FINALED	7/19/1993	11/2/1993	\$0.00 <a href="#">View</a>
Plumbing	P604514	JP60451	FINALED	6/25/1993	10/22/1993	\$0.00 <a href="#">View</a>
Mechanical	P604515	JP60451	FINALED	6/30/1993	11/2/1993	\$0.00 <a href="#">View</a>
Building	P82988	JP82988	CANCELED	4/2/1998	5/14/1999	\$0.00 <a href="#">View</a>
Electrical	P829883	JP82988	FINALED	4/8/1998	9/3/1999	\$0.00 <a href="#">View</a>

1 2

Displaying items 1 - 10 of 17

[Apply for a Permit](#)

**Certificates of Occupancy**

To pay on a record, click View

CO Type	Occupancy Certificate Number	Status	Date Final	Last Inspection	Amount Due
Final Certificate of Occupancy	FCO-101263	ISSUED (FINAL)	6/2/2003		\$0.00 <a href="#">View</a>
Final Certificate of Occupancy	OF22-0915	ISSUED (FINAL)	7/15/2022		\$0.00 <a href="#">View</a>

1

Displaying items 1 - 2 of 2

**PZE Processes**

To pay on a record, click View

Process Type	Process Number	Status	Date Process Started	Last Inspection	Amount Due
Process - REV	REV2004-00566	Completed/Complete	5/25/2004		\$0.00 <a href="#">View</a>

1

Displaying items 1 - 1 of 1

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### Attachments

Date Created	Title	Record
No records to display.		

Displaying items 0 - 0 of 0

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# EXHIBIT B



February 28, 2024

ROBERT J BEZOTTE JR  
2031 PEAVY RD  
HOWELL MI 48843-0000

**PAYOFF STATEMENT**

Freedom Mortgage Corporation  
Customer Care Team  
Date: February 28, 2024

Payoff Request Date: February 28, 2024  
Payoff Statement Sent by: 03874

Loan Number: [REDACTED]  
Borrower: ROBERT J BEZOTTE JR  
SHELIA BEZOTTE

Next Payment Due Date: April 1, 2024

Property: 2031 PEAVY RD  
HOWELL MI 48843

Loan Type: CONVENTIONAL

**Payoff Quote Good Through March 29, 2024**

The accrued interest shown below is projected through March 29, 2024. After that date, please add an additional [REDACTED] per day.

<b>Please send the following Remittance:</b>	
Current Unpaid Principal	[REDACTED]
Accrued Interest	[REDACTED]
Prepayment Penalty	[REDACTED]
Escrow/Impound Required	[REDACTED]
Mortgage Insurance Premium Due	[REDACTED]
Less Escrow/Impound Funds	[REDACTED]
Less Unapplied Funds Balance	[REDACTED]
Payoff Statement Fee	[REDACTED]
Unpaid Late Charges	[REDACTED]
Recording Fee	[REDACTED]
Release Fee	[REDACTED]
Additional Items Due	[REDACTED]
Deferred Balance	[REDACTED]
Optional Insurance	[REDACTED]
<b>TOTAL PAYOFF DUE:</b>	[REDACTED]



# EXHIBIT C



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Jackson, MI 49201  
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ROBERT J BEZOTTE  
2031 PEAVY ROAD  
HOWELL MI 48843



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Account Number [REDACTED]

Statement Period 10-01-23 thru 12-31-23

Page 1 of 1

SUMMARY OF YOUR STATEMENT INFORMATION

PRIMARY SHARE SAVINGS - 00

PRIMARY SHARE SAVINGS - 00

Dividends Earned YTD: [REDACTED]



Put your budget  
on a *diet*



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\*Visit american1cu.org for full details! Equal Housing Opportunity



# EXHIBIT D



# EXHIBIT E



stitution; and therefore it is my opinion that the referenced exemption of the application of the Municipal Finance Act pertains only to those contracts which do not exceed the aggregate amount of \$250,000 as provided in the Municipal Finance Act itself.

