

Appellate Court disqualifies Warren Mayor from Ballot

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The Michigan Court of Appeals ruled today in a published decision that Warren Mayor James Fouts is not eligible to run for a fifth term.

The three-judge panel sided with the members of the Warren City Council, which appealed a lower Macomb County Circuit Court judge's ruling that Fouts was eligible to run for mayor due to ambiguous language on the ballot question.

Warren City residents successfully passed the ballot initiative in 2020. However, Fouts challenged its application to him.

"We are extremely pleased by the court's ruling today," said lead appellate counsel and Plunkett Cooney partner Mary Massaron. "The court relied on the plain meaning of the city charter language, the language on the ballot, and well-established law to determine that the initiative was not retroactive and applies to Mayor Fouts."

Warren City Council was represented in the underlying case by Plunkett Cooney partner Jeffrey M. Schroder. Massaron was assisted on appeal by Henry W. Saad, retired Judge and former Chief Judge of the Michigan Court of Appeals and special counsel to the firm. "The court's determination to publish this decision means the ruling has binding effect for the future," said Schroder. "We hope this ruling brings closure to what has been a contentious and protracted situation for the residents of Warren."

APPELLATE COURT DISQUALIFIES WARREN MAYOR FROM BALLOT Cont.

The appellate court's ruling takes immediate effect, directing Warren's City Clerk to immediately disqualify Fouts as a candidate for mayor in 2023 and not place his name on the ballot for election.

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For more information about the Michigan Court of Appeals' ruling on behalf of the Warren City Council, contact the firm's Director of Marketing and Business Development, John Cornwell, at (248) 901-4008; jcornwell@plunkettcooney.com.

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