

**CITY OF BIRMINGHAM
BOARD OF ETHICS
COMPLAINT 2021-03**

DECISION

March 29, 2021

ADMINISTRATIVE DISMISSAL WITHOUT PREJUDICE

Mr. Cory Holland, Sr. brings this complaint to the Board of Ethics against Mr. Stuart Sherman, a Birmingham city commissioner. Mr. Holland's complaint alleges that he also has pending against Mr. Sherman three other civil, criminal or administrative actions involving substantially the same subject matter:

- a Social Security hearing on fraud
- a Michigan Department of Civil Rights investigation
- a federal investigation with the office of the inspector general.

In particular, attached to Mr. Holland's complaint is a copy of the Michigan Department of Civil Rights complaint he filed, case number 609520. The allegations Mr. Holland brings before the Board of Ethics are the same as those involved in his Michigan Department of Civil Rights case.

The Board of Ethics may administratively dismiss a complaint for either of the following reasons:


- (i) One or more complaints or requests for advisory opinions regarding the same matter are pending.
- (ii) The board previously addressed the subject matter.

Board of Ethics Procedural Rules, Rule 302(b). The Board of Ethics has previously interpreted the phrase "one of more complaints" to cover litigation outside of the Board of Ethics itself. See, Decision 2019-03 (June 19, 2019).


Our decision is that we decline to decide the case at this time. We offer no opinion on its merits. Depending on the disposition of the Michigan Department of Civil Rights and other cases, there may or may not remain a question for us to consider. Accordingly, the Board of Ethics dismisses Complaint 2021-03 without prejudice to Mr. Holland's ability to refile at the appropriate time after those matters are concluded.



Sophie Fierro-Share, Chairperson



James D. Robb, Member



John J. Schrot, Jr., Member