

COMMONWEALTH OF MASSACHUSETTS  
Division of Administrative Law Appeals

BOARD OF REGISTRATION IN  
MEDICINE,  
*Petitioner,*

Docket No. RM-22-0020

v.

STEVEN P. COGSWELL, M.D.,  
*Respondent.*

**Appearance for Petitioner:**

Darina Griffin, Esq.

**Appearance for Respondent:**

Steven P. Cogswell, *pro se*

**SUMMARY OF (RECOMMENDED) DECISION**

The Respondent was convicted of second-degree sexual misconduct involving a patient in his care at the correctional facility in which he worked in Michigan, and his license to practice medicine there was revoked. The Board moved for summary decision on the grounds that 1) the Respondent was convicted of a criminal offense, 243 Code Mass. Regs. § 1.03(5)(a)(7); 2) the Respondent's conduct placed into question his ability to practice medicine, G.L. c. 112, § 5, ninth para. (g), and 3) the Respondent was disciplined in another jurisdiction by the proper licensing authority for reasons substantially the same as those set forth in G.L. c. 112, § 5 or 243 Code Mass. Regs § 1.03(5). The Respondent has not participated in these proceedings. The record establishes that the Board is entitled to summary decision.

**RECOMMENDED DECISION ON MOTION FOR SUMMARY DECISION**

On January 20, 2022, the Board of Registration in Medicine ("BRM") issued a Statement of Allegations seeking to discipline Steven P. Cogswell, M.D. ("Respondent"). The Respondent did not file an answer. The BRM now moves for summary decision, having filed a motion and three accompanying exhibits marked Exhibits A-C which are described at the end of this

recommended decision. The Respondent has not opposed the BRM's motion. For the reasons discussed below, I agree with the BRM that it is entitled to summary decision.

### **FINDINGS OF FACT**

Based on the documents in the record submitted by the BRM, I make the following findings of fact:

1. The Respondent is Board-certified in family medicine. He was licensed to practice medicine in Massachusetts from February 25, 1994 until May 25, 1999 when his license was revoked by operation of law because he failed to renew it. He retains an inchoate right to renew his Massachusetts license. Statement of Allegations.
2. The Respondent was also licensed to practice medicine in Michigan and was doing so at the time of the conduct discussed below. Attachment C.<sup>1</sup>
3. In 2018, the Respondent was employed at and provided treatment to female inmates at the Macomb County (Michigan) Jail. *Id.*
4. On December 5, 2018, the Respondent appeared in the Macomb County, Michigan Circuit Court having been charged with six counts of criminal sexual conduct in the second degree in violation of a Michigan statute, MCL 750.520c(1)(k). Attachment B.
5. The victims in the cases in which the Respondent had been charged were inmates at the Macomb County Jail who were under his care when the conduct in question occurred. Attachment C.
6. On March 6, 2019, the Disciplinary Subcommittee of the Michigan Board of Medicine issued an Order of Summary Suspension pertaining to Steven Cogswell's license to

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<sup>1</sup> All references to an "Attachment" refer to the attachments appended to the Petitioner's Motion for Summary Decision.

practice medicine in Michigan. Id.

7. On or around January 15, 2020, the Respondent was convicted of one count of violating MCL 750.520(c). One count was dismissed following a directed verdict in favor of the Respondent and he was found not guilty on the four remaining counts. Attachment B.
8. On February 20, 2020, the Respondent was sentenced, *inter alia*, to 365 days in jail, with credit for time served, and to 5 years' probation, and he was required to register as a sex offender. He completed his term of incarceration and was released. Id.
9. By "First Superseding Administrative Complaint" issued on April 15, 2020, the Michigan Board of Medicine alleged that Dr. Cogswell was subject to discipline in that state for violating various provisions of that state's public health code, 1978 PA 368, as amended, MCL 333.1101 *et seq.* Dr. Cogswell was alleged to have violated the following 5 sections of Michigan public health law:
  - a) § 16221(a), which authorizes disciplinary action against a licensee in Michigan for a "violation of general duty, consisting of negligence or failure to exercise due care, including negligent delegation to or supervision of employees or other individuals, whether or not injury results, or any conduct, practice or condition that impairs, or may impair, the ability to safely and skillfully engage in the health profession."
  - b) § 16221(b)(1), which authorizes disciplinary action against a licensee in Michigan for "incompetence," which is defined in § 333.16106(l) of the Michigan public health code as "a departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for a health profession, whether or not actual injury to an individual occurs."

- c) § 16221(b)(vi), which authorizes disciplinary action against a licensee for lack of good moral character, which is defined in § 333.16104(6) of the Michigan public health code and MCL 338.41 to 338.47 as “the propensity on the part of the person to serve the public in the licensed area in a fair, honest, and open manner.”
  - d) § 16221(e)(vi), which authorizes disciplinary action against a licensee for “conduct by a health professional with a patient while he or she is acting within the health profession for which he or she is licensed or registered, including conduct initiated by a patient or to which the patient consents, that is sexual or may reasonably be interpreted as sexual, including, but not limited to, sexual intercourse, kissing in a sexual manner, or touching of a body part for any purpose other than appropriate examination, treatment, or comfort.”
  - e) § 16221(b)(xiii), which authorizes disciplinary action against a licensee for conviction of a criminal offense under section 750520c of the Michigan Penal Code.
10. Following an administrative hearing, on November 5, 2020, an administrative law judge in Michigan issued a “Proposal for Decision” (“PFD”) containing findings of fact and conclusions of law regarding Steven Cogswell’s eligibility to hold a license to practice medicine there. Id.
11. The Disciplinary Subcommittee of the Michigan Board of Medicine considered the PFD at its meeting held on January 20, 2021 and voted to adopt its findings of fact and conclusions of law. Ultimately, the summary suspension pertaining to the Respondent’s license to practice medicine in Michigan was dissolved and that license was permanently

revoked effective January 27, 2021. Id.

12. On January 21, 2022, the BRM issued a Statement of Allegations seeking to impose discipline on Steven Cogswell based in part on his conviction in Michigan. Statement of Allegations. The matter was referred to DALA for a hearing. Id.
13. By notice issued January 27, 2022, DALA informed the parties that a pre-hearing conference would be held by telephone on February 17, 2022. The Petitioner's counsel appeared at this conference; the Respondent did not. The Respondent also did not file an answer to the Statement of Allegations.
14. On or around May 23, 2022, the Petitioner filed a Motion for Summary Decision.
15. On August 2, 2023, I issued an Order to the parties directing the Respondent to file his opposition to that motion, if any, on or before September 1, 2023. I informed the parties that if no further documents were received by that date, DALA would decide the matter based on the evidence that was already contained in the record. To date, DALA has not received any opposition to BRM's motion.

