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April 10, 2026 1:09 PM
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U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

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

1:26-cv-449 (HYJ)(RK)

**FIRST AMENDED
COMPLAINT**

Plaintiffs,

v.

State of Michigan,
Gretchen Whitmer, as Governor of the State of Michigan,
Garlin Gilchrist, as President of the Michigan State Senate,
Matt Hall, as Speaker of the Michigan House of Representatives and
Dana Nessel, as Attorney General of the State of Michigan,

Defendants.
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INTRODUCTION

1. This is an action seeking declaratory judgment that Defendants have interfered with the U.S. Government’s disposal of public lands, violated Plaintiffs’ constitutional rights under the Seventh Amendment and Due Process Clause, Fourteenth Amendment, as well as their possessory rights under two federal land patents. Plaintiffs also seek injunctive relief and incorporation of the Seventh Amendment against the State of Michigan, but only in cases where the validity of or the possessory rights under the federal patent are at issue. This is a case of first impression regarding incorporation of the Seventh Amendment against a state, when the validity of or the possessory rights under a federal land patent are at issue.

JURISDICTION AND VENUE

2. The basis for jurisdiction is Federal Question, specifically 28 U.S.C. § 1331; 42 U.S.C. § 1983; 3 Stat. 566; 5 Stat. 49; 5 Stat. 59; 5 Stat. 144; Federal Land Patent No. 19603; and Federal Land Patent No. 23937.

3. Venue is proper in the Western District of Michigan, Southern Division, pursuant to 28 U.S.C. § 1391(b)(2), the “judicial district in which a substantial part of the events or omissions giving rise to the claims occurred, or a substantial part of property that is the subject of the action is situated.”

PLAINTIFFS

4. Plaintiff, Michael D. Dalton, Jr., is a citizen of the State of Michigan, Ingham County.

5. Plaintiff, Leah M. Dalton, is a citizen of the State of Michigan, Ingham County.

6. Plaintiff, Michael A. Deem, is a citizen of the State of Michigan, and was a tenant of 305 W. Elizabeth Street, Stockbridge, Michigan and an occupant of 3468 Catholic Church Road, Stockbridge, Michigan, Ingham County, on October 15, 2025.

DEFENDANTS

7. Defendant, State of Michigan, is named as a voluntary party to 5 Stat. 49, 5 Stat. 59 and 5 Stat. 144, wherein its immunity for the instant claims has been abrogated and waived.

8. Defendant, Gretchen Whitmer, is the duly elected Governor of the State of Michigan, and a resident of Ingham County. She is named in her official capacity and as one of “the people, Legislature, or other authorities of the said State of Michigan.” The immunity of said office for the instant claims has been abrogated and waived.

9. Defendant, Garlin Gilchrist, is the duly elected President of the Michigan State Senate, and a resident of Ingham County. He is named in his official capacity and as one of “the people, Legislature, or other authorities of the said State of Michigan.” The immunity of said office for the instant claims has been abrogated and waived.

10. Defendant, Matt Hall, is the duly elected Speaker of the Michigan House of Representatives, and a resident of Ingham County. He is named in his official capacity and as one of “the people, Legislature, or other authorities of the said State of Michigan.” The immunity of said office for the instant claims has been abrogated and waived.

11. Defendant, Dana Nessel, is the duly elected Attorney General of the State of Michigan. She is named in her official capacity and as one of “the people, Legislature, or other authorities of the said State of Michigan.” The immunity of said office for the instant claims has been abrogated and waived.

CONTROLLING FEDERAL AND STATE STATUTORY LAW

12. On July 13, 1787, the Confederation Congress operating under the Articles of Confederation adopted legislation entitled “The Ordinance of 1787 for the Northwest Territory.” Said ordinance chartered a government for the Northwest Territory and created a bill of rights that provides in relevant part, “The inhabitants of the said territory shall always be entitled to the benefits [] of the trial by jury [.]” *Id.*, § 14, Art. 2. “The legislatures of those districts or new States [including Michigan], shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers.” *Id.*, § 14, Art. 4.

13. “[The U.S. Supreme Court has] repeatedly observed that the power over the public land thus entrusted to Congress is without limitations.” *See Kleppe v. New Mexico*, 426 U.S. 529, 539 (1976).

