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CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

-----X
Michael D. Dalton, Jr.,
Leah M. Dalton, and
Michael A. Deem,

Plaintiffs,

v.

ChoiceOne Bank,

Defendant.
-----X

1:2026-cv-00163 (HYJ) (RK)

**PLAINTIFFS' JOINT DECLARATION
IN SUPPORT OF EMERGENCY
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

EXPEDITED CONSIDERATION REQUESTED

We, Michael D. Dalton, Jr., Leah M. Dalton and Michael A. Deem, declare as follows:

1. We are the plaintiffs in the above-entitled action.
2. We have personal knowledge of the following facts, are familiar with the relevant facts and documents of this action, and if called as witnesses, we could and would competently testify thereto.
3. On May 5, 1837, original ownership interest in certain real property was sold by the United States of America to Ira Wood, through a Federal Land Patent issued by the Bureau of Land Management (Virginia) (FLP 1). P: 001-002.
4. FLP 1 encompasses 305 W. Elizabeth Street, Stockbridge, Michigan (305 W. Elizabeth Street). P: 003-009.
5. On April 10, 2018, L & M Family Investments, LLC (L&M) became the successor to FLP 1 by way of a Warranty Deed, for the real property commonly known as 305 W. Elizabeth Street, for "the sum of One and 00/100 Dollar (\$1.00)." P: 010-012.
6. On April 11, 2018, L&M's Warranty Deed was recorded with the Ingham County Register of Deeds, Ingham County, Michigan (Register of Deeds). P: 010-012.

7. L&M owned, through chain of title, what was granted by the United States through FLP 1 in the first place, by operation of law.

8. On November 20, 2019, L&M gave a mortgage (equitable title) for 305 W. Elizabeth Street to ChoiceOne Bank's alleged predecessor (Mortgage 1). P: 013-026.

9. On or about September 10, 2024, the Bureau of Land Management, U.S. Department of the Interior (BLM), delivered to Mr. and Mrs. Dalton a certified copy of FLP 1. P: 001-002.

10. On October 31, 2024, L&M quitclaimed its interest in 305 W. Elizabeth Street to Mr. and Mrs. Dalton. P: 028-029.

11. On October 31, 2024, Mr. and Mrs. Dalton filed their Quit Claim Deed for 305 W. Elizabeth Street with the Register of Deeds. P: 027-029.

12. On October 31, 2024, Mr. and Mrs. Dalton acquired through chain of title, what was granted by the United States through FLP 1, by operation of law.

13. On November 1, 2024, Mr. and Mrs. Dalton's Quit Claim Deed for 305 W. Elizabeth Street was recorded with the Register of Deeds. P: 027-029.

14. On or about November 12, 2024, the Register of Deeds delivered a copy of the recorded Quit Claim Deed for 305 W. Elizabeth Street to Mr. and Mrs. Dalton. P: 027-029.

15. On November 14, 2024, Mr. and Mrs. Dalton acknowledged and accepted the Quit Claim Deed for 305 W. Elizabeth Street in the presence of a notary public and two witnesses. P: 031-033.

16. On November 15, 2024, Mr. and Mrs. Dalton filed their Notice of Acknowledgement, Delivery and Acceptance of Deed for 305 W. Elizabeth Street with Register of Deeds. P: 030-033.

17. On November 18, 2024, Mr. and Mrs. Dalton's Notice of Acknowledgement, Delivery and Acceptance of Deed for 305 W. Elizabeth Street was recorded with the Register of Deeds. P: 030-033.

18. On November 18, 2024, Mr. and Mrs. Dalton signed a Declaration of Grantee's/Assignee's Notice and Claim of "Forever" Benefit of Original Land Grant/Patent for 305 W. Elizabeth Street in the presence of a notary public. P: 035-039.

19. On November 18, 2024, Mr. and Mrs. Dalton gave public notice of their Notice of Acknowledgement, Delivery and Acceptance of Deed, and their Claim of Forever Benefits under FLP 1, by posting same at the U.S. Post Office located at 117 North Clinton Street, Stockbridge, MI 4928, as well as at 305 W. Elizabeth Street, in the presence of two witnesses. P: 040-047.

20. On November 20, 2024, Mr. and Mrs. Dalton gave public notice of their Notice of Acknowledgement, Delivery and Acceptance of Deed, and their Claim of Forever Benefits under Federal Land Patent 1, by posting same on the public bulletin board at the local library, Capital Area District Library – Stockbridge Branch, 200 Wood Street, Stockbridge, MI 49285, in the presence of two witnesses. P: 040, 048-053.

21. On December 23, 2024, Mr. and Mrs. Dalton filed their Declaration of Grantee's/Assignee's Notice and Claim of "Forever" Benefit of Original Land Grant/Patent under Federal Land Patent 1 with the Register of Deeds. P: 034-039.

22. On December 26, 2024, Mr. and Mrs. Dalton's Declaration of Grantee's/Assignee's Notice and Claim of "Forever" Benefit of Original Land Grant/Patent under Federal Land Patent 1 was recorded with the Register of Deeds. P: 034-039.

23. On December 26, 2024, Mr. and Mrs. Dalton acquired through chain of title, what was granted by the United States through FLP 1, by operation of law.

24. On October 25, 2025, pursuant to Mortgage 1, ChoiceOne Bank claimed equitable title to 305 W. Elizabeth Street pursuant to Mortgage 1, and obtained a Sheriff's Deed (equitable title) through non-judicial foreclosure (Sheriff's Deed 1). P: 054-062.

25. ChoiceOne Bank's equitable title under Sheriff's Deed 1 clouds Mr. and Mrs. Dalton's legal title, FLP 1 and forever benefits, that were acquired prior to Mortgage 1.

26. ChoiceOne Bank's equitable title under Sheriff's Deed 1 clouds Mr. and Mrs. Dalton's legal title, FLP 1 and forever benefits, that were acquired subsequent to Mortgage 1.

27. On or about October 27, 2025, ChoiceOne Bank filed a Complaint against L&M to Recover Possession of 305 W. Elizabeth Street, in the 55th District Court, Ingham County, Michigan, pursuant to Mortgage 1 and Sheriff's Deed 1.

28. ChoiceOne Bank's Complaint embarrassed Mr. and Mrs. Dalton personally, as well as their rights under FLP 1, and further clouded their legal title and interests to 305 W. Elizabeth Street.

29. On or about November 26, 2025, ChoiceOne Bank served Mr. and Mrs. Dalton's tenants in 305 W. Elizabeth Street with a demand/assignment of rents. P: 063-064.

30. ChoiceOne Bank's demand/assignment of rents further embarrassed Mr. and Mrs. Dalton personally, as well as their rights under FLP 1, and further clouded their legal title and interests to 305 W. Elizabeth Street.

31. On January 22, 2026, a Michigan state court, sitting in equity, held a hearing on ChoiceOne Bank's Complaint seeking the eviction of L&M from 305 W. Elizabeth Street, pursuant to Mortgage 1 and Sheriff's Deed 1.

32. Mr. and Mrs. Dalton were denied an opportunity to be heard despite informing the state court that they held a federal land patent (legal title) for 305 W. Elizabeth Street.

33. On January 22, 2026, Judgment was entered against Mr. and Mrs. Dalton, granting ChoiceOne Bank equitable possession of 305 W. Elizabeth Street, with a vacate date of February 2, 2026. P: 065.

34. The underlying facts and law in the above-referenced state court proceedings regarding 305 W. Elizabeth Street are wholly different than the parties, facts and law at issue in the instant matter. P: 001-136.

35. Plaintiff Michael D. Dalton, Jr. is in possession of 305 W. Elizabeth Street.

36. Plaintiff Leah M. Dalton is in possession of 305 W. Elizabeth Street.

37. Plaintiff Michael A. Deem is a tenant of 305 W. Elizabeth Street.

38. On August 15, 1837, original ownership interest in certain real property was sold by the United States of America to John Haydock, through a Federal Land Patent issued by the Bureau of Land Management (Virginia) (FLP 2). P: 066-067.

39. FLP 2 encompasses 3468 Catholic Church Road. P: 068-074.

40. On December 31, 2005, Mr. and Mrs. Dalton became the successors to FLP 2, by way of a Warranty Deed for the property commonly known as 3468 Catholic Church Road, Stockbridge, Michigan (3468 Catholic Church Road), “for the consideration of One and 00/100 Dollar (\$1.00).” P: 075-076.

41. On or about January 23, 2006, Mr. and Mrs. Dalton filed their Warranty Deed for 3468 Catholic Church Road with the Register of Deeds. P: 075-076.

42. On February 8, 2006, Mr. and Mrs. Dalton’s Warranty Deed was recorded with the Register of Deeds. P: 075-076.

43. On February 8, 2006, Mr. and Mrs. Dalton owned, through chain of title, what was granted by the United States through FLP 2, by operation of law.

44. On March 19, 2021, Mr. & Mrs. Dalton gave a mortgage (equitable title) for 3468 Catholic Church Road to ChoiceOne Bank's alleged predecessor (Mortgage 2). P: 077-092.

45. On March 31, 2023, ChoiceOne Bank compelled Mr. & Mrs. Dalton, under threat of foreclosure, to sign a second mortgage for 3468 Catholic Church Road (Mortgage 3). P: 093-101.

46. On or about July 11, 2024, BLM delivered to Mr. Dalton a certified copy of FLP 2. P: 066-067.

47. On October 31, 2024, Mr. and Mrs. Dalton quitclaimed their interest in 3468 Catholic Church Road to Mr. Dalton. P: 103-104.

48. On October 31, 2024, Mr. Dalton filed his Quit Claim Deed for 3468 Catholic Church Road with the Register of Deeds. P: 102-104.

49. On October 31, 2024, Mr. Dalton acquired through chain of title, what was granted by the United States through Federal Land Patent 1, by operation of law.

50. On November 1, 2024, Mr. Dalton's Quit Claim Deed for 3468 Catholic Church Road was recorded with the Register of Deeds. P: 102-104.

51. On or about November 12, 2024, the Register of Deeds delivered a copy of the recorded Quit Claim Deed for 3468 Catholic Church Road to Mr. Dalton. P: 102-104.

52. On November 14, 2024, Mr. Dalton acknowledged and accepted the Quit Claim Deed for 3468 Catholic Church Road in the presence of a notary public and two witnesses. P: 106-108.

53. On November 15, 2024, Mr. Dalton filed his Notice of Acknowledgement, Delivery and Acceptance of Deed for 3468 Catholic Church Road with the Register of Deeds. P: 105-108.

54. On November 18, 2024, Mr. Dalton's Notice of Acknowledgement, Delivery and Acceptance of Deed for 3468 Catholic Church Road was recorded with the Register of Deeds. P: 105-109.

55. On November 18, 2024, Mr. Dalton signed a Declaration of Grantee's/Assignee's Notice and Claim of "Forever" Benefit of Original Land Grant/Patent for 3468 Catholic Church Road in the presence of a notary public. P: 110-114.

56. On November 18, 2024, Mr. Dalton gave public notice of his Notice of Acknowledgement, Delivery and Acceptance of Deed, and their Claim of Forever Benefits under FLP 2, by posting same at the U.S. Post Office located at 117 North Clinton Street, Stockbridge, MI 49285, as well as at 3468 Catholic Church Road itself, in the presence of two witnesses. P: 115-122.

57. On November 20, 2024, Mr. Dalton gave public notice of his Notice of Acknowledgement, Delivery and Acceptance of Deed, and their Claim of Forever Benefits FLP 2, by posting same on the public bulletin board at the local library, Capital Area District Library – Stockbridge Branch, 200 Wood Street, Stockbridge, MI 49285, in the presence of two witnesses. P: 115, 123-128.

58. On December 23, 2024, Mr. Dalton filed his Declaration of Grantee's/Assignee's Notice and Claim of "Forever" Benefit of Original Land Grant/Patent under FLP 2 with the Register of Deeds. P: 109-114.

59. On December 26, 2024, Mr. Dalton's Declaration of Grantee's/Assignee's Notice and Claim of "Forever" Benefit of Original Land Grant/Patent for 3468 Catholic Church Road was recorded with the Register of Deeds. P: 109-114.

60. On December 26, 2024, Mr. Dalton again acquired through chain of title, what was granted by the United States through FLP 2, by operation of law.

61. On October 24, 2025, pursuant to Mortgages 2 and 3, ChoiceOne Bank claimed equitable title to 3468 Catholic Church Road, and obtained a Sheriff's Deed (equitable title) through non-judicial foreclosure (Sheriff's Deed 2). P: 129-136.

62. ChoiceOne Bank's equitable title under Sheriff's Deed 2 clouds Mr. Dalton's legal title, FLP 2 and forever benefits, that were acquired prior to Mortgages 2 and 3.

63. ChoiceOne Bank's equitable title under Sheriff's Deed 2 clouds Mr. Dalton's legal title, FLP 2 and forever benefits, that were acquired subsequent to Mortgages 2 and 3.

64. On or about October 27, 2025, ChoiceOne Bank filed a Complaint against Mr. and Mrs. Dalton "and All Other Occupants," to "Recover Possession" of 3468 Catholic Church Road, in the 55th District Court, Ingham County, State of Michigan, pursuant to Mortgages 2 and 3, and Sheriff's Deed 2.

65. ChoiceOne Bank's Complaint embarrassed Mr. Dalton personally, as well as his rights under FLP 2, and further clouded his legal title and interests to 3468 Catholic Church Road.

66. On January 8, 2026, a Michigan state court, sitting in equity, held a conference on ChoiceOne Bank's Complaint against L&M.

67. Mr. Dalton appeared at said conference and attempted to explain that he was the current successor of FLP 2.

68. Mr. Dalton's statements were ignored and a hearing in equity was scheduled for February 5, 2026, based on Mortgages 2 and 3, and Sheriff's Deed 2.

69. The underlying facts and law in the above-referenced state court proceedings regarding 3468 Catholic Church Road are wholly different than the parties, facts and law at issue in the instant matter. P: 001-136.

70. Plaintiff Michael D. Dalton, Jr. is in possession of 3468 Catholic Church Road.

71. Plaintiff Leah M. Dalton is an occupant of 3468 Catholic Church Road.

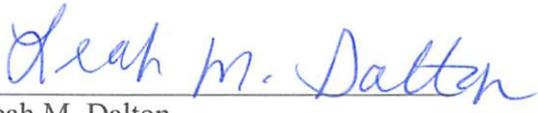
Plaintiff Michael A. Deem is an occupant of 3468 Catholic Church Road.

We declare under penalty of perjury that the foregoing is true and correct.

Executed on January 30, 2026, in Stockbridge, Michigan.



Michael D. Dalton, Jr.
Plaintiff



Leah M. Dalton
Plaintiff

Executed on January 30, 2026, in Brighton, Michigan.



Michael A. Deem
Plaintiff