In conclusion, it is my opinion that 1933 PA 99, as amended, *supra*, constitutes authority for villages, townships and cities to enter into certain contracts providing certain conditions and limitations are observed; and to the extent that such contracts do not exceed \$250,000 in the aggregate, they are not subject to the review requirements of the Municipal Finance Act; but to the extent the aggregate of such contracts does exceed \$250,000, then such contracts are a borrowing of money under the terms of the Municipal Finance Act so as to subject the borrowing to review for the providentiality of the borrowing and businesslike repayment.

FRANK J. KELLEY,  
*Attorney General.*

760322.3

**DOMICILE AND RESIDENCE:** Members of legislature

**WORDS AND PHRASES:** "Domicile"; "Residence"

The terms "domicile" and "residence" are synonymous. The terms "residence" and "domicile" mean the place where a person has his or her permanent home. That place continues to be the domicile of a person unless he or she renounces it and takes up another domicile in its stead. The establishment of a new domicile consists of the two factors, physical presence and intent.

A legislators domicile in his or her home district remains unaffected where he or she owns or rents the year round a house, room, or apartment outside the legislative district so long as the legislator does not intend to change his or her domicile.

Opinion No. 4931

March 22, 1976.

Honorable Richard J. Allen  
State Senator  
The Capitol  
Lansing, Michigan 48902

Recently you have written to request an opinion answering a number of questions related to the residency status of members of the State legislature. Before attempting to respond to each specific question, it may be helpful to outline some of the general principles underlying this area of the law.

The fundamental provision concerning the residency requirements for members of the legislature is Const 1963, art 4, § 7, which provides:

"Each senator and representative must be a citizen of the United States, at least 21 years of age, and an elector of the district he represents. The removal of his domicile from the district shall be deemed a vacation of the office. No person who has been convicted of sub-

version or who has within the preceding 20 years been convicted of a felony involving a breach of public trust shall be eligible for either house of the legislature."

The requirements to be an "elector" are set forth in Mich Const 1963, art 2, § 1, which, as modified by US Const, Am XXVI, reads as follows:

"Every citizen of the United States who has attained the age of 18 years, [who has resided in this state six months], and who meets the requirements of local residence provided by law, shall be an elector and qualified to vote in any election except as otherwise provided in this constitution. The legislature shall define residence for voting purposes." (Bracketed material held violative of United States Constitution by federal court<sup>1</sup>)

Further amplification of this definition is provided in § 10 of the Michigan Election Law, 1954 PA 116, as amended, MCLA 168.10; MSA 6.1010, which states:

"The term 'qualified elector', as used in this act, shall be construed to mean any person who possesses the qualifications of an elector as prescribed in section 1 of article 2 of the state constitution and who has resided in the city or township 30 days."

The term "residence" is explained in § 11 of the Michigan Election Law, as amended, MCLA 168.11; MSA 6.1011, which reads in relevant part as follows:

"(a) The term 'residence', as used in this act, for registration and voting purposes shall be construed to mean that place at which a person habitually sleeps, keeps his or her personal effects and has a regular place of lodging. Should a person have more than 1 residence, or should a wife have a residence separate from that of the husband, that place at which such person resides the greater part of the time shall be his or her official residence for the purposes of this act. This section shall not be construed to affect existing judicial interpretation of the term residence.

"(b) No elector shall be deemed to have gained or lost a residence by reason of his being employed in the service of the United States or of this state, nor while engaged in the navigation of the waters of this state or of the United States or of the high seas, [nor while a student at any institution of learning,] nor while kept at any almshouse or other asylum at public expense, nor while confined in any public prison. . . ." [Bracketed language held violative of state and federal constitutions, *Wilkins v Ann Arbor City Clerk*, 385 Mich 670; 189 NW2d 423 (1971)]

The Michigan Supreme Court in *Hartzler v Radeka*, 265 Mich 451; 251 NW 554 (1933), discussed the terms "domicile" and "residence":

"Domicile is the place where a person has his home, with no present intention of removing, and to which he intends to return after going elsewhere for a longer or shorter time.