### DISCUSSION

In its Statement of Allegations, the BRM sought relief under three specific grounds: 1) the Respondent was convicted of a criminal offense, 243 Code Mass. Regs. § 1.03(5)(a)(7); 2) the Respondent's conduct placed into question his ability to practice medicine, G.L. c. 112, § 5, ninth para. (g), and 3) the Respondent was disciplined in another jurisdiction by the proper licensing authority for reasons substantially the same as those set forth in G.L. c. 112, § 5 or 243 Code Mass. Regs § 1.03(5). This third allegation goes on to cite specifically that the Respondent

- a) engaged in conduct which places into question the physician's competence to practice medicine. 243 Code Mass. Regs. §1.03(5)(a)(3)

- b) committed misconduct in the practice of medicine. 243 Code Mass. Regs. § 1.03(5)(a)(18).
- c) committed a crime. 243 Code Mass. Regs § 1.03(5)(a)(7).
- d) committed a crime that reasonably calls into question his ability to practice medicine. G.L. c. 112, § 5, ninth para. (g).
- e) engaged in conduct which undermines the public confidence in the integrity of the medical profession. Raymond v. Board of Registration in Medicine, 387 Mass. 708 (1982).

The Standard Adjudicatory Rules provide that summary decision is appropriate when “there is no genuine issue of fact relating to all or part of a claim or defense and he or she is entitled to prevail as a matter of law.” 801 Code Mass. Regs. § 1.01(7)(g). As is further discussed below, the BRM has established that it is entitled to summary decision on all three grounds that it alleged.

As an initial matter, the Respondent did not file an answer to the BRM’s Statement of Allegations, failed to appear at the pre-hearing conference scheduled in this matter and then failed to respond to the BRM’s Motion for Summary Decision or DALA’s subsequent pre-hearing order. The failure to respond to allegations against a physician and the disregard of administrative directives in related proceedings has led to revocation of the right to renew a medical license. In the Matter of Kowalski, BRM Case No. 97-16-DALA (Final Decision and Order April 1, 1998); In the Matter of Kucharski, BRM Adjudicatory Case Number 2008-048 (Final Decision and Order April 14, 2010); In the Matter of Katzenberg, BRM Case Number 2017-044 (Final Decision and Order August 9, 2018). Dr. Cogswell is subject to discipline on that basis.

However, the Respondent is also subject to discipline based on the substantive allegations against him, as well. In cases of reciprocal discipline such as this one, the key issue is whether another licensing authority has disciplined the physician for reasons substantially similar to those provided under Massachusetts law. Board of Registration in Medicine v. Merchia, RM-18-0020 (DALA August 8, 2019). For the reasons that follow, I find that the Petitioner has met its burden to show that the grounds on which the Respondent was disciplined in Michigan are substantially similar to the those for which he could be disciplined in Massachusetts and the Board should take what disciplinary action it deems appropriate.

The Respondent is undoubtedly subject to discipline as the result of his criminal conviction under both Michigan and Massachusetts law. MCL 333.16221(b)(xiii); 243 Code Mass. Regs. § 1.03(5)(a)(7). The copy of the criminal docket included as Attachment B establishes that the Respondent has been convicted of a crime that would subject him to discipline in Michigan: second degree sexual misconduct. Similarly, in Massachusetts, convictions for any crime subject a physician to discipline. 243 Code Mass. Regs. § 1.03(5)(a)(7). Moreover, in Massachusetts crimes of a sexual nature have been grounds to discipline a physician, even if the victim in the case was not a patient of the physician. In the Matter of Metzger, Adjudicatory Case Number 2013-016 (Final decision and Order October 23, 2013) (discussing various cases and imposing discipline for conviction of, *inter alia*, a sexual offense involving 12-year-old child in another state). I find that the grounds for discipline based on criminal conviction in both Michigan and Massachusetts are substantially similar and that Dr. Cogswell could be disciplined in Massachusetts as a result of his conviction in Michigan.

Michigan law subjects a licensed physician to discipline if the physician engages in sexual conduct with a patient. MCL 333.16221(e)(vi). I find that there are substantially similar

grounds in Massachusetts that would subject Dr. Cogswell to discipline. Discipline is also appropriate in Massachusetts when the physician becomes intimate with a former patient, even when criminal conduct is not involved. See Board of Registration in Medicine v. Brendel, Docket Number RM-12-234 (August 14, 2012) (discipline appropriate where physician and former patient had sexual relationship which began more than one year after patient's care had been transferred because of the physician's feelings for the patient). Dr. Cogswell is subject to discipline for engaging in sexual conduct with his victims because they were also his patients.

Michigan law subjects a physician to discipline for incompetence and lack of good moral character. MCL 333.16221(b)(1); MCL 333.16221(b)(vi). In Massachusetts, discipline has been imposed where the sexual conduct between the parties involves a then-current patient of the physician when criminal activity is not involved. Separate and apart from his criminal conviction for it, the underlying conduct that was the basis for the criminal charges against Dr. Cogswell involved sexual contact with then-current patients and therefore reasonably calls into question his competence to practice medicine as referenced in 243 Code Mass. Regs. § 1.03(5)(a)(3). This is misconduct in the practice of medicine as that term is used in 243 Code Mass. Regs §1.03(5)(a)(18) and is conduct that undermines the public confidence in the integrity of the medical profession. Weinberg v. Board of Registration in Medicine, 443 Mass. 679, 683 (2005) (finding that these three bases for discipline were implicated where a psychiatrist engaged in a sexual relationship with an individual while she was still his patient). In cases involving sexual misconduct with a current patient, license revocation is considered an appropriate remedy. In the Matter of Luis Santiago-Cruz, Adjudicatory Case No. 2013-055 (April 2, 2015) (discussing relevant cases and factors to consider in imposing discipline). Dr. Cogswell is subject to discipline on this basis.

Although Dr. Cogswell is not currently licensed to practice medicine in Massachusetts, discipline is still appropriate and warranted. Sexual contact with patients has also been grounds for revoking a physician's inchoate right to renew his medical license. In the Matter of Faulhaber, Adjudicatory Case Number 2013-041 (Final decision and Order July 2, 2015) (Respondent's "absolute disregard" for physician-patient boundaries by engaging in sexual relationship and taking advantage of the vulnerability of a patient for his personal pleasure among factors cited in support of revoking inchoate right to renew medical license). Here, the patients<sup>2</sup> in question were incarcerated in the correctional facility in which Dr. Cogswell worked. Dr. Cogswell took advantage of the patients' lack of freedom generally and their lack of freedom to choose a medical provider and exploited the power differential between himself and his patients for his own personal gratification. Under the circumstances, Dr. Cogswell is subject to discipline.

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<sup>2</sup> Because the conduct in question would subject Dr. Cogswell to discipline even if he had not been criminally convicted for it, I refer here to his conduct with the several prisoners referenced in the Michigan disciplinary proceedings described in Attachment C, not just the patient involved in the charge for which he was criminally convicted.

