

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CLERK
U.S. BANKRUPTCY COURT
E.D. MICHIGAN - DETROIT

2013 SEP 19 P 2:00

FILED

X

In re:

CITY OF DETROIT, MICHIGAN

Debtor

Chapter 9

Case No. 13-53846
C. Steven W. Rhodes

PLEADING OF CHARLES D. BROWN

Now comes Charles D. Brown, taxpayer of City of Detroit, and Retiree of City of Detroit and pleads as follows:

I am concerned that our attorney's representing the City of Detroit, the Jones Day firm, have a financial conflict in representing us in negotiations, settlements with Wall Street municipal bond firms. Also, the State of Michigan and its agents the Governor and Emergency Manager, have financial and fiscal conflicts with the City of Detroit. Therefore, I am concerned about the ability of both our attorney's and the individuals who have been substituted for the City's elected officials pursuant to Michigan PA 436 to fulfill an attorney and fiduciary duty to the City in representing us in bankruptcy.

I believe that there have been no other municipal or Chapter 9 bankruptcies with Emergency Manager type laws usurping the City Charter, approved by the People of Detroit, and usurping the powers of elected representatives, including the powers to file bankruptcy under Chapter 9. My study of bankruptcy law to this point informs me that the Tenth Amendment to the US Constitution is given special deference because of the direction of the first Supreme Court on Chapter 9 to do so. *Ashton v. Cameron County Water Improvement Dist. No. 1*; *United States v Bekins*, 304 U.S. 27 (1938)

The Tenth Amendment to the United States Constitution reads:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people (emphasis added -CB).

The Tenth Amendment reserves rights, not only to the States but to the People.

.I ask the court to consider the legal theory that our rights to no taxation without representation through our City Charter mandated elected officials are Tenth Amendment US Constitutional rights reserved to the people; rights that I respectfully ask the court upheld in Detroit's Chapter 9 bankruptcy by the court.

Finally, I ask that I be allowed to raise questions about the readjustment Plan for the City, should the Court overrule our objections to eligibility.

Respectfully submitted,



Charles D. Brown, Esq.

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