<sup>1</sup> *Dunn v Blumstein*, 405 US 330; 92 S Ct 995; 31 L Ed 2d 274 (1972).

"Residence has a more restricted meaning and may be the place where he lives while engaged in work or duty which keeps him away from his domicile. In Michigan the terms are used as synonymous. (Citation omitted)." [p 452]

In *School Dist No 1, Fractional, of the Twp of Mancelona v School Dist No 1 of Twp of Custer*, 236 Mich 677, 681; 211 NW 60 (1926), the Supreme Court stated:

". . . The word 'residence' as used in statutes relating to voting, eligibility to hold office, taxation, probate and administration of estates, etc., is synonymous with domicile. (Citation omitted)."

This rule was noted more recently in *Ortman v Miller*, 33 Mich App 451, 455; 190 NW2d 242 (1971).

The intention of the party involved is of the utmost importance to the establishment of his residence or domicile. As was said in *Reaume & Silloway, Inc v Tetzlaff*, 315 Mich 95, 99; 23 NW2d 219 (1946), quoting from *Wright v Genesee Circuit Judge*, 117 Mich 244; 75 NW 465 (1898):

"Residence means the place where one resides; an abode, a dwelling or habitation; especially, a settled or permanent home or domicile. Residence is made up of fact and intention. *There must be the fact of abode, and the intention of remaining.*" [Emphasis that of the Court, *Reaume & Silloway, Inc v Tetzlaff, supra*]

OAG, 1930-1932, p 134 (February 26, 1931), which quoted from *Warren v Board of Registration*, 72 Mich 398, 400, 402; 40 NW 553 (1888), stated:

"There can never, in the eye of the law, be more than one domicile of citizenship; and that continues, in the case of a citizen, till he himself renounces it absolutely, and takes up another in its stead. And such a domicile is not lost by absence in the State or out of the State, whether within or without the United States. In the case of *Harbaugh v. Cicott*, 33 Mich. 242, that doctrine was very fully explained, and applied to a registered elector in Detroit whose family had lived for some years in Royal Oak, where he paid them weekly visits. It was held that he could not lose his residence in Detroit, unless he intended to renounce it in fact, no matter how long he or his family might be away. [p-400]

\* \* \*

". . . Mere bodily presence or absence can have no effect in determining residence, when once existing. There is probably not a precinct in any city which has not resident and qualified voters who spend most of their time in pursuits out of the ward or State; and persons who travel for pleasure or business, for long or short periods, do not loose [sic] their residence by such absence. Senators and Representatives and other persons often occupy residences in Washington, but they are not disfranchised for doing so. As explained in *Harbaugh v. Cicott*, a person cannot lose his residence, unless he voluntarily renounces it for another." [p 402]

It is well settled that the establishment of a new residence or domicile consists of two factors: (1) the fact of physical presence, and (2) the intention to remain. With these principles in mind, the specific questions listed in your letter can be stated and answered.

"And there a minimum number of days or nights that must be spent at one's residence previous to filing for office, circulating petitions or announcing candidacy?"

One must have spent sufficient time in a district to become an elector before he can meet the qualifications of a legislator under Const 1963, art 4, § 7. In order to be a qualified elector, a person must reside in the political unit for 30 days under the provisions of MCLA 168.10, *supra*. Therefore, assuming that a person is a resident of the district in fact and in intention, he must be a resident for a minimum of 30 days to qualify to seek election to the legislature.

"Is there any minimal legal number of days that must be spent at that residence between filing and election or during a year of legislative service?"

As the previously discussed authorities indicate, once residential status is achieved, it continues until the individual intends to change it and physically removes himself to a new place. There is no minimum number of days which must be spent at the place of residence to continue its status as the legal residence of the candidate or of the elected official.

"If a candidate or an officeholder owns or rents year around a house, room, or apartment outside his legislative district in Lansing or elsewhere would this adversely affect his legal residency? Would there be any maximum number of days he could spend living under such arrangements outside the district?"