### CONCLUSION

Based on the foregoing, the Board's motion for summary decision is allowed. The Board may impose such discipline on Dr. Cogswell as it deems appropriate in light of the facts and conclusions of law that can be drawn from the Statement of Allegations, the filings that were part of the disciplinary proceedings in Michigan and details in the criminal docket.

DIVISION OF ADMINISTRATIVE LAW APPEALS

*Melinda E. Troy*

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Melinda E. Troy  
Administrative Magistrate

Dated: November 7, 2023

### Appendix—Exhibit List

- A. Physician Profile for Steven Cogswell from the Commonwealth of Massachusetts Board of Registration in Medicine.
- B. Copy of the Criminal Docket in People v. Cogswell, Macomb County Michigan Docket Number 2018-004052-FH.
- C. Materials from the State of Michigan Board of Medicine related to the licensing of Steven Cogswell as a physician in that state, which included:
  - 1. The First Superseding Administrative Complaint outlining the allegations against Dr. Cogswell dated April 15, 2020;
  - 2. The Order of Summary Suspension, dated March 6, 2019; and
  - 3. The Final Order of the Michigan Board of Medicine revoking Dr. Cogswell's license to practice medicine in the State of Michigan, dated January 27, 2021.



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## Physician Profile

Steven Paul Cogswell, M.D.

Please note that this licensee does not have an active license and therefore cannot practice medicine in the Commonwealth of Massachusetts. The Board collects information for the years 1986 through the present from multiple sources, including the physician, to create a profile. This physician has a license that is not active and may not have provided current information to the Board, therefore information on the profile may not be current. If the Board receives notice of an adverse action, and the adverse action is verified, the Board will update the profile accordingly.

### Disclaimer

### Physician Information

Except for the License Information, this information has been reported by Dr. Cogswell.

License Number	78878
License Status	Lapsed
License Issue Date	2/23/1994
License Expiration Date	5/25/1999
Primary Work Setting	Government Facility
Business Address	Nas Medical Clinic 1134 Main Street Weymouth, MA 02190 United States of America (781) 682-2674
Business Telephone	
Accepting New Patients	No
Accepts Medicaid	No
Translation Services Available	None Reported
Insurance Plans Accepted	None Reported
Hospital Affiliations	None Reported
NPI Number	None Reported

Both The Joint Commission and the National Committee on Quality Assurance consider the Massachusetts Board of Registration in Medicine to be a primary source provider for license status information

### Education & Training

The Education and Training Information was verified as of the License Issue Date above.

Medical School	College of Human Medicine, Michigan State Univ.
Graduation Date	6/30/1992
Post Graduate Training	None Reported

### Specialty

This Information has been reported by Dr. Cogswell.

Area of Specialty	General Practice
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### Board Certifications

Dr. Cogswell has reported no board certifications.

### Honors and Awards

Dr. Cogswell has reported no awards

### Professional Publications

Dr. Cogswell has reported no publications

## Malpractice Information

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### Massachusetts Malpractice Claims

Dr. Cogswell has not made a payment on a malpractice claim in Massachusetts.

### Out of State Malpractice

The Board has no record of out of state malpractice claims regarding Dr. Cogswell.

## Disciplinary and/or Massachusetts Criminal Actions

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### Massachusetts Criminal Convictions, Pleas and Admissions

The Board has no record of felony or serious misdemeanor convictions regarding Dr. Cogswell.

### Health Care Facility Discipline

The Board has no record of health care facility discipline regarding Dr. Cogswell.

### Massachusetts Board Discipline

Dr. Cogswell has not been disciplined by the Board.

### Out of State Board Discipline

This section includes discipline imposed by other state medical boards on physicians licensed in those states. It is important to note that some states may discipline physicians for reasons different from those in Massachusetts. For more information about another state's discipline, contact that state's medical board. You can find contact information for all state medical boards at the [Federation of State Medical Boards](#) website.

Date	1/27/2021
State	Michigan
MI License Number	4301059909
Actions	Permanently Revoked

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Instructions for obtaining public information about a physician are available at our [public information page](#). Questions about a physician's Profile may be submitted to [ma.profiles@state.ma.us](mailto:ma.profiles@state.ma.us). You may also contact the Massachusetts Board of Registration in Medicine, 200 Harvard Mill Square, Suite 330, Wakefield, MA 01880. Phone 781-878-8200 for public information about a physician or questions about a physician's Profile. Detailed information about Massachusetts Board disciplinary actions on physicians may be found at our [Disciplinary and Other Board Action](#) page.

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## ATTACHMENT B

**2018-004052 FH PEOPLE vs COGSWELL, STEVEN PAUL JB2**

Case Type:  
 FH-NONCAPITAL FELONIES  
 Case Status:  
 Closed  
 File Date:  
 12/05/2018  
 DCM Track:  
 Action:  
 CRIMINAL SEXUAL CONDUCT - SECOND DEGREE - COUNTY PRISONER  
 Status Date:  
 12/05/2018  
 Case Judge:  
 BIERNAT, JR, JAMES M  
 Next Event:

All Information | Docket | Party | Charge | Ticket/Citation # | Event | Financial | Receipt | Disposition

**Docket Information**

Date	Description	Docket Text	Amount Owed	Amount Due	File Ref Nbr
11/27/2018	DISTRICT COURT FELONY, PLEA NOT TAKEN	DISTRICT COURT, FELONY PLEA NOT TAKEN.			
11/27/2018	DISTRICT COURT BINDOVER	DISTRICT COURT BINDOVER			
11/27/2018	BOND NOT FURNISHED, SET AT \$	BOND NOT FURNISHED, SET AT: \$250,000, C/S ONLY *DEFT WILL NEED TO BE WRIT OUT OF ST. CLAIR COUNTY JAIL. *NO CONTACT W/VICTIMS *IF POSTS BOND, MUST BE ON GPS TETHER - MAY ONLY LEAVE FOR MEDICAL EMERGENCIES, COURT DUTIES, OR MEET W/ ATTY			
12/04/2018	ORDER FOR PRETRIAL RELEASE WITH NO CONTACT BOND PROVISION EMAILED TO SHERIFF	ORDER FOR PRETRIAL RELEASE WITH NO CONTACT BOND PROVISION FAXED TO SHERIFF			
12/05/2018	ARRAIGNMENT/CONFERENCE SCHEDULED	ARRAIGNMENT/CONFERENCE SCHEDULED Event: ARRAIGNMENT/CONFERENCE Date: 12/17/2018, Time: 1:30 pm Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3 Result: ARRAIGNMENT WAIVED			
12/06/2018	WRIT OF HABEAS CORPUS - SGD	WRIT OF HABEAS CORPUS - SGD (ST. CLAIR COUNTY JAIL, 12-17-18 @ 130PM)			
12/13/2018	INFORMATION, LIST OF KNOWN WITNESSES	INFORMATION			
12/13/2018	LIST OF KNOWN WITNESSES	LIST OF KNOWN WITNESSES			
12/14/2018	MOTION	MOTION TO CHANGE CONDITIONS OF BOND, PROOF OF SERVICE			