14. On April 24, 1820, the U.S. Congress passed, *An Act making further provision for the sale of the public lands*. 3 Stat. 566. Said act provided for the sale of public lands within the

Northwest Territory, including those which Plaintiffs now own or possess pursuant to the federal land patents at issue.

15. On June 15, 1836, the U.S. Congress passed, *An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union on certain conditions*. 5 Stat. 49. Section 4 of said act provides in relevant part,

That nothing in this act contained, or in the administration of the said State into the Union as one of the United States of America upon an equal footing with the original States in all respects whatever, shall be so construed or understood as to confer upon the people, Legislature, or other authorities of the said State of Michigan, any authority to interfere with the sale by the United States, and under their authority, of the vacant and unsold lands within the limits of the said State [].

16. By 5 Stat. 49, the U.S. Congress abrogated all immunity of “the people, Legislature, or other authorities of the said State of Michigan” for any “interfere[nce] with the sale by the United States, and under their authority, of the vacant and unsold lands within the limits of the said State,” including the two subject properties of the instant lawsuit.

17. On June 23, 1836, the U.S. Congress passed *An Act supplementary to the act entitled “An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union on certain conditions.”* 5 Stat. 59. Section 5 of said act provides in relevant part,

That the five foregoing propositions herein offered, are on the condition that the Legislature of the said State, by virtue of the powers conferred upon it by the convention which framed the constitution of the said State, shall provide, by an ordinance irrevocable without the consent of the United States, that the said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers thereof.

18. On December 15, 1836,

a convention of delegates, elected by the people of the said State of Michigan, for the sole purpose of giving their assent to the boundaries of the said State of

Michigan as described, declared, and established, in and by [5 Stat. 59], did, [] assent to the provisions of [5 Stat. 59.]

19. On December 15, 1836, the people of Michigan, their delegates and Michigan waived all immunity of “the people, Legislature, or other authorities of the said State of Michigan” (5 Stat. 49) for any “interfere[nce] with the primary disposal of the soil within the same by the United States, [and] with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers thereof” (5 Stat. 59) including Plaintiffs’ predecessors of the two subject properties of the instant lawsuit.

20. On January 26, 1837, the U.S. Congress passed *An Act to admit the State of Michigan into the Union, upon an equal footing with the original States*. 5 Stat. 144. Section 5 of said act provides in relevant part,

Whereas, in pursuance of the act of Congress of June fifteenth, eighteenth hundred and thirty-six, entitled “*An act to establish the northern boundary of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed*,” a convention of delegates, elected by the people of the said State of Michigan, for the sole purpose of giving their assent to the boundaries of the said State of Michigan as described, declared, and established, in and by the said act [in original], did, on the fifteenth of December, eighteen hundred and thirty-six, assent to the provisions of said act[.]

21. By Defendants accepting the conditions therein, 5 Stat. 144 “became an irrevocable ordinance, binding as well upon the Federal Government as the State.” *Minnesota Mining Co. v. Nat. Mining Co.*, 11 Mich. 186, 187 (1863).

CONTROLLING U.S. SUPREME COURT PRECEDENTS

22. In *Wilcox v. Jackson*, the U.S. Supreme Court held, “[I]n regard to the public lands, [] nothing but a patent passes a perfect and consummate title.” 38 U.S. 498, 516 (1839).

We hold the true principle to be this, that whenever the question in any Court, state or federal, is, whether a title to land which had once been the property of the United States has passed, that question must be resolved by the laws of the

United States; but that whenever, according to those laws, the title shall have passed, then that property, like all other property in the state, is subject to state legislation; *so far as that legislation is consistent with the admission that the title passed and vested according to the laws of the United States.*

38 U.S. at 517 (emphasis added).

23. In *Fenn v. Holme*, the U.S. Supreme Court heard an appeal of “an attempt to assert at law and by a legal remedy a right to real property -- an action of ejectment to establish the right of possession in land.” 62 U.S. 481, 483 (1858).

24. The *Fenn* court held,

That the plaintiff in ejectment must in all cases prove a legal title to the premises in himself, at the time of the demise laid in the declaration, and that evidence of an equitable estate will not be sufficient for a recovery, are principles so elementary and so familiar to the profession as to render unnecessary the citation of authority in support of them.

