

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellant,

UNPUBLISHED  
August 5, 2014

v

PAUL CHARLES SEEWALD,  
Defendant-Appellee.

No. 314705  
Wayne Circuit Court  
LC No. 12-010198-FH

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PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellant,

v

DON DALE YOWCHUANG,  
Defendant-Appellee.

No. 314706  
Wayne Circuit Court  
LC No. 12-010198-FH

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Before: JANSEN, P.J., and SAAD and DONOFRIO, JJ.

JANSEN, P.J. (*dissenting*).

I respectfully dissent. I conclude that the end goal of defendants' conspiracy was to place Congressman McCotter's name on the ballot—itsself a legal act—and not merely to falsely sign the nominating petitions as circulators. Defendants' decision to falsely sign the nominating petitions as circulators in violation of MCL 168.544c was simply a necessary but illegal step taken in furtherance of their ultimate lawful objective. Therefore, in my opinion, defendants conspired "to commit a legal act in an illegal manner" within the meaning of MCL 750.157a(d). For this reason, I would reverse and remand to the district court for reinstatement of the charge of conspiracy to commit a legal act in an illegal manner under MCL 750.157a(d) against each defendant.

/s/ Kathleen Jansen