Date	Description	Docket Text	Amount Owed	Amount Due	File Ref Nbr.
12/17/2018	ARRAIGNMENT WAIVED: RDG WVD, STD MTE, DEFENSE ATTY PROVIDED WITH COPY OF INFO,	ARRAIGNMENT WAIVED: RDG WVD, STD MTE, DEFENSE ATTY PROVIDED WITH COPY OF INFO, PRETRIAL 1-14-19 @ 1:30PM, MTN FOR BOND MODIFICATION IS HEREBY TAKEN UNDER ADVISEMENT AND REFERRED TO COMMUNITY CORRECTIONS - SGD The following event: ARRAIGNMENT/CONFERENCE scheduled for 12/17/2018 at 1:30 pm has been resulted as follows:  Result: ARRAIGNMENT WAIVED Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3  HELD ON THE RECORD COURT REPORTER: VIDEO CIRCUIT Certificate #:			
12/17/2018	SHERIFF DEPARTMENT NOTIFIED	SHERIFF DEPARTMENT NOTIFIED			
12/17/2018	PRETRIAL CONFERENCE SCHEDULED	PRETRIAL CONFERENCE SCHEDULED  The following event: ARRAIGNMENT/CONFERENCE scheduled for 12/17/2018 at 1:30 pm has been rescheduled as follows  Event: PRETRIAL CONFERENCE Date: 01/14/2019 Time: 8:30 am Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3  Result: CHANGE EVENT START TIME			
12/17/2018	CASE NOTE:	REFERRAL FORM EMAILED TO COMM CORRECTIONS, R/F IN FILE			
12/27/2018	DOCUMENT FILED:	PROS REQ FOR DISCOVERY			
01/08/2019	CHANGE EVENT START TIME	CHANGE EVENT START TIME TO 1-14-19 @ 130PM The following event: PRETRIAL CONFERENCE scheduled for 01/14/2019 at 8:30 am has been resulted as follows:  Result: CHANGE EVENT START TIME Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3			
01/08/2019	PRETRIAL CONFERENCE SCHEDULED	PRETRIAL CONFERENCE SCHEDULED  The following event: PRETRIAL CONFERENCE scheduled for 01/14/2019 at 8:30 am has been rescheduled as follows:  Event: PRETRIAL CONFERENCE Date: 01/14/2019 Time: 1:30 pm Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3  Result: HELD-CRIMINAL			
01/14/2019	HELD.	HELD: FINAL PRE-TRIAL SET FOR 6-6-19 @ 930AM W/ ANY MTNS TO BE HEARD, TRIAL SET FOR 6-6-19 @ 9AM, MTN FOR BOND MODIFICATION DENIED, BOND CONT'D - SGD  The following event: PRETRIAL CONFERENCE scheduled for 01/14/2019 at 1:30 pm has been resulted as follows:  Result: HELD-CRIMINAL Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3  HELD ON THE RECORD COURT REPORTER: VIDEO CIRCUIT Certificate #:			
01/14/2019	SHERIFF DEPARTMENT NOTIFIED	SHERIFF DEPARTMENT NOTIFIED			

Date	Description	Docket Text	Amount Owed	Amount Due	File Ref Nbr
01/14/2019	FINAL PRETRIAL HEARING SCHEDULED	FINAL PRETRIAL HEARING SCHEDULED The following event: PRETRIAL CONFERENCE scheduled for 01/14/2019 at 1:30 pm has been rescheduled as follows: Event: FINAL PRETRIAL HEARING Date: 08/08/2019 Time: 9:30 am Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3			
01/14/2019	TRIAL SCHEDULED	TRIAL SCHEDULED Event: TRIAL Date: 08/08/2019 Time: 9:00 am Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3			
02/21/2019	DOCUMENT FILED	UPON POSTING BOND, DEFENDANT SHALL NOT BE ALLOWED TO PRACTICE MEDICINE OR SEE ANY PATIENTS - SGD			
02/21/2019	IMAGE OF	IMAGE OF CIRCUIT COURT HEARING DISPOSITION Sent on: 02/21/2019 15:26:21.73			
02/21/2019	SURETY BOND FURN AMOUNT \$	SURETY BOND FURN - AMOUNT \$250,000 FURN BY SANBORN BAIL BONDS R/F			
02/27/2019	TRIAL SCHEDULED	TRIAL SCHEDULED Event: TRIAL Date: 08/08/2019 Time: 9:00 am Judge: GATTI, JULIE Location: CIRCUIT COURT BUILDING - 4TH FLOOR - COURT ROOM 3  Result: REFERRED TO ANOTHER JUDGE			
02/27/2019	FINAL PRETRIAL HEARING SCHEDULED	FINAL PRETRIAL HEARING SCHEDULED Event: FINAL PRETRIAL HEARING Date: 08/08/2019 Time: 9:30 am Judge: GATTI, JULIE Location: CIRCUIT COURT BUILDING - 4TH FLOOR - COURT ROOM 3  Result: REFERRED TO ANOTHER JUDGE			
02/27/2019	CASELOAD TRANSFERRED	CASELOAD TRANSFERRED The judge was changed from BIERNAT JR, JAMES M to GATTI, JULIE			
02/27/2019	NOTIFICATION OF CASELOAD TRANSFER TO BE SENT	NOTIFICATION OF CASELOAD TRANSFER TO BE SENT			
02/28/2019	REFERRED TO ANOTHER JUDGE	REFERRED TO ANOTHER JUDGE The following event: FINAL PRETRIAL HEARING scheduled for 08/08/2019 at 9:30 am has been resulted as follows:  Result: REFERRED TO ANOTHER JUDGE Judge: GATTI, JULIE Location: CIRCUIT COURT BUILDING - 4TH FLOOR - COURT ROOM 3			
02/28/2019	FINAL PRETRIAL HEARING SCHEDULED	FINAL PRETRIAL HEARING SCHEDULED The following event: FINAL PRETRIAL HEARING scheduled for 08/08/2019 at 9:30 am has been rescheduled as follows: Event: FINAL PRETRIAL HEARING Date: 08/08/2019 Time: 9:30 am Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3  Result: HELD: NOT PLACED ON RECORD			
02/28/2019	REFERRED TO ANOTHER JUDGE	REFERRED TO ANOTHER JUDGE The following event: TRIAL scheduled for 08/08/2019 at 9:00 am has been resulted as follows:  Result: REFERRED TO ANOTHER JUDGE Judge: GATTI, JULIE Location: CIRCUIT COURT BUILDING - 4TH FLOOR - COURT ROOM 3			

