

FILING A MISCELLANEOUS CASE

A miscellaneous case can be opened in the CM/ECF system using the **Open a Miscellaneous Case** event. The event should be used to open the miscellaneous cases listed below:

- Appointments of Receiver
- Incoming Letters Rogatory
- Motions/Petitions to Quash
- Registrations of Judgment
- Petitions to Enforce IRS Summons (U.S. Attorney Only)
- Applications for Writ of Continuing Garnishment (U.S. Attorney Only)

OPENING A MISCELLANEOUS CASE

Step 1: Login into CM/ECF and click **Civil** on the menu bar. Select **Open a Miscellaneous Case** event located under the Open a Case category.

Step 2: Review the list of case options. If the case option does not appear on the list, use the **Open a Civil Case** event located under the *Open a Case* category.

Step 3: In the **Case Type** drop-down menu and select **“mc.”**

If the case is related to another court case, enter the case information in the **Other Court Name** and **Other Court Number** fields.

Open a Miscellaneous Case

Choose one of the following three offices: Bay City, Flint or Detroit.

Do not forget to CHANGE the CASE TYPE to MC.

Office Case type Case number

Date filed

Other court name

Other court number

Step 4: For the next steps including adding parties, go to the specific instructions for the type of miscellaneous case being opened.



DO NOT enter address information unless the party is *Pro Se*.

For information about adding parties, see ***Adding Parties***.

APPOINTMENT OF RECEIVER

Step 1: Add **ALL** plaintiffs and defendants from the original case.

The Receiver is added as a party with a Role of “Receiver.”

For information about adding parties, see ***Adding Parties***.

Step 2: Enter the party name in the Last / Business Name field and click **Search**.

If the party **appears** in the **Search Results**, highlight the party by clicking on the name then click **Select Party**.

If the party **does not appear** in the Search Results, click **Create New Party**

Do not add address information for any parties, including the Receiver.

The screenshot shows a software interface for adding parties to a case. The left pane displays a list of existing parties: ANI Development, LLC (defendant), Krista L. Freitag (receiver), Securities and Exchange Commission (plaintiff), and Judge. The right pane contains a search form with fields for Last/Business Name, First Name, Middle Name, and Prisoner ID, along with a Search button.

Step 3: Click on the **Role** drop-down menu and change the role to **Receiver (rc:pty)**.
Click **Add Party**.

Step 4: After **all** the parties have been entered, click **Create Case**.

A case number will be assigned.

Step 5: Click Docket Lead Event, select **Misc. Case – Appointment of Receiver**.

LETTERS OF ROGATORY

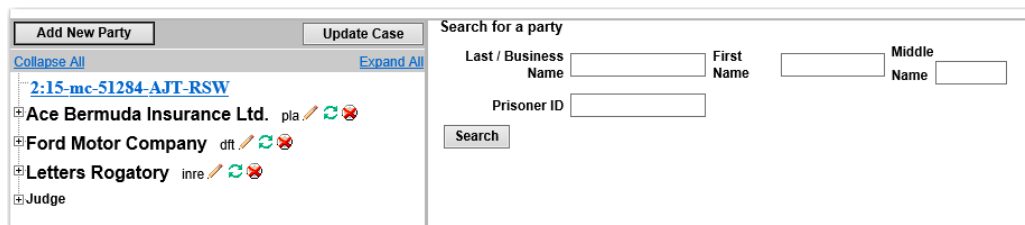
Step 1: Add **ALL** plaintiffs and defendants from the originating case.

Example: Request by Italy pursuant to the treaty between the USA and Italian Republic on mutual assistance in criminal matters in the matter of Giuseppe D'Anna.

For information about adding parties, see *Adding Parties*.

Step 2: In the party search screen, enter Letters Rogatory in the Last/Business Name field. Click **Search**.

Click **Letters Rogatory** in the Search Results window and click **Select Party**.



The screenshot shows a software interface for adding parties. On the left, there is a list of parties with expand/collapse icons. The selected party is 'Letters Rogatory' with the role 'inre'. On the right, there is a search form with fields for 'Last / Business Name', 'First Name', 'Middle Name', and 'Prisoner ID', and a 'Search' button.

Step 3: Click on the **Role** drop-down menu and change the role to **In Re (inre:pty)**. Click **Add Party**.