Not only is the legislator's legal residence unaffected in the absence of an intention to change it as was noted above, but the statute specifically provides for the continuation of the legal residence of a State official. That statute, MCLA 168.11, *supra*, provides that "No elector shall be deemed to have gained or lost a residence by reason of his being employed in the service of . . . the state . . ."

"If a married legislator moved his family to Lansing for the duration of a legislative session, would this automatically be 'removal of his domicile from the district' as described in the constitution?"

No, this would not constitute "automatic" removal of his domicile, but it would provide some evidence of an intent to establish a new residence. However, in view of the statutory provision relating to State service, and to the circumstances surrounding the move, the movement of a legislator's family to Lansing for the duration of the legislative session with the intent of returning to the district thereafter would not, in my opinion, result in "removal of his domicile from the district".

"What if they rented their home in the district for some period of the year?"

In this case, it is unlikely that it would be found that the legislator had removed his domicile from the district in view of the rule that a person

retains his domicile of origin until he changes it by acquiring another. To acquire a new domicile, it is necessary to have *both* physical presence and intent. Thus, if a legislator physically moved to Lansing without intent to make Lansing his home, his domicile would continue to be the place where he previously resided which, it may be assumed, would be his district. This would be true even if he rented his home, sold his home, or moved out of rented quarters without renting new quarters in his home district.

"Could a single legislator maintain a residence in Lansing and still qualify by declaring as his legal residence his parent's home or that of some other relative or friend?"

Again, the answer is yes and for the same reasons as were discussed in the previous question. Residence or domicile within the concept of the Michigan Election Law requires the fact of physical presence as well as the intention to remain; the intention to continue a residence is sufficient to retain the original residence until it is changed by acquiring another residence.

"If a legislator ceases to maintain a home in the district by moving himself and his personal effects and, perhaps, by selling or ceasing to pay rent at what point has he 'removed his domicile from the district?' Would this occur when he left the district or when he established a new residence outside the district?"

Change of domicile was considered in the Michigan Supreme Court case of *Rue High, Appellant*, 2 Doug 515, 522 (1847), which stated principles applicable in this situation:

"... a man retains his domicile of origin until he changes it, by acquiring another; and so each successive domicile continues, until changed by acquiring another. And it is equally obvious that the acquisition of a new domicile does, at the same instant, terminate the preceding one: (Citation omitted)."

Therefore, the legislator removes his domicile from the district when he establishes a new domicile elsewhere.

In answer to your remaining questions, Const 1963, art 4, § 16, provides in relevant part as follows:

"... Each house shall be the sole judge of the qualifications, elections and returns of its members, and may, with the concurrence of two-thirds of all the members elected thereto and serving therein, expel a member. The reasons for such expulsion shall be entered in the journal, with the votes and names of the members voting upon the question. No member shall be expelled a second time for the same cause."

Thus, the Constitution makes it clear that the power to judge the qualifications of its members, including their qualifications under the residency provisions, is exclusive with each house of the legislature.

FRANK J. KELLEY,  
*Attorney General.*

# EXHIBIT F

**MICHIGAN** MI USA

**DRIVER LICENSE**

**NOT FOR FEDERAL IDENTIFICATION**

**B 230 745 367 792**    **ISS 08-19-2021**  
**DOB 10-15-1950**    **EXP 10-15-2025**

101550

**ROBERT JAMES BEZOTTE**  
2031 PEAVY RD  
HOWELL, MI 48843-8849

**Sex M**    **Hgt 511**    **Eyes BLU**  
**Lic Type O**    **End CY**

**Restrictions** Corrective Lens



*Robert J. Bezotte*

DD: 1201647638400

Rev 08-16-2021

# EXHIBIT G



MICHIGAN REGISTRATION

JOCelyn BENSON  
Secretary of State

MICHIGAN

10/15/2024

Plate: GOBL37 Expires:  
TRANSFER REGISTRATION STA WGN  
2023 FORD  
Vehicle No: 1FMEE5DP7PLA83054  
B 230 745 367 792

