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VICTORY FOR KARL MANKE - ALL CRIMINAL CHARGES DISMISSED

Mr. Manke continues to call on the Governor and Attorney General Nessel to dismiss immediately the administrative licensing action filed against him

Owosso, Michigan – Karl Manke, the 77-year old Owosso, Michigan, barber under attack by Governor Whitmer’s administration for safely opening his barber shop and cutting hair in protest, has been cleared of all criminal charges filed against him for alleged violations of Governor Whitmer’s Executive Orders (EOs). As a result of the Michigan Supreme Court’s recent ruling that Governor Whitmer’s EOs were unlawful, unconstitutional, and unenforceable, Shiawassee County Prosecutor Scott Koerner notified Mr. Manke that he was dismissing all charges filed against him. As a result, Mr. Manke no longer faces any jail time, fines, or a criminal record.

The last remaining case against Mr. Manke is the continuing administrative licensing action. Governor Whitmer’s administration is still fighting to revoke his barber license for violating her illegal EOs. His trial is set to resume on November 19, 2020. Mr. Manke is requesting that Governor Whitmer and Attorney General Dana Nessel dismiss the remaining administrative licensing action since the EOs were never lawful and were not enforceable.

The Supreme Court unanimously ruled that the Governor had no authority to issue or renew any COVID-19 emergency EOs under the 1976 Emergency Management Act (EMA) after April 30, 2020, because she failed to obtain Legislative approval for those emergency extensions. Furthermore, the Court held 4-3 that the Governor had no authority to exercise any COVID-19 emergency powers under the 1945 Emergency Powers of the Governor Act (EPGA) because that law unlawfully delegated legislative power to the executive branch in violation of the Michigan Constitution’s article 3, section 2, which prohibits exercise of the legislative power by the executive branch. Thus, the EPGA was declared invalid and unconstitutional in its entirety.

All administrative actions and criminal charges predicated on the illegal EOs that are still pending against other Michigan businesses and individuals should also be dismissed. All our clients who operate businesses, like gyms and physical fitness centers, are requesting that all actions against them be dismissed immediately.

“I appreciate the Prosecutor dismissing all criminal charges against me in light of the Supreme Court’s decision. It is definitely a weight off my shoulders. I just want to earn a living, and I am not a health threat to anyone,” commented Karl. “The Courts have consistently upheld my constitutional rights affirming that the Governor’s attempts to shut me down were out of line.”

Mr. Manke’s attorney, David A. Kallman, stated, “I am pleased that justice has been done and Karl has been vindicated. He is not a threat to the public’s health, safety, or welfare. This is a great day for upholding the rule of law and restoring the faith of Michigan citizens that our legal system still operates in a fair and just manner. I trust Governor Whitmer will comply with the Supreme Court’s ruling and dismiss the final administrative case against Karl.”

If you would like more information, please contact attorney David A. Kallman.