<u>Date</u>	<u>Description</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Amount Due</u>	<u>File Ref Nbr.</u>
02/28/2019	TRIAL SCHEDULED	TRIAL SCHEDULED  The following event: TRIAL scheduled for 08/06/2019 at 9:00 am has been rescheduled as follows:  Event: TRIAL Date: 08/06/2019 Time: 9:00 am Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3  Result: ADJOURNED-OTHER REASONS			
02/28/2019	CASE REASSIGNED BACK TO ORIGINAL JUDGE	CASE REASSIGNED BACK TO ORIGINAL JUDGE PER JB2 The Judge was changed from GATTI, JULIE to BIERNAT JR, JAMES M			
04/25/2019	REQUEST FOR HEARING ON A MOTION; NOTICE OF HEARING; PROOF OF SERVICE	REQUEST FOR HEARING ON A MOTION; NOTICE OF HEARING; PROOF OF SERVICE			
04/25/2019	MOTION TO AMEND	MOTION TO AMEND CONDITIONS OF BOND			
04/25/2019	HEARING; MTN TO CHANGE BOND CONDITIONS SCHEDULED	HEARING; MTN TO CHANGE BOND CONDITIONS SCHEDULED Event: MTN TO CHANGE BOND CONDITIONS Date: 05/06/2019 Time: 8:30 am Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3  RABAUT  Result: MOTION GRANTED			
05/06/2019	MOTION GRANTED	MOTION GRANTED, ALLOWED TRAVEL FROM 7AM-7PM - OTE The following event: MTN TO CHANGE BOND CONDITIONS scheduled for 05/06/2019 at 8:30 am has been resulted as follows:  Result: MOTION GRANTED Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3  HELD ON THE RECORD COURT REPORTER: VIDEO CIRCUIT Certificate #:			
05/06/2019	ORDER SIGNED	ORDER OF BOND MODIFICATION TO ALLOW DEFT TO SEEK EMPLOYMENT BETWEEN 7AM AND 7PM, UPON GAINING EMPLOYMENT, THE DEFT MUST REPORT SUCH EMPLOYMENT INFORMATION TO THE COURT, THAT THE DEFT MAY LEAVE HIS HOME FOR EMPLOYMENT, MEDICAL PURPOSES (AS A PATIENT), COURT APPEARANCES AND MEETINGS WITH HIS DEFENSE COUNSEL - SGD			
07/03/2019	DEFENDANTS WITNESS LIST	DEFENDANTS FIRST WITNESS LIST			
07/03/2019	PROOF OF SERVICE	PROOF OF SERVICE			
07/11/2019	DEFENDANTS WITNESS LIST	DEFENDANTS FIRST AMENDED WITNESS LIST			
07/11/2019	PROOF OF SERVICE	PROOF OF SERVICE			
07/18/2019	HELD; NOT PLACED ON RECORD,	HELD. NOT PLACED ON RECORD, TRIAL SET FOR 8-6-19 @ 9AM The following event: FINAL PRETRIAL HEARING scheduled for 06/06/2019 at 9:30 am has been resulted as follows:  Result: HELD. NOT PLACED ON RECORD Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3			
07/31/2019	STIP & ORDER SGD RE:	STIP/ORDER FOR TEMPORARY AMENDMENT TO BOND CONDITION, DEFT PERMITTED TO AN OVERNIGHT STAY AT THE BAYMONT HOTEL IN ROSEVILLE, MI FOR THE EVENINGS OF 08/06/19 & 08/06/19 AS DEFT WILL BE APPEARING IN COURT ON 08/06/19 AND LIVES OUT OF MACOMB COUNTY - SGD			

Date	Description	Docket Text	Amount Owed	Amount Due	File Ref Nbr.
08/02/2019	ADJOURNED - OTHER REASONS	ORDER OF ADJ OF TRIAL FROM 08/06/19 TO 11/19/19 AT 9:00 AM - SGD The following event: TRIAL scheduled for 08/06/2019 at 9:00 am has been resulted as follows:  Result: ADJOURNED-OTHER REASONS Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3			
08/02/2019	TRIAL SCHEDULED	TRIAL SCHEDULED  The following event: TRIAL scheduled for 08/06/2019 at 9:00 am has been rescheduled as follows:  Event: TRIAL Date: 11/19/2019 Time: 9:00 am Judge: BIERNAT JR, JAMES M Location: CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3			
08/05/2019	WRIT OF HABEAS CORPUS - SGD	WRIT OF HABEAS CORPUS - SGD 11/20/19 AT 9:00 AM			
08/12/2019	ORDER SIGNED	ORDER AMENDING BOND CONDITIONS, DEFT. ALLOWED TO TRAVEL WITHIN A 20 MILE RADIUS FROM HIS HOME BETWEEN THE HOURS OF 7:00 AM AND 7:00 PM - SGD			
11/18/2019	ADJOURNED - OTHER REASONS	TRIAL ADJ TO 1-7-20 @ 9AM - SGD The following event: TRIAL scheduled for 11/19/2019 at 9:00 am has been resulted as follows:  Result: ADJOURNED-OTHER REASONS Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW			
11/18/2019	TRIAL SCHEDULED	TRIAL SCHEDULED  The following event: TRIAL scheduled for 11/19/2019 at 9:00 am has been rescheduled as follows:  Event: TRIAL Date: 01/07/2020 Time: 9:00 am Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW  Result: HELD-CRIMINAL			
12/10/2019	WRIT OF HABEAS CORPUS - SGD	WRIT OF HABEAS CORPUS - SGD (MDOC FOR STACEY GLASS, 1-8-20 @ 9AM)			
12/19/2019	LIST OF KNOWN WITNESSES	AMENDED PEOPLE'S LIST OF KNOWN WITNESSES			
12/19/2019	INFORMATION, LIST OF KNOWN WITNESSES	AMENDED INFORMATION W/ PROOF OF SERVICE			
01/08/2020	ORDER SIGNED	ORDER ALLOWING TEMPORARY AMENDMENT OF BOND, CONT. TO ALLOW DEFT TO SATY AT A HOTEL DURNING TRIAL - SGD			
01/07/2020	HELD:	HELD: JURY SELECTION TO CONT ON 01/08/2020 AT 1:30PM - SGD The following event: TRIAL scheduled for 01/07/2020 at 9:00 am has been resulted as follows:  Result: HELD-CRIMINAL Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW  HELD ON THE RECORD COURT REPORTER: VIDEO CIRCUIT Certificate #:			