Fee Cat. or Wt: 46035  
County: LIVINGSTON

Plate:  
TRANSFER  
2023 FO  
Vehicle No  
B 230 74

ROBERT JAMES BEZOTTE  
2031 PEAVY RD  
HOWELL MI 48843

ROBER  
2031 PE  
HOWEL



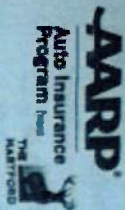
License Fee:

15.00  
TR-2L

12202022 603 65951193 3042.54

12202022

# EXHIBIT H



**STATE OF MICHIGAN CERTIFICATE  
OF NO FAULT INSURANCE**

**INSURED: ROBERT & SHELLIA BEZOTTE**  
2031 PEAVY RD  
HOWELL, MI 48843-8849

**POLICY NUMBER:** [REDACTED]  
**EFFECTIVE DATE:** 10/01/2023, 12:01AM  
**EXPIRATION DATE:** 10/01/2024, 12:01AM  
**YEAR/MAKE/MODEL:** 2023 FORD BRONCO BASE BIG  
**VIN:** 1FMEE5DP7PLA83054

**HARTFORD INSURER: TRUMBULL INSURANCE COMPANY**  
An authorized MICHIGAN Insurer, certifies that it has issued  
a policy complying with Act 294, P.A. 1972, as amended for  
the described motor vehicle.

**WARNING: KEEP THIS CERTIFICATE IN YOUR VEHICLE AT ALL TIMES. If you fail to  
produce it upon a police officer's request, you will be responsible for a civil infraction.**

Cut along dotted lines ▲

# EXHIBIT I

TAMMY L. BEAL - CLERK  
MARION TOWNSHIP  
2877 W COON LAKE RD  
HOWELL MI 48843

neopost<sup>®</sup>  
10/22/2013

US POSTAGE

\$00.33<sup>00</sup>

RETURN SERVICE REQUESTED

**VOTER IDENTIFICATION CARD**



City/Twp: MARION TOWNSHIP  
County: LIVINGSTON

Ward: 00 Precinct: 002 Date: 10/21/2013

Listed below are the various districts in which you reside:

US Congressional: 08  
State Senate: 22  
State Representative: 047  
County Comm: 06



School District: HOWELL PUBLIC SCHOOLS

FOLD

Polling Location:

MARION TOWNSHIP  
2877 W. COON LAKE RD.

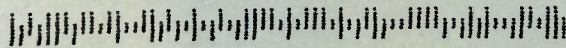
ZIP 48843  
041L11229

DETACH  
ALL  
PERFS

SIGNATURE OF VOTER

ROBERT JAMES BEZOTTE  
2031 PEAVY RD  
HOWELL MI 48843

TAMMY L. BEAL - CLERK



# EXHIBIT J

**EXPLANATION OF BENEFIT PAYMENTS  
THIS IS NOT A BILL**



A nonprofit corporation and independent licensee  
of the Blue Cross and Blue Shield Association

**Statement Date : 04/05/24**

[REDACTED]  
[REDACTED]  
**ROBERT BEZOTTE**  
2031 PEAVY RD.  
HOWELL MI 48843-8849

**Customer Service**

**Web:** View your benefits and manage your plan  
online at [bcbsm.com](http://bcbsm.com).

**Call:** 1-877-354-2583 TTY 711

**Mail:** ISMG - WRITTEN, MAIL CODE X410  
BLUE CROSS BLUE SHIELD OF MICHIGAN  
600 E. LAFAYETTE BLVD  
DETROIT MI 48226-2998

**Patient Name:** SHELIA BEZOTTE  
**Patient Born In:** [REDACTED]  
**Subscriber Name:** ROBERT BEZOTTE  
**Subscriber ID:** [REDACTED]  
**Group Name:** MI HOUSE OF REPRESENTATIVES  
**Group Number:** [REDACTED]  
**Coverage:** MEDICAL

**For suspected fraud, call 1-800-482-3787 TTY:711**

07X532W74040611003111

07X532W740406110031110010031500

**Claim Summary** (for Claim Detail, see below)

[REDACTED]

**Summary of Deductibles and Out-of-pocket Maximums**

(For more detail on your current balances, log in at [bcbsm.com](http://bcbsm.com) or our mobile app. Click on My Coverage, then Medical.)

