

STATE OF MICHIGAN
IN THE 6th CIRCUIT COURT FOR THE COUNTY OF OAKLAND

THE PEOPLE OF THE
STATE OF MICHIGAN,

File No. 2023-285759-FH

Plaintiff,

Hon. JEFFERY S. MATIS

vs.

STEFANIE LAMBERT JUNTILA,

Defendant.

PEOPLE OF THE STATE OF MICHIGAN
SPECIAL PROSECUTOR
By: D.J. HILSON (P57726)
990 Terrace Street
Muskegon, MI 49442
(231) 724-6435
HilsonDa@co.muskegon.mi.us

DANIEL J. HARTMAN (P52632)
ATTORNEY FOR DEFENDANT
PO BOX 307
Petoskey, MI 49770
231-348-5100
danjhl1234@yahoo.com

**PEOPLE'S MOTION TO STRIKE THE IRRELEVANT WITNESSES FROM
DEFENDANT'S WITNESS LIST DATED 2/20/2024**

Now come the People of the State of Michigan by and through Special Prosecutor D.J. Hilson, and moves to STRIKE the irrelevant witnesses from the Defendant's witness list dated February 20, 2024 for the following reasons:

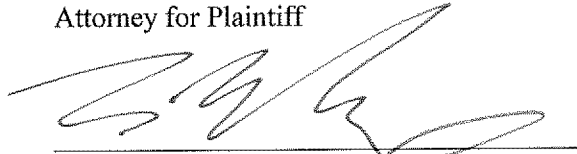
1. The Defendant has been indicted on several felony charges by a grand jury related to her possession of voting tabulator machines in Oakland County
2. The Defendant filed a witness list that contains the names of 74 potential witnesses. The first six of those witnesses are relevant to the indictment as is perhaps witness #19, #29, and #73. The remaining witnesses do not have relevant information for reasons stated in the attached brief.

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THEREFORE The People ask the Court to Strike those witnesses that are not relevant OR alternatively order the Defendant to provide a proffer as to the general nature of the witnesses expected testimony.

Respectfully submitted,

MUSKEGON COUNTY PROSECUTOR
AS SPECIAL PROSECUTOR FOR THE
ATTORNEY GENERAL
Attorney for Plaintiff



By: D.J. HILSON (P57726)

Dated: 9/30/2024

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**PEOPLE’S BRIEF IN SUPPORT OF THE PEOPLE’S MOTION TO STRIKE THE
DEFENDANT’S IRRELEVANT WITNESSES DATED 2/20/2024**

Defendant was indicted by a Grand Jury with (1) Undue Possession of a Voting Machine, MCL 168.932(b); (2) Conspiracy to Commit Undue Possession of a Voting Machine, MCL 168.932(b); (3) Conspiracy to Commit Unauthorized Access to a Computer or Computer System, MCL 752.795; and (4) Willfully Damaging a Voting Machine, MCL 168.932(b). All of these events occurred in Oakland County.

STATEMENT OF THE FACTS

The Michigan State Police investigated an incident involving five voting tabulator machines that were obtained from three Michigan Counties and brought to Oakland County without a court order, without a search warrant, or without other lawful process.

On or about March 9, 2021, Defendant sent Lynch to Irving Township in Barry County, where he obtained a voting tabulator that had been used in the 2020 Election. Lynch that same day brought the tabulator to a hotel in Oakland County, where it was delivered to Defendant. Defendant and Co-Defendant DePerno were present in the hotel room while various purported information technology experts examined and conducted “tests” on the machine.

On or about March 18, 2021, Lynch at Defendant’s request went to Lake City in Missaukee County. Lynch obtained a voting tabulator and laptop that had served as an electronic poll book for Lake Township. Before Lynch’s arrival, Co-Defendant Rendon had requested that Lake Township Clerk assist Rendon in an audit of the 2020 General Election by providing the voting equipment to Lynch. Lynch immediately brought the Lake Township equipment to a hotel in Oakland County.

On Sunday March 21, 2021, Lynch at the direction of Defendant went to Roscommon County. Lynch obtained a voting tabulator and several associated USB drives from the Roscommon County Clerk. Additionally, Lynch was provided the opportunity to copy the software from the stand-alone Roscommon County computer. While the software was copying, Lynch went from the Roscommon County Clerk’s Office to the Richfield Township Office and obtained two more voting tabulators. After the tabulators were obtained from Roscommon County and Richfield Township, at the Defendant’s direction, Lynch brought the three voting tabulators to a hotel room in Oakland County.