Step 4: Click **Create Case**.
A case number will be assigned.

Step 5: Click Docket Lead Event, select **Misc. Case – Initiating Document, Other**.

MOTION OR PETITION TO QUASH

Step 1: Add **ALL** plaintiffs and defendants from the original case.

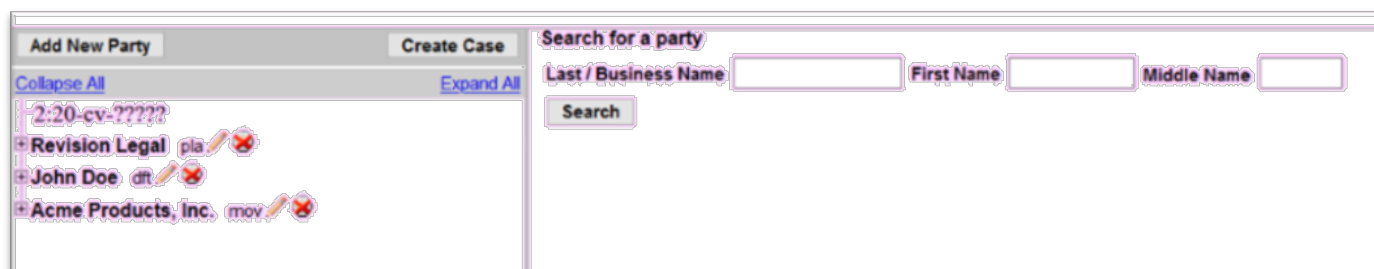
If the party filing the Motion/Petition is not a party to the case, add the moving party with a party role of “**Movant.**”

For information about adding parties, see ***Adding Parties.***

Example: ACME Products, Inc. is served a subpoena requesting production of documents for a case in another district. ACME Products, Inc. is located in this district and files the Motion to Quash in this court.

Step 2: Enter the party name in the Last / Business Name field and click **Search**.
If the party **appears** in the **Search Results**, highlight the party by clicking on the name then click **Select Party**.

If the party **does not appear** in the Search Results, click **Create New Party**.



The screenshot shows a software interface for adding a party to a case. On the left, there is a list of existing parties for case '2:20-cv-?????'. The list includes 'Revision Legal' (role: pla), 'John Doe' (role: dft), and 'Acme Products, Inc.' (role: mov). On the right, there is a search section titled 'Search for a party' with three input fields: 'Last / Business Name', 'First Name', and 'Middle Name', followed by a 'Search' button. At the top of the interface, there are buttons for 'Add New Party' and 'Create Case'.

Step 3: Click on the **Role** drop-down menu and change the role to **Movant (mov:pty)**. Click **Add Party**.

Step 4: Click **Create Case**.
A case number will be assigned.

Step 5: Click Docket Lead Event and select **Misc. Case – Initiating Motion**.

REGISTRATION OF JUDGMENT

Step 1: Add **ALL** plaintiffs and defendants from the original case.

The **Certification of Judgment** is added as a party with a Role of “In Re.”

For information about adding parties, see ***Adding Parties***.

Step 2: In the party search screen, enter “Certification of Judgment” followed by the case number and name of the other court in the Last/Business Name field.

Example: Case number 94-C-6629 Judgment from the Northern District of Illinois to be registered in the Eastern District of Michigan.

Certification of Judgment 94-C-6629 Northern District of Illinois.

The screenshot shows the CM ECF web interface. At the top, there is a navigation bar with links for Civil, Criminal, Query, Reports, Utilities, Search, Help, and Log Out. Below the navigation bar, the page title is "Open a Miscellaneous Case" and a warning message reads: "DO NOT ENTER ANY ADDRESS INFORMATION FOR YOUR PARTY UNLESS THE PARTY IS PRO SE." Below this, instructions state: "Enter party using upper and lower case letters. Refer to the Party Name Data Conventions on the Court website." An example is provided: "Example: Michigan, State of (NOT state of michigan)".