<u>Date</u>	<u>Description</u>	<u>Docket Text</u>	<u>Amount Qwed</u>	<u>Amount Due</u>	<u>File Ref Nbr</u>
01/07/2020	TRIAL SCHEDULED	<p>TRIAL SCHEDULED</p> <p>The following event: TRIAL scheduled for 01/07/2020 at 9:00 am has been rescheduled as follows:</p> <p>Event: TRIAL Date: 01/08/2020 Time: 1:30 pm Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>Result: HELD-CRIMINAL</p>			
01/08/2020	HELD:	<p>HELD: JURY SELECTION COMPLETED, JUROR NUMBERS 22, 11, 325, 322, 27, 114, 273, 315, 211, 210, 270, 231, 349, 391; JURORS SWORN, JURY INSTRUCTIONS READ, OPENINGS, TRIAL TO CONT ON 01/09/2020 AT 8:00AM</p> <p>The following event: TRIAL scheduled for 01/08/2020 at 1:30 pm has been resulted as follows:</p> <p>Result: HELD-CRIMINAL Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>HELD ON THE RECORD COURT REPORTER: VIDEO CIRCUIT Certificate #:</p>			
01/08/2020	TRIAL SCHEDULED	<p>TRIAL SCHEDULED</p> <p>The following event: TRIAL scheduled for 01/08/2020 at 1:30 pm has been rescheduled as follows:</p> <p>Event: TRIAL Date: 01/09/2020 Time: 9:00 am Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>Result: HELD-CRIMINAL</p>			
01/09/2020	HELD:	<p>HELD: TESTIMONY CONT; TRIAL TO CONT ON 01/10/2020 AT 10:00AM</p> <p>The following event: TRIAL scheduled for 01/09/2020 at 9:00 am has been resulted as follows:</p> <p>Result: HELD-CRIMINAL Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>HELD ON THE RECORD COURT REPORTER: VIDEO CIRCUIT Certificate #:</p>			
01/09/2020	TRIAL SCHEDULED	<p>TRIAL SCHEDULED</p> <p>The following event: TRIAL scheduled for 01/09/2020 at 9:00 am has been rescheduled as follows:</p> <p>Event: TRIAL Date: 01/10/2020 Time: 10:00 am Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>Result: HELD-CRIMINAL</p>			
01/10/2020	HELD:	<p>HELD: TESTIMONY CONT; TRIAL TO CONT ON 01/14/2020 AT 1:00PM</p> <p>The following event: TRIAL scheduled for 01/10/2020 at 10:00 am has been resulted as follows:</p> <p>Result: HELD-CRIMINAL Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>HELD ON THE RECORD COURT REPORTER: VIDEO CIRCUIT Certificate #:</p>			

<u>Date</u>	<u>Description</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Amount Due</u>	<u>File Ref Nbr</u>
01/10/2020	REQUEST & NOTICE FOR ELECTRONIC MEDIA COVERAGE	REQUEST & NOTICE FOR ELECTRONIC MEDIA COVERAGE			
01/10/2020	TRIAL SCHEDULED	<p>TRIAL SCHEDULED</p> <p>The following event: TRIAL scheduled for 01/10/2020 at 10:00 am has been rescheduled as follows:</p> <p>Event: TRIAL Date: 01/14/2020 Time: 1:00 pm Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>Result: HELD-CRIMINAL</p>			
01/14/2020	HELD	<p>HELD: TESTIMONY FROM WITNESS STAND, CLOSINGS, DEFT MTN FOR DV GRANTED AS TO CT 6 ONLY, CT 6 DISMISSED, AS T-CT JURY INSTRUCTIONS READ, JURORS IN SEATS 10 AND 7 WERE DISMISSED BY BLIND DRAW, DEPUTY SWORN, DELIBERATIONS BEGAN AT 4:00 PM, JURY DELIBERATION TO CONT 01/15/2020 AT 8:30AM</p> <p>The following event: TRIAL scheduled for 01/14/2020 at 1:00 pm has been resulted as follows:</p> <p>Result: HELD-CRIMINAL Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>HELD ON THE RECORD COURT REPORTER: VIDEO CIRCUIT Certificate #:</p>			
01/14/2020	TRIAL SCHEDULED	<p>TRIAL SCHEDULED</p> <p>Event: TRIAL Date: 01/15/2020 Time: 8:30 am Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>Result: HELD-CRIMINAL</p>			
01/15/2020	HELD	<p>HELD: JURY DELIBERATIONS CONT, JURY RET. W/ A VERDICT AT 2:15 NG ON CTS 1-4 AND GUILTY ON CT 5 CRIMINAL SEXUAL CONDUCT - SECOND DEGREE COUNTY PRISONER, JURY POLLED - UNANIMOUS, SENT SET FOR 02/20/2020 AT 9:30AM, BOND CONT</p> <p>The following event: TRIAL scheduled for 01/15/2020 at 8:30 am has been resulted as follows:</p> <p>Result: HELD-CRIMINAL Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>HELD ON THE RECORD COURT REPORTER: VIDEO CIRCUIT Certificate #:</p>			
01/16/2020	REFERRED TO CIRCUIT COURT PROBATION	REFERRED TO CIRCUIT COURT PROBATION			
01/15/2020	REFERRED TO CIRCUIT COURT PROBATION	REFERRED TO CIRCUIT COURT PROBATION			
01/15/2020	CRIMINAL SENTENCING SCHEDULED	<p>CRIMINAL SENTENCING SCHEDULED</p> <p>The following event: TRIAL scheduled for 01/15/2020 at 8:30 am has been rescheduled as follows:</p> <p>Event: CRIMINAL SENTENCING Date: 02/20/2020 Time: 9:30 am Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>Result: SENTENCE HELD</p>			
01/16/2020	JURY VERDICT FORM	JURY VERDICT FORM			
01/16/2020	DISPOSITION OF CRIMINAL CHARGES ENTERED	DISPOSITION OF CRIMINAL CHARGES ENTERED			