While the tabulators were being collected from the various locations, the information technology individuals would meet at various hotel rooms and residences throughout Oakland County to perform “testing” and/or experiments on the machines. The internal content of the machines was accessed, and the computer system itself was manipulated during these experiments.

The Defendant and Co-Defendant DePerno were frequently in the Oakland County hotel rooms or residences while the examinations were occurring.

As the experiments continued, a group decision was made to create a video showing various tests being performed on one of the obtained tabulators. A professional-videographer was hired, and the video was recorded in Lynch's Royal Oak (Oakland County) condominium. Defendant and Co-Defendant DePerno were present when the video was made of the illegally obtained tabulator. This video was posted publicly on Co-Defendant DePerno's website.

As time went on, the clerks began to get apprehensive and demand their machines be returned. On April 6, 2021, Lynch returned the voting equipment to Roscommon County and Richfield Township. However, it was not until months later, on June 11, 2021, that Lynch returned the Irving Township tabulator to the Irving Township Office. And, even later, on September 10, 2021, Lynch returned the tabulator to Lake Township Clerk in a shopping mall parking lot at the Great Lakes Crossing Mall, in Auburn Hills, Oakland County. The tabulator returned in the shopping mall parking lot was the same tabulator filmed on the video recorded in Lynch's Oakland County condominium. After the tabulators were returned, it was evident that the security seals on the machines had been broken and there was one machine that was physically pried open and damaged. These machines were rendered useless by the actions taken by the Conspirators.

On February 20, 2024, the Defendant filed a witness list with the names of seventy four (74) people. Most of the potential witnesses have no relevant information to the related charges. Some of the witnesses identified are Muskegon Police officers whose reports indicate they had nothing to do with the investigation involving the Defendant. Other identified witnesses appear to be staff members of the Attorney General's office who also had nothing to do with the investigation of the indicted offenses. Many of the other names on Defendant's witness list appear to have no

information relevant to the Defendant's possession of the voting tabulators. Of the 74 witnesses identified, only witnesses #1-6, #19, #29, #73 have any relevance to this case

Law and Argument

The applicable law is MRE 401 which requires evidence to be relevant before it is admissible. In particular, the evidence or witness must involve a "fact of consequence" in the pending action. MRE 401(b). MRE 402 also states that Irrelevant evidence is not admissible. The 74 witnesses listed by the defense (Except witnesses 1-6, #19, #29, #73) appear to be wholly unrelated to the question of whether the Defendant was in possession of voting tabulating equipment.

Additionally, The People object to the Defense list of witnesses dated 02/20/2024 to the extent that even if there is some relevance on a matter of consequence to the pending action, any probative value of the witness is substantially weighed by a danger of unfair prejudice, confusing the issues, misleading the jury, cause undue delay or waste time.

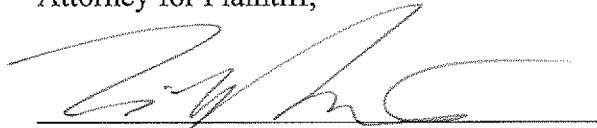
Finally, the People rely upon MCR 2.513(B) which indicates that the Court must "... limit the evidence and arguments to relevant and proper matters, and take appropriate steps to ensure that the jurors will not be exposed to information . . . that might affect their ability to render an impartial verdict on the evidence presented in Court."

In this case, the People are asking the Court to strike the defenses irrelevant witnesses or alternatively order the Defendant to provide a proffer as to the general nature of the witnesses testimony.

CONCLUSION

Wherefore for the foregoing reasons, the People respectfully request this Court grant its motion to STRIKE Defendant's irrelevant witnesses or alternatively order the Defendant to provide a proffer as to the general nature of the witnesses testimony.

Respectfully submitted,
SPECIAL PROSECUTOR &
MUSKEGON COUNTY PROSECUTOR
Attorney for Plaintiff,



Dated: September 30, 2024

By: D.J. HILSON (P57726)

BUSINESS ADDRESS & TELEPHONE:
Hall of Justice, Fifth Floor
990 Terrace Street
Muskegon, MI 49442
(231) 724-6435