The main content area is divided into two sections. On the left, there is a list of parties with a "Collapse All" and "Expand All" button. The list includes: "-2:20-mc-????", "D2 Abatement, Inc. dt", and "National Labor Relations Board pla". On the right, there is a "Search for a party" section with a "Last / Business Name" field containing "Certification of Jud", "First Name" and "Middle Name" fields, and a "Search" button. A yellow box below the search field contains the text: "Enter: Certification of Judgment 94-C-6629 Northern Illinois".

Click ***Search***. It is unlikely that there will be a result that matches the search.

Make sure the Last Name field contains the proper information.

Click ***Create New Party***.

Step 3: Click on the **Role** drop-down menu and change the role to ***In Re (in re:pty)***. Click ***Add Party***.

Step 4: Click ***Create Case***. A case number will be assigned.

Step 5: Click Docket Lead Event and select ***Misc. Case – Registration of Judgment***.

PETITION TO ENFORCE IRS SUMMONS
(For use by the United States Attorney's Office only)

Step 1: Enter United States of America in the Last/Business Name field. Click **Search**. Select United States of America from the list. Click **Select Party**.

The United States is added as a party with the role of “**Petitioner**” and the subject of the IRS Summons is added as the “**Respondent.**”

Example: A Petition to Enforce IRS Summons is being filed against Josef Bahri.

Step 2: Click on the **Role** drop-down menu and change the role to Petitioner (**pet:pty**). Click **Add Party**.

Step 3: Enter the subject of the Summons in the Last/Business Name field. Click **Search**. Then enter the party name in the Last / Business Name field and click **Search**.

If the party **appears** in the Search Results, click on the name then click **Select Party**.

If the party **does not appear** in the Search Results, click **Create New Party**

Click on the **Role** drop-down menu and change the role to **Respondent** (**res:pty**). Click **Add Party**.

The screenshot shows a software interface for managing legal cases. On the left, there are buttons for 'Add New Party' and 'Update Case'. Below these is a list of parties with expand/collapse icons. The list includes: '2:19-mc-51764-MAG-APP', 'Josef Bahri' (with role 'res'), 'United States of America' (with role 'pet'), and 'Judge'. On the right, there is a 'Search for a party' section with input fields for 'Last / Business Name', 'First Name', and 'Middle Name', a 'Prisoner ID' field, and a 'Search' button.

Step 4: Click **Create Case**.

A case number will be assigned.

Step 5: Click Docket Lead Event and select ***Misc. Case – Petition to Enforce IRS Summons by USA.***

APPLICATIONS FOR WRITS OF CONTINUING GARNISHMENT (For use by the United States Attorney's Office only)

Step 1: Enter United States of America in the Last/Business Name field. Click **Search**. Select United States of America from the list. Click **Select Party**.

If the Application for Writ of Continuing Garnishment being filed relates to a previous criminal case, open the case with the Plaintiff as United States of America. Add the criminal defendant the garnishment pertains as the Defendant.

Step 2: Click on the **Role** drop-down menu and change the role to Plaintiff (*pla:pty*). Click **Add Party**.

Step 3: Enter the last name of the subject of the Garnishment in the Last/Business field. Enter the first name in the First Name field. Click **Search**.

If the search produces a result, click on the name in the Search Results window and click **Select Party**.

If the name does not return any results, click **Create New Party**.

Verify that the **Role** drop-down menu is defaulted to **Defendant (res:pty)**. Click **Add Party**.



The screenshot shows a software interface with two main sections. On the left, there is a list of parties under the heading '2:20-mc-50261-BAF'. The list includes 'Paul Lucki Smith' with a role of 'dft' and 'United States of America' with a role of 'pla'. On the right, there is a search form titled 'Search for a party' with fields for 'Last / Business Name', 'First Name', and 'Middle Name', and a 'Prisoner ID' field. A 'Search' button is located below these fields.

Step 4: Click **Create Case**.
A case number will be assigned.

Step 5: After receiving the case number, click the **Civil** on the menu bar then click **Post-Judgment Collections documents**.

Click **Request for Writ of Garnishment by USA**. Continue to the screen that asks, “Does this Request for Garnishment relate to a criminal case and is the first document in a new miscellaneous matter?” and select **“Yes”**.

Step 6: Enter the related **Criminal Case Number** and the name of the **Judge** assigned to the criminal case.



Note: The Clerk’s Office will directly assign the new miscellaneous case to the same judge assigned to the criminal case.

Step 7: Complete the filing.