Date	Description	Docket Text	Amount Owed	Amount Due	File Ref Nbr
02/20/2020	SENTENCE HELD	SENTENCE HELD: DISMISS CT 6; DEFT FOUND NG ON CTS 1-4 AND GUILTY ON CT 5; AS TO CT 6, 5 YEARS PROBATION WITH STAND TERMS AND CONTS; 365 DAYS MCJ W/ 120 DAYS CREDIT; DEFT TO SERVE HIS JAIL SENT IN ST. CLAIR COUNTY JAIL AND HE IS TO BE IMMEDIATELY TRANSPORTED THERE; DEFT TO REGISTER AS A SEX OFFENDER; NO CONTACT W/ ANYONE 17 YEARS OR YOUNGER; NO CONTACT C/W; SEX OFFENDER TREATMENT; DEFT NOT TO BE W/IN 1,000.00 FEET OF A SCHOOL PARK; SS \$600.00. OTE: The following event: CRIMINAL SENTENCING scheduled for 02/20/2020 at 9:30 am has been resulted as follows:  Result: SENTENCE HELD Judge: BERNAT JR, JAMES M. Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW  HELD ON THE RECORD COURT REPORTER: VIDEO CIRCUIT Certificate #:			
02/20/2020	JUDICIAL SECRETARY NOTIFICATION TO PREPARE JOS	JUDICIAL SECRETARY NOTIFICATION TO PREPARE JOS			
02/20/2020	SHERIFF DEPARTMENT NOTIFIED	SHERIFF DEPARTMENT NOTIFIED			
02/20/2020	NOTICE OF RIGHT TO APPELLATE REVIEW	NOTICE OF RIGHT TO TIMELY APPEAL			
02/20/2020	STATE MINIMUM COSTS ASSESSED	STATE MINIMUM COSTS ASSESSED Receipt: 1250752 Date: 08/25/2020	\$68.00	\$0.00	
02/20/2020	CVRS-FELONY \$130.00	CVRS-FELONY \$130.00 Receipt: 1250752 Date: 08/25/2020	\$130.00	\$0.00	
02/20/2020	ADDITIONAL COURT COSTS	ADDITIONAL COURT COSTS Receipt: 1250752 Date: 08/25/2020	\$600.00	\$0.00	
02/20/2020	ORDER SIGNED:	ORDER OF TRANSFER OF THE DEFT TO ST CLAIR COUNTY JAIL - SGD			
02/20/2020	REQUEST & NOTICE FOR ELECTRONIC MEDIA COVERAGE	REQUEST & NOTICE FOR ELECTRONIC MEDIA COVERAGE (2)			
02/21/2020	IMAGE OF JA-INITIAL BILL	IMAGE OF JA-INITIAL BILL  JA-INITIAL BILLING NOTICE Sent on: 02/21/2020 08:35:53.00			
02/21/2020	DISPOSITION OF CRIMINAL CHARGES ENTERED	DISPOSITION OF CRIMINAL CHARGES ENTERED			
02/21/2020	JAIL JUDGMENT OF SENTENCE - SGD	JAIL JUDGMENT OF SENTENCE - SGD  JAIL - JUDGMENT OF SENTENCE FORM Sent on: 02/21/2020 13:34:04 22			
02/25/2020	ORDER FOR TEST FOR DISEASE/INFECTION	ORDER FOR TEST FOR DISEASE/INFECTION - SGD			
03/13/2020	ORDER OF PROBATION SIGNED	ORDER OF PROBATION SIGNED			
03/23/2020	1-ENV HIV TEST RESULTS R/F IN DRAWER IN CHIEF COURT CLERK'S OFFICE	1-ENV HIV TEST RESULTS R/F IN DRAWER IN CHIEF COURT CLERK'S OFFICE			
03/27/2020	LEIN ENTRY RE-PROTECTED PARTY	LEIN ENTRY RE-PROTECTED PARTY			
04/23/2020	HEARING: MTN FOR EARLY RELEASE SCHEDULED	HEARING: MTN FOR EARLY RELEASE SCHEDULED Event: MTN FOR EARLY RELEASE Date: 04/28/2020 Time: 1:30 pm Judge: BERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW  Result: MOTION GRANTED			

5/14/2021

## Case Details - CourtView Justice Solutions

<u>Date</u>	<u>Description</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Amount Due</u>	<u>File Ref Nbr.</u>
04/23/2020	REQUEST FOR HEARING ON A MOTION; NOTICE OF HEARING; PROOF OF SERVICE	REQUEST FOR HEARING ON A MOTION; NOTICE OF HEARING; PROOF OF SERVICE			
04/23/2020	MOTION:	MTN FOR EARLY RELEASE FROM INCARATION			
04/28/2020	MOTION GRANTED	<p>DEFT ATTY WAIVES DEFT APPEARANCE; DEFTS MOTION FOR EARLY RELEASE IS GRANTED, DEFT TO BE RELEASED TODAY ON A \$10,000.00 PERS BOND; DEFT TO GET A TETHER THROUGH RANCILIO W/ IN 7 DAYS OF RELEASE; DEFT IS TO REPORT BACK TO ST. CLAIR COUNTY JAIL ON 07/01/2020 AT 5:00PM TO COMPLETE THE REMAINDER OF HIS JAIL TERM; DEFT HAS SERVED 188 DAYS OF HIS 365 DAY JAIL SENT; DEFT IS TO REPORT TO ST CLAIR COUNTY JAIL ON 07/01/2020 AT 5:00PM TO COMPLETE THE REMAINING 177 DAYS LEFT ON SENT- OTE</p> <p>The following event: MTN FOR EARLY RELEASE scheduled for 04/28/2020 at 1:30 pm has been resulted as follows:</p> <p>Result: MOTION GRANTED  Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>HELD ON THE RECORD  COURT REPORTER: VIDEO CIRCUIT  Certificate #:</p>			
04/28/2020	SHERIFF DEPARTMENT NOTIFIED	SHERIFF DEPARTMENT NOTIFIED			
04/28/2020	JUDICIAL SECRETARY NOTIFICATION TO PREPARE JOS	JUDICIAL SECRETARY NOTIFICATION TO PREPARE JOS			
04/28/2020	SHERIFF DEPARTMENT NOTIFIED	SHERIFF DEPARTMENT NOTIFIED			
04/28/2020	DISPOSITION OF CRIMINAL CHARGES ENTERED	DISPOSITION OF CRIMINAL CHARGES ENTERED			
04/29/2020	JAIL JUDGMENT OF SENTENCE - SGD	JAIL JUDGMENT OF SENTENCE - SGD			
		JAIL JUDGMENT OF SENTENCE FORM Sent on: 04/29/2020 11:21:22.58			
05/05/2020	ORDER SIGNED	ORDER ALLOWING DEFT TO GET A TETHER THOUGH MDOC IN LIEU OF TETHER THOUGH RANCILIO- SGD			
06/22/2020	REQUEST FOR HEARING ON A MOTION; NOTICE OF HEARING; PROOF OF SERVICE	REQUEST FOR HEARING ON A MOTION; NOTICE OF HEARING; PROOF OF SERVICE			
06/22/2020	MOTION:	MOTION TO COMPLETE SENTENCE OF INCARCERATION BY ELECTRONICALLY MONITORING			
06/22/2020	MISCELLANEOUS MOTION HEARING SCHEDULED	<p>MISCELLANEOUS MOTION HEARING SCHEDULED  Event: MISCELLANEOUS MOTION HEARING  Date: 07/06/2020 Time: 8:30 am  Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p> <p>RABAUT  ELEC. MONITORING</p> <p>Result: CHANGE EVENT START TIME</p>			
06/29/2020	CHANGE EVENT START TIME	<p>CHANGE EVENT START TIME  The following event: MISCELLANEOUS MOTION HEARING scheduled for 07/06/2020 at 8:30 am has been resulted as follows:</p> <p>Result: CHANGE EVENT START TIME  Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW</p>			