62 U.S. at 483.

[T]his court, in speaking of the seventh amendment of the Constitution, and of the state of public sentiment which demanded and produced that amendment, say: [] When, therefore, we find that the amendment requires that the right of trial by jury shall be preserved in suits at common law, the natural conclusion is, that the distinction was present in the minds of the framers of the amendment. By *common law*, they meant what the Constitution denominated in the 3d article LAW, not merely *suits* which the common law recognised among its old and settled proceedings, but suits in which *legal* rights were to be ascertained and determined, in contradistinction to those where *equitable rights* alone were recognised and equitable remedies administered. []

62 U.S. at 486.

A practice has prevailed in some of the States [] of permitting the action of ejectment to be maintained upon warrants for land, and upon other titles not complete or legal in their character, but this practice, as we so explicitly ruled in the case of *Bennett v. Butterworth*, (11 How.) can in no wise affect the jurisdiction of the courts of the United States, who, both by the Constitution and by the acts of Congress, are required to observe the distinction between legal and equitable rights, and to enforce rules and principles of decision appropriate to each.

62 U.S. at 488.

25. In *Hooper v. Scheimer*, the U.S. Supreme Court held,

It is also the settled doctrine of this Court that no action of ejectment will lie on such an equitable title, notwithstanding a state legislature may have provided otherwise by statute. The law is only binding on the state courts, and has no force in the circuit courts of the Union.

64 U.S. 235, 246 (1859).

26. In *Gibson v. Chouteau*, the U.S. Supreme Court held,

As legislation of a State can only apply to persons and things over which the State has jurisdiction, the United States are also necessarily excluded from the operation of such statutes.

With respect to the public domain, the Constitution vests in Congress the power of disposition and of making all needful rules and regulations. That power is subject to no limitations. Congress has the absolute right to prescribe the times, the conditions, and the mode of transferring this property, or any part of it, and to designate the persons to whom the transfer shall be made. No State legislation can interfere with this right or embarrass its exercise; and to prevent the possibility of any attempted interference with it, a provision has been usually inserted in the compacts by which new States have been admitted into the Union, that such interference with the primary disposal of the soil of the United States shall never be made. Such provision was inserted in the act admitting Mi[chigan], and it is embodied in the present Constitution, with the further clause that the legislature shall also not interfere 'with any regulation that Congress may find necessary for securing the title in such soil.'

80 U.S. 92, 99 (1871).

With the legal title, when transferred, goes the right to possess and enjoy the land, and it would amount to a denial of the power of disposal in Congress if these benefits, which should follow upon the acquisition of that title, could be forfeited [in equity].

80 U.S. at 100.

In the Federal courts, where the distinction between legal and equitable proceedings is strictly maintained, and remedies afforded by law and equity are separately pursued, the action of ejectment can only be sustained upon the possession by the plaintiff of the legal title. For the enforcement of equitable rights, however clear, distinct equitable proceedings must be instituted. The patent is the instrument which, under the laws of Congress, passes the title of the United States. It is the government conveyance. [] But, in the action of

ejectment in the Federal courts, the legal title must prevail, and the patent, when regular on its face, is conclusive evidence of that title.

80 U.S. at 102.

But neither in a separate suit in a Federal court, nor in an answer to an action of ejectment in a State court, can the mere occupation of the demanded premises by plaintiffs or defendants, for the period prescribed by the statute of limitations of the State, be held to constitute a sufficient equity in their favor to control the legal title subsequently conveyed to others by the patent of the United States, without trenching upon the power of Congress in the disposition of the public lands.

80 U.S. at 102.

27. In *Frost v. Spitley*, the U.S. Supreme Court held,

Under the jurisdiction and practice in equity, independently of statute, the object of a bill to remove a cloud upon title, and to quiet the possession of real estate, is to protect the owner of the legal title from being disturbed in his possession, or harassed by suits in regard to that title; and the bill cannot be maintained without clear proof of both possession and legal title in the plaintiff.

121 U.S. 552, 556 (1887); also, *Dick v. Foraker*, 155 U.S. 404, 414 (1894).

28. The above cases are still good law. They have not been overruled. See, *Bosse v. Oklahoma*, 580 U.S. 1, 3 (2016) (“[I]t is this Court’s prerogative alone to overrule one of its precedents.”).

MICHIGAN STATE CASELAW MIRRORED U.S. SUPREME COURT PRECEDENTS BEFORE IT WAS SUPERCEDED BY DEFENDANTS’ MISCONDUCT

29. In *Webber v. Pere Marquette Boom Co.*, the Michigan Supreme Court held,

Patents issued by the United States conveying its lands are in general unassailable in an action at law. They not only operate to pass the title, but they carry with them a conclusive presumption that all requirements to their issue have been complied with.