[REDACTED]

**Helpful Information**

Are you still receiving paper Explanation of Benefit statements? Consider switching to receive your Explanation of Benefits online. You will receive an email notification each time a new EOB is available, with a link to access it. Your [bcbsm.com](http://bcbsm.com) online account also offers deductible balances, claims status, wellness resources and more. Consider selecting paperless delivery using your online account at [bcbsm.com](http://bcbsm.com). Log in today.



# EXHIBIT K

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The Office of

# Secretary of State Jocelyn Benson

Home / SOS / Elections

## Michigan Committee Statement of Organization

The documents sent and received listing for this committee is at the bottom of the screen.

[Jump to the documents on file](#)

<b>Committee ID#</b>	519168
<b>Type of Filing</b>	Original
<b>Full name of committee</b>	BOB BEZOTTE FOR STATE REP
<b>Committee Type</b>	Candidate
<b>Candidate Last Name</b> <b>First Name</b> <b>MI</b>	BEZOTTE ROBERT
<b>County of Residence</b>	LIVINGSTON
<b>Political Party</b>	Republican Party

<b>Office Sought</b>	Representative in State Legislature 50th District
<b>Date Committee Was Formed</b>	01/07/2019
<b>Committee Phone Number</b>	(517) 618-7293
<b>Committee Mail Address</b>	2031 PEAVY RD HOWELL, MI 48843
<b>Committee Street Address</b>	2031 PEAVY RD HOWELL, MI 48843
<b>Treasurer</b>	BOB BEZOTTE 2031 PEAVY RD HOWELL, MI 48443 (517) 896-9992
<b>Designated Record Keeper</b>	, 00000
<b>Reporting Waiver</b>	No
<b>Names and addresses of depositories or intended depositories of committee funds</b>	
<b>Official Depository</b>	HUNTINGTON BANK 9880 E GRAND RIVER AVE BRIGHTON, MI 48116
<b>Secondary Depository</b>	

## Documents on File

[Click on a document to access data and images for this committee.](#)

# EXHIBIT L



# EXHIBIT M

Approved, SCAO

Original - Court file  
1st copy - Assignment Clerk/Extra  
2nd copy - Friend of the Court/Extra

3rd copy - Opposing party  
4th copy - Moving party

44th <b>STATE OF MICHIGAN JUDICIAL CIRCUIT JUDICIAL DISTRICT COUNTY</b>	<b>ORDER</b>	<b>CASE NO.</b> <i>23-9470-20</i>
--	--------------	--------------------------------------

Court address: 204 S. Highlander Way, Howell, Michigan 48843  
 Court telephone no.: 517-546-9816

Plaintiff name(s), address(es), and telephone no(s).  
*Bazette*

---

Plaintiff's attorney, bar no., address, and telephone no.

Defendant name(s), address(es), and telephone no(s).  
*Bazette*

---

Defendant's attorney, bar no., address, and telephone no.

v

- Motion title: *Motion to Show Cause, freeze credit cards, and exclusive use, and atty fees*
- Moving party: *Plaintiff*
- This motion was heard by the Honorable \_\_\_\_\_ on 5/16/2024  
Date
4. For the reasons stated on the record,

THE COURT ORDERS that the above-named motion is

granted.  
 granted in part, denied in part.  
 denied.

The court further orders

*The motion to show cause regarding divorce is withdrawn  
 All copies of the parties credit card bills shall  
 be provided to both parties by the 30th of each  
 month. The motion for exclusive use of the marital  
 is denied. That no campaign expenses shall be  
 charged to the parties joint ~~bank~~ credit cards.  
 All other orders not inconsistent with this order  
 shall remain in full force and effect*

Date: 5/16/2024  
 Judge: *[Signature]*  
 Bar no.: