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## PRESS RELEASE

### Federal Lawsuit: Sheriff Illegally Sells and Keeps Proceeds From Improperly Seized Property

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Owosso, Michigan - Outside Legal Counsel PLC, together in concert with attorney Matthew E. Gronda, has filed a federal lawsuit against Saginaw County Sheriff William L. Federspiel, ten unnamed deputies, and the Saginaw County Sheriff's Office challenging their controversial use of **civil asset forfeitures**.

The lawsuit claims Federspiel and his deputies seized and sold hundreds of thousands of dollars of real and personal property without authority, and now cannot give in back despite being required to by a state court judgment.

In 2008, deputies from the Saginaw County Sheriff's Office raided two Shiawassee County homes outside their territorial jurisdiction with search warrants issued by Saginaw County courts. The target of their investigation was Steven Ostipow, the adult son of Gerald and Royetta Ostipow.

After breaking down the door of the farm house and later conducting a search of the primary home of Gerald and Royetta Ostipow, deputies seized everything, essentially; from tools, to animal mounts, to a classic car on a trailer, and even personal papers unrelated to the police's investigation.

Neither Gerald nor Royetta were charged, nor had any knowledge of their son's activities.

Later at trial, the main two witnesses, a DEA agent and a sheriff's deputy, both admitted they had no proof the Ostipows had anything to do with their son's activities.

Instead, prosecutors from the Saginaw County Prosecuting Attorney, on behalf of the Saginaw County Sheriff's Office, sought to have the local court deem all of Gerald and Royetta's property amassed over their entire life deemed forfeited.

For his actions, Steven was arrested and charged for his drug-related offenses. Gerald and Royetta, never charged or convicted, then sought the return of their own property unrelated to Steven's activities, including items deputies had seized and hauled away for weeks after the initial search warrants were completed.

The sheriff's office refused.

An eight-year legal battle ensued with two appeals to the Michigan Court of Appeals and two appeals to the Michigan Supreme Court resulting in a final order

that most personal property was non-forfeited but that a portion of the interest of the Farmhouse and some of its contents were to be kept by the government.

When it came time for the Ostipows to get their property back from the Sheriff Federspiel and his office, it was revealed Sheriff Federspiel and his deputies had already sold off the Ostipow's property before the court order was entered and had spent all the proceeds for police department expenses.

Many of Ostipow's items were sold at reduced prices for a quick sale.

Sheriff Federspiel himself signed transfer document for the seized fully restored 1965 Nova SS. He signed it seven years before there was the final ruling on the whether the vehicle was actually forfeited for the Sheriff to sell.

Yet in 2016, the Saginaw County Circuit Court ruled the Sheriff's Office could not keep the classic car, but now it is impossible for the Ostipows to get it back.

"This is one of worst examples of government overreach and abuse of powers I have seen," states Philip Ellison, one of the Ostipow's attorney from Outside Legal Counsel in Hemlock. "The Saginaw Sheriff and his deputies destroyed these people's lives and seemingly still do not even care."

The lawsuit, filed in federal court, also alleges for weeks after the initial search warrant was completed, deputies from the Sheriff's Office would arrive at the Ostipow's home, in plain clothes and with their personal vehicles, and would take even more personal property of the Ostipows. To date, no inventories have been provided by the Sheriff's Office showing these illegal seizures despite requests for the documents.

The complaint requests a federal jury to award the Ostipows more than one million dollars in damages and for a ruling that Sheriff Federspiel, his deputies, and the Sheriff's Office violated the Ostipow's federal constitutional rights. It also seeks to have the portion of the house taken from Gerald Ostipow returned for violations of the Eighth Amendment, a relatively new legal argument being raised by the Ostipow's attorneys.

Federspiel won the recent 2016 primary election, in part, by campaigning that civil asset forfeitures are "saving taxpayers money," claiming such funds pay for the recent redesign of sheriff vehicles in the county. Additionally, Federspiel also was known, nationally, for previously seizing and using a red mustang with the words "Taken from a Drug Dealer" stickered on the side.

**PRESS CONFERENCE SCHEDULED:**

A presser will be held on Thursday, August 25, 2016 at 11:00a.m. at 1095 North Hemlock, Michigan (Old Administration Building). Attorneys, together with Mr. and Mrs. Ostipow, will be on hand to answer questions after formal statements of counsel.