62 Mich. 626, 636 (1886) (citing, *Smelting Co. v. Kemp*, 104 U.S. 636, 640-641 (1881)).

30. In *Gilford v. Watkins*, the Michigan Supreme Court held,

Plaintiffs' equitable title under the land contract cannot be enforced in this action against defendants who have shown a prior legal title. [] The rule in Michigan excludes in ejectment all defenses that are not legal.

342 Mich. 632, 637-638 (1955) (collecting cases).

31. In *Klais v. Danowski*, the Michigan Supreme Court held,

Here the United States conveyed a private claim of specific dimensions at a definite location. Determination of that location[] is conclusive of the occupant's rights today. They continue to own, through chain of title, what was granted to the patentees in the first place.

373 Mich. 262, 277 (1964).

**DEFENDANTS' INTERFERENCE WITH AND ABROGATION OF
PLAINTIFFS' FEDERAL RIGHTS**

32. In 1961, Defendants passed MCL § 600.3201, *et seq.*, *Foreclosure of Mortgages by Advertisement*. Said act provides for the non-judicial foreclosure of mortgages. Any judicial intervention is at the request of the mortgagee, after the mortgage has been sold, a sheriff's deed issues in equity, thereby clouding title of all federal land patent holders, and the purchaser of the mortgage seeks a judgment of possession or order of eviction.

33. In 1963, Defendants passed MCL § 600.2932, *Quieting title; interest of plaintiff; action by mortgagee; establishment of title; tenancy in common; actions*, which currently provides in part as amended,

(1) Any person, whether he is in possession of the land in question or not, who claims any right in, title to, equitable title to, interest in, or right to possession of land, may bring an action in the circuit courts against any other person who claims or might claim any interest inconsistent with the interest claimed by the plaintiff, whether the defendant is in possession of the land or not.

(2) No action may be maintained under subsection (1) by a mortgagee, his assigns, or representatives for recovery of the mortgaged premises, until the title to the mortgaged premises has become absolute [].

(5) Actions under this section are equitable in nature.

34. In 1972, Defendants passed MCL § 600.5701, *et seq.*, *Summary proceedings to recover possession of premises.*

35. MCL § 600.5714, provides in part,

(1) A person entitled to possession of premises may recover possession by summary proceedings in the following circumstances: []

(g) When a person continues in possession of premises sold by virtue of a mortgage or execution, after the time limited by law for redemption of the premises [i.e.: MCL § 600.3201, *et seq.*].

36. A court presiding over a summary proceeding pursuant to MCL § 600.5714 sits in both law and equity. *See*, MCL § 600.8302(1) (“In addition to the civil jurisdiction provided in sections 5704 [], the district court has equitable jurisdiction and authority [] in the matters and to the extent provided by this section.”), and § 600.8302(3) (“In an action under chapter 57, the district court may hear and determine an equitable claim relating to [] or involving a right, interest, obligation, or title in land.”).

37. Defendants’ statutory framework allows mortgagees to request possession and/or eviction in courts sitting in law and equity, where lesser titles are permitted to collaterally attack the superior titles of federal land patents, in violation of controlling federal statutory and constitutional law.

38. Federal land patent holders are never afforded a legal forum under common law, or the opportunity for a bill in equity to quiet legal title and protect their federal rights as federal land patent holders, which they otherwise have federal statutory and constitutional rights to do in federal court.

39. In 2014, the Michigan Court of Appeals examined Michigan’s statutory framework regarding the common-law action for ejectment. *New Products Corp. v. Harbor*

Shores BHBT Land Development, LLC, 308 Mich.App. 638 (Mich.App. 2014). The *New Products* court wrote,

With the enactment of MCL 600.2932, the Legislature did not expressly abrogate the common-law action for ejectment. Although one might conclude that the Legislature implicitly abrogated the common-law action for ejectment.

308 Mich.App. at 659 *fn.* 5.

40. Defendants in fact have abrogated the common-law action for ejectment, thereby preventing Plaintiffs from vindicating their federal rights under the federal land patents at issue, in state court, which is ongoing.

41. Defendants have also abrogated the historical claim of Quiet Title – Quiet “Legal” Title – as discussed and recognized by the U.S. Supreme Court, which federal land patent holders have a right to under the Seventh Amendment, which is ongoing.

42. Defendants’ statutory framework continues to violate 5 Stat. 144 as applied to Plaintiffs by allowing collateral attacks on their federal land patents.

43. Defendants’ statutory framework continues to violate federal land patent holders’ rights under the Seventh Amendment, U.S. Constitution.

44. Defendants’ statutory framework continues to violate federal land patent holders’ rights under the Due Process Clause, Fourteenth Amendment, U.S. Constitution, by denying them the opportunity to present all defenses.

45. Defendants’ statutory framework continues to violate the Supremacy Clause, U.S. Constitution.

46. In the alternative, Defendants continue to manipulate their immunity in a systematic fashion to discriminate against the federal rights of federal land patent holders, thereby waiving said immunity in part.

47. Defendants Whitmer, Gilchrist and Hall's predecessors in office enacted the offending statutory framework. By virtue of taking their respective offices, said defendants have stepped into the shoes of their predecessors and are deemed to have passed said statutory framework.

48. In addition, Defendants Whitmer, Gilchrist, Hall and Nessel have an affirmative duty to uphold and enforce federal law, including the rights enshrined in the U.S. Constitution. Defendants continue to fail or refuse to perform their sworn or affirmed federal constitutional duty.

STATEMENT OF FACTS

Federal Land Patent 1

49. On May 5, 1837, original ownership interest in certain real property was sold by the United States of America to Ira Wood, through Federal Land Patent No. 19603 (FLP1).

50. Said patent provides,

NOW KNOW YE, That the United States of America, in consideration of the Premises, and in conformity with the several acts of Congress, in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT unto the said Ira Wood and to his heirs, the said tract above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, unto the said Ira Wood and to his heirs and assigns forever.

51. On April 10, 2018, L & M Family Investments, LLC (L&M) became the successor of Ira Wood, by way of Warranty Deed (WD1), for the real property commonly known as 305 W. Elizabeth Street, Stockbridge, Michigan (School / Community Center), for "the sum of One and 00/100 Dollar (\$1.00)." As such, L&M owned, through chain of title, what was granted to Ira Wood in the first place.

52. Said property is the former middle school for the local school district. By its nature it is “unique.”

53. On April 11, 2018, WD1 was recorded with the Ingham County Register of Deeds (RoD).

54. On November 20, 2019, L&M gave a mortgage (equitable title) (Mrtg1) for the School / Community Center.

55. On or about September 10, 2024, Mr. and Mrs. Dalton received delivery of a certified copy of FLP1 from the Bureau of Land Management (Virginia) (BLM).

56. On October 31, 2024, Mr. and Mrs. Dalton stepped into the shoes of Ira Wood (FLP1), by way of a Quit Claim Deed (QCD1), for the School / Community Center. As such, they continue to own, through chain of title, what was granted to Ira Wood in the first place.

57. On November 1, 2024, QCD1 was recorded with the RoD.

58. On November 12, 2024, Mr. and Mrs. Dalton received delivery of a certified and recorded copy of QCD1 from the RoD.

59. On November 14, 2024, Mr. and Mrs. Dalton accepted QCD1 in the presence of a notary public and two witnesses, and filed their Notice of Acknowledgement, Delivery and Acceptance of Deed with the RoD (NADAD1) with the RoD on November 15, 2024.

60. On November 18, 2024, NADAD1 was recorded with the RoD.

61. 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 FLP1 (Declaration1) in the presence of a notary public.

62. On November 18, 2024, Mr. and Mrs. Dalton gave public notice of NADAD1 and Declaration1, by posting same at the U.S. Post Office located at 117 North Clinton Street,

Stockbridge, MI 4928, as well as at the School / Community Center itself, in the presence of two witnesses.

63. On November 20, 2024, Mr. and Mrs. Dalton gave public notice of NADAD1 and Declaration1, 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.

64. On December 26, 2024, Declaration1 was recorded with the RoD.

65. To date, no objections have been made to the aforementioned filings, recordings and notices given by Mr. and Mrs. Dalton for NADAD1 and Declaration1.

66. On October 24, 2025, Mortgagor claimed equitable title to the School / Community Center pursuant to MCL 600.3201, *et seq.* (non-judicial foreclosure) and a Sheriff's Deed (equitable title), based on Mrtg1 given by L&M, thereby clouding title to QCD1, held by Mr. and Mrs. Dalton.

