

## MEMORANDUM

**Date:** 12 May 2026

**From:** Lawrence T. Peter, Member, Hillsdale County Board of Canvassers

**To:** Hillsdale County Board of Canvassers

**CC:** Thomas L. Thompson, Hillsdale County Corporation Counsel / County Attorney

Jamie Wisniewski, Hillsdale County Prosecuting Attorney

Abe Dane, Hillsdale County Clerk

Michigan Secretary of State, Bureau of Elections

**Subject:** Supplemental Request for Written Legal Opinion – Fayette Township Acting Clerk Appointment (5 May 2026 Special Election)

I write to follow up on my memorandum of 7 May 2026 concerning the appointment of an acting clerk for Fayette Township and on the memorandum dated 11 May 2026 that I received from Corporation Counsel Thomas L. Thompson via County Clerk Dane regarding the ministerial duties of the Board of Canvassers.

I fully accept and agree with Corporation Counsel Thompson's analysis of the constitutional and statutory obligation of the Board and each of its members to certify election results on a ministerial basis (Mich. Const. art. II, § 7(3); MCL 168.822(3)). Thus, I have no intention of withholding certification or attempting to look behind the returns. I will, of course, certify the election results as required.

*"Da, Comrade, I will comply."*

That said, there is a certain irony – one might even say a Gulag Archipelago-esque quality – in the manner in which my original question has been addressed. As a septuagenarian retired career Naval Officer who has sworn a durable oath to support and defend the Constitution of the United States against all enemies, foreign and domestic, I find it remarkable that a simple inquiry into the legality of a governmental action under MCL 168.373 should elicit a response that, while correctly reciting the ministerial limits on canvassers, sidesteps the substantive statutory question entirely and instead emphasizes the possibility of misdemeanor prosecution for any "willful failure or refusal" to certify (MCL 168.931(1)(g)).

The very notion that a citizen who has devoted decades to the service of this Republic could be threatened with criminal sanction merely for insisting upon a clear answer to whether County Clerk Dane's arrangement – designating the Litchfield Township/City Clerk to serve as acting clerk for Fayette Township – satisfies the plain requirements of MCL 168.373 is, to put it mildly, astonishing.

If Corporation Counsel Thompson had not chosen to respond in so heavy-handed a fashion, the need for this measured reply would not have arisen.

My original questions remain unanswered:

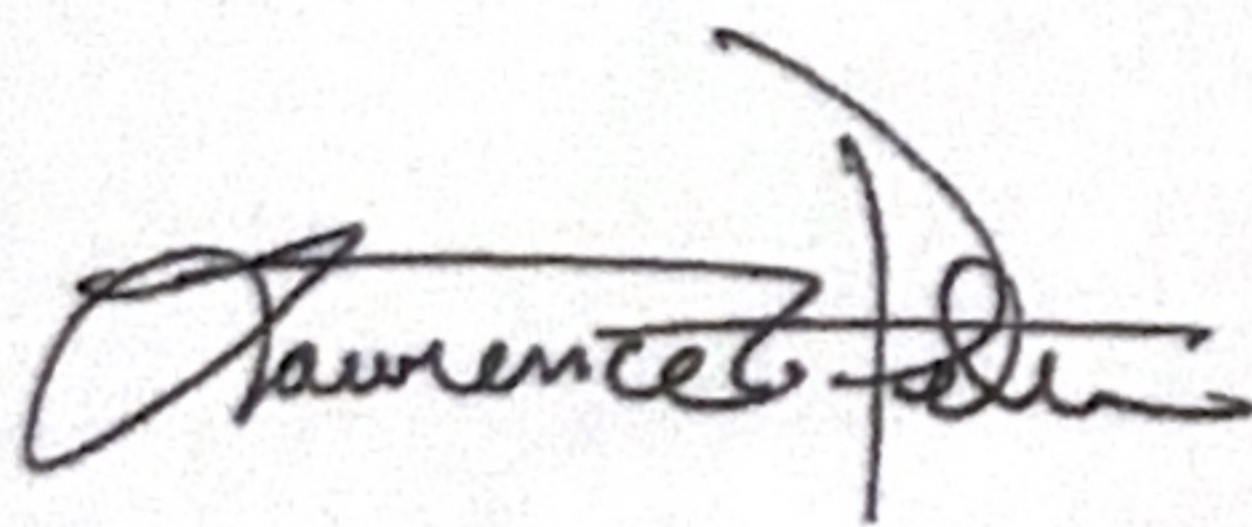
1. Did the appointment process used for Fayette Township's acting clerk satisfy the requirements of MCL 168.373 (and any related provisions of the Michigan Election Law)?
2. If the appointment does not strictly comply with the statute, does that technical noncompliance render the Fayette Township election returns invalid?

I take no position on the ultimate validity of the election results themselves and ask only that the Board and I receive clear guidance so that the public record is complete and the integrity of the canvass is protected. I further request that this supplemental opinion, together with my original memorandum and the attached complaint, be entered into the official minutes of the canvass.

If the Board has not already done so, I also ask that the matter be formally referred to the Michigan Secretary of State, Bureau of Elections, for any additional review or guidance the Bureau deems appropriate.

Thank you for your prompt attention to this request. I remain available at [ltpeter@pm.me](mailto:ltpeter@pm.me) or 757-343-0090 if any clarification is needed.

Sincerely,



Lawrence T. Peter  
Member, Hillsdale County Board of Canvassers  
[ltpeter@pm.me](mailto:ltpeter@pm.me)  
757-343-0090