67. On or about October 27, 2025, Mortgagor filed in state court a Complaint to Recover Possession of the School / Community Center, and named L&M as the sole defendant (Proceeding1), pursuant to MCL 600.5701, *et seq.* (summary proceedings to recover possession of premises).

68. Proceeding1 was based on WD1 and Mrtg1, which was given by L&M.

69. Mr. and Mrs. Dalton were not parties to Mrtg1 and were not named parties in Proceeding1.

70. WD1 and Mrtg1 were superseded by QCD1.

71. Plaintiffs' operative complaint is based in part on QCD1, and subsequent public notice and filings.

72. On January 22, 2026, a state court sitting in law and equity, with rules of procedure and evidence contrary to federal law, held a hearing regarding Proceeding1. Mr. and Mrs. Dalton appeared and tried to explain that they are the current owners of the subject property and successors of FLP1, not L&M. The court refused to acknowledge Mr. and Mrs. Dalton's statements because they were not parties to the action. The petition was granted against L&M, giving legal possession to Mortgagor, even though Mr. and Mrs. Dalton then held and continue to hold superior legal title to the property by QCD1, chain of title.

73. On February 16, 2026, Plaintiffs were evicted from 305 W. Elizabeth Street, Stockbridge, Michigan, which they continue to hold superior title to under QCD1 and federal law, without being afforded their Seventh Amendment and Fourteenth Amendment, due process rights.

Federal Land Patent 2

74. On August 15, 1837, original ownership interest in certain real property was sold by the United States of America to John Haydock, through Federal Land Patent No. 23937 (FLP2).

75. Said patent provides,

NOW KNOW YE, That the United States of America, in consideration of the Premises, and in conformity with the several acts of Congress, in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT unto the said John Haydock and to his heirs, the said tract above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, unto the said John Haydock and to his heirs and assigns forever.

76. On December 31, 2005, Mr. and Mrs. Dalton became the successors of John Haydock (FLP2), the original patentee, by way of Warranty Deed (WD2) for the property commonly known as 3468 Catholic Church Road, Stockbridge, Michigan (Home), "for the

consideration of One and 00/100 Dollar (\$1.00).” As such, Mr. and Mrs. Dalton owned, through chain of title, what was granted to John Haydock in the first place.

77. Said property is a custom built home, built by Mr. and Mrs. Dalton, personally. By its nature it is “unique.”

78. On February 8, 2006, WD2 was recorded with the RoD.

79. On March 19, 2021, Mr. and Mrs. Dalton gave a mortgage (equitable title) (Mrtg2) for the Home.

80. On or about July 11, 2024, Mr. and Mrs. Dalton received delivery of a certified copy of FLP2 from BLM.

81. On October 31, 2024, Mr. Dalton stepped into the shoes of John Haydock by way of a Quit Claim Deed (QCD2), for the Home. As such, he continues to own, through chain of title, what was granted to John Haydock in the first place.

82. The fact that Mr. Dalton was a predecessor in title for FLP2 with Mrs. Dalton is irrelevant. The conveyance has “the same force and effect as [it] would have if the conveyance w[as] made by a grantor or grantors who are not named among the grantees.”

83. On November 1, 2024, QCD2 was recorded with the RoD.

84. On or about November 12, 2024, Mr. Dalton received delivery of a certified and recorded copy of QCD2 from the RoD.

85. On November 14, 2024, Mr. Dalton accepted QCD2 in the presence of a notary public and two witnesses, and filed his Notice of Acknowledgement, Delivery and Acceptance of Deed (NADAD2) with the RoD on November 15, 2024.

86. On November 18, 2024, NADAD2 was recorded with the RoD.

87. 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 FLP2 (Declaration2) in the presence of a notary public.

88. On November 18, 2024, Mr. Dalton gave public notice of NADAD2 and Declaration2, by posting same at the U.S. Post Office located at 117 North Clinton Street, Stockbridge, MI 49285, as well as at the Home itself, in the presence of two witnesses.

89. On November 20, 2024, Mr. Dalton gave public notice of NADAD2 and Declaration2, 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.

90. On December 26, 2024, Declaration2 was recorded with the RoD.

91. To date, no objections have been made to the aforementioned filings, recordings and notices given by Mr. Dalton for NADAD2 and Declaration2.

92. On October 24, 2025, Mortgagor claimed equitable title to Mr. Dalton's Home pursuant to MCL 600.3201, *et seq.* (non-judicial foreclosure) and a Sheriff's Deed (equitable title), thereby clouding title to QCD2 and FLP2, held by Mr. Dalton.

93. On or about October 27, 2025, Mortgagor filed in state court a Complaint to Recover Possession of the Home (Proceeding2), pursuant to MCL 600.5701, *et seq.* (summary proceedings to recover possession of premises). The named defendants were Mr. and Mrs. Dalton "and All Other Occupants."

94. On January 8, 2026, a conference was held for Proceeding2. Mr. Dalton appeared and tried to explain that he was the current successor of a federal land patent for the Home. His

statements were ignored and a hearing was scheduled for February 5, 2026, pursuant to MCL 600.5701, *et seq.*, in law and equity.

95. On February 5, 2026, a state court sitting in law and equity, with rules of procedure and evidence contrary to federal law, held a hearing regarding Proceeding2. Mr. Dalton appeared and tried to explain that he is the current owner of the subject property and successor of FLP2. He invoked his rights under the Seventh Amendment. The court refused to acknowledge his demand or the disparity between state and federal law. The petition was granted, granting legal possession to Mortgagor, even though Mr. Dalton then held and continues to hold superior legal title to the property by QCD2, chain of title.

96. Proceeding2 was based on WD2 and Mrtg2.

97. WD2 and Mrtg2 were superseded by QCD2.

98. Plaintiffs' operative complaint is based in part on QCD2, and subsequent public notice and filings.

99. On March 4, 2026, Plaintiffs were evicted from 3468 Catholic Church Road, Stockbridge, Michigan, which they continue to hold superior title to under QCD2, and federal law, without being afforded their Seventh Amendment and Fourteenth Amendment, due process rights.

RELIEF

100. Plaintiffs seek an order:

- a. Declaring that Defendants' statutory scheme violates the U.S. Government's disposal of the public soil to Ira Wood's heirs and assigns *forever*, pursuant to federal law;

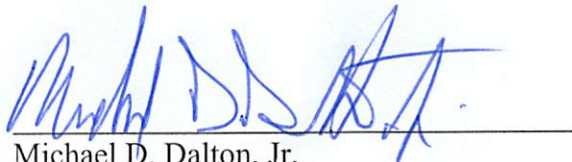
- b. Declaring that Defendants' statutory scheme violates the U.S. Government's disposal of the public soil to John Haydock's heirs and assigns *forever*, pursuant to federal law;
- c. Declaring that Defendants' statutory scheme violates Plaintiffs' possessory rights under their federal land patents, as applied;
- d. Declaring that Defendants' statutory scheme violates Plaintiffs' Seventh Amendment rights, as applied;
- e. Declaring that Defendants' statutory scheme violates Plaintiffs' due process rights under the Fourteenth Amendment, as applied;
- f. Directing Defendants to cease and desist from violating the U.S. Government's disposal of the public soil to Ira Wood's heirs and assigns *forever*;
- g. Directing Defendants to cease and desist from violating the U.S. Government's disposal of the public soil to John Haydock's heirs and assigns *forever*;
- h. Directing Defendants to cease and desist from violating Plaintiffs' possessory rights under their federal land patents;
- i. Directing Defendants to cease and desist from violating Plaintiffs' Seventh Amendment rights;
- j. Directing Defendants to cease and desist from violating Plaintiffs' due process rights under the Fourteenth Amendment;
- k. Incorporating the Seventh Amendment against the State of Michigan in cases where the validity of or the possessory rights under a federal land patent are at issue.

CERTIFICATION AND CLOSING

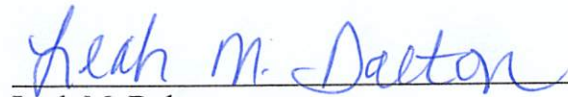
Under Federal Rule of Civil Procedure 11, by signing below, we certify to the best of our knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

We agree to provide the Clerk’s Office with any changes to our address where case-related papers may be served. We understand that our failure to keep a current address on file with the Clerk’s Office may result in the dismissal of our case.


Dated: Stockbridge, Michigan
April 9, 2026



Michael D. Dalton, Jr.
Plaintiff



Leah M. Dalton
Plaintiff



Michael A. Deem
Plaintiff