Date	Description	Docket Text	Amount Owed	Amount Due	File Ref Nbr.
06/29/2020	MISCELLANEOUS MOTION HEARING SCHEDULED	MISCELLANEOUS MOTION HEARING SCHEDULED  The following event: MISCELLANEOUS MOTION HEARING scheduled for 07/06/2020 at 8:30 am has been rescheduled as follows:  Event: MISCELLANEOUS MOTION HEARING Date: 07/06/2020 Time: 1:30 pm Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW  RABAUT ELEC: MONITORING  Result: MOTION GRANTED			
07/06/2020	MOTION GRANTED	MOTION TO BE RELEASSED FROM JAIL IS GRANTED; DEFT CAN BE RELEASE FROM JAIL ON 09/01/2020; DEFT TO BE PLACED ON A GPS TETHER FOR 60 DAYS W/ IN 7 DAYS OF RELEASE FROM JAIL - OTE The following event: MISCELLANEOUS MOTION HEARING scheduled for 07/06/2020 at 1:30 pm has been resulted as follows:  Result: MOTION GRANTED Judge: BIERNAT JR, JAMES M Location: COURT BUILDING - 3RD FLOOR - COURTROOM 3NW  HELD ON THE RECORD COURT REPORTER: VIDEO CIRCUIT Certificate #:			
07/06/2020	JUDICIAL SECRETARY NOTIFICATION TO PREPARE JOS	JUDICIAL SECRETARY NOTIFICATION TO PREPARE JOS			
07/06/2020	DISPOSITION OF CRIMINAL CHARGES ENTERED	DISPOSITION OF CRIMINAL CHARGES ENTERED			
07/06/2020	CIRCUIT PROBATION NOTIFIED TO REVIEW HEARING RESULTS	CIRCUIT PROBATION NOTIFIED TO REVIEW HEARING RESULTS			
07/13/2020	JAIL JUDGMENT OF SENTENCE - SGD	JAIL JUDGMENT OF SENTENCE - SGD  JAIL - JUDGMENT OF SENTENCE FORM Sent on: 07/13/2020 11:32:14.97			
08/17/2020	ALLPAID - PAYMENT IN PROCESS (FKA GPS) \$ (REF. #	GOVERNMENT PAYMENT SERVICES (GPS) PAYMENT IN PROCESS \$ 798.00 (REF # 29259535)			

**Party Information**COGSWELL, STEVEN PAUL  
- DEFENDANT

- DOB
- 06/25/1985
- DOD
- Disposition
- Disp Date

Alias

Party Attorney

- Attorney
- RABAUT, STEPHEN T.
- Bar Code
- 31143

**More Party Information**CSC/CPUS UNIT  
- SPECIAL UNIT

- DOB
- DOD
- Disposition

Alias

Party Attorney

- Attorney
- PA/CSC & CPUS UNIT

5/14/2021

Case Details - CourtView Justice Solutions

• Disposition Date	• Bar Code 89997
<a href="#">More Party Information</a> <a href="#">Pending Cases</a>	

Party Charge Information	
• COGSWELL, STEVEN PAUL • DEFENDANT • Charge #1: 750.520C1K - FELONY CRIMINAL SEXUAL CONDUCT - SECOND DEGREE - COUNTY PRISONER	
• Original Charge • 750.520C1K CRIMINAL SEXUAL CONDUCT - SECOND DEGREE - COUNTY PRISONER (FELONY) • Indicted Charge • Amended Charge • DV Related? • Modifiers • Stage Date	• Ticket # • ATN # • Tracking # • Place of Offense • 41-B DISTRICT COURT (CLINTON TWP) • Offense Location • Date of Offense • 09/14/2018 • Complainant
<b>Party Charge Disposition</b> Disposition Date Disposition 01/15/2020 FOUND NOT GUILTY	
<a href="#">Sentencing Information</a>	

Party Charge Information	
• COGSWELL, STEVEN PAUL • DEFENDANT • Charge #2: 750.520C1K - FELONY CRIMINAL SEXUAL CONDUCT - SECOND DEGREE - COUNTY PRISONER	
• Original Charge • 750.520C1K CRIMINAL SEXUAL CONDUCT - SECOND DEGREE - COUNTY PRISONER (FELONY) • Indicted Charge • Amended Charge • DV Related? • Modifiers • Stage Date	• Ticket # • ATN # • Tracking # • Place of Offense • 41-B DISTRICT COURT (CLINTON TWP) • Offense Location • Date of Offense • 09/14/2018 • Complainant
<b>Party Charge Disposition</b> Disposition Date Disposition 01/15/2020 FOUND NOT GUILTY	
<a href="#">Sentencing Information</a>	

Party Charge Information	
• COGSWELL, STEVEN PAUL • DEFENDANT • Charge #3: 750.520C1K - FELONY CRIMINAL SEXUAL CONDUCT - SECOND DEGREE - COUNTY PRISONER	
• Original Charge • 750.520C1K CRIMINAL SEXUAL CONDUCT - SECOND DEGREE - COUNTY PRISONER (FELONY) • Indicted Charge • Amended Charge • DV Related? • Modifiers • Stage Date	• Ticket # • ATN # • Tracking # • Place of Offense • 41-B DISTRICT COURT (CLINTON TWP) • Offense Location • Date of Offense • 09/14/2018 • Complainant

**Party Charge Disposition**

Disposition Date  
Disposition  
01/15/2020  
FOUND NOT GUILTY

**Sentencing Information**

• COGSWELL, STEVEN PAUL  
• DEFENDANT

**Charge # 4:**

750.520C1K - FELONY CRIMINAL SEXUAL CONDUCT - SECOND DEGREE - COUNTY PRISONER

- Original Charge
- 750.520C1K CRIMINAL SEXUAL CONDUCT - SECOND DEGREE - COUNTY PRISONER (FELONY)
- Indicted Charge
- Amended Charge
- DV Related?
- Modifiers
- Stage Date

- Ticket #
- ATN #
- Tracking #
- Place of Offense
- 41-B DISTRICT COURT (CLINTON TWP)
- Offense Location
- Date of Offense
- 09/14/2018
- Complainant

**Party Charge Disposition**

Disposition Date  
Disposition  
01/15/2020  
FOUND NOT GUILTY

**Sentencing Information**

• COGSWELL, STEVEN PAUL  
• DEFENDANT

**Charge # 5:**

750.520C1K - FELONY CRIMINAL SEXUAL CONDUCT - SECOND DEGREE - COUNTY PRISONER

- Original Charge
- 750.520C1K CRIMINAL SEXUAL CONDUCT - SECOND DEGREE - COUNTY PRISONER (FELONY)
- Indicted Charge
- Amended Charge
- DV Related?
- Modifiers
- Stage Date

- Ticket #
- ATN #
- Tracking #
- Place of Offense
- 41-B DISTRICT COURT (CLINTON TWP)
- Offense Location
- Date of Offense
- 09/14/2018
- Complainant

**Party Charge Disposition**

Disposition Date  
Disposition  
02/20/2020  
FOUND GUILTY

**Sentencing Information**

Load Party Charges 6 through 6 Load All 6 Party Charges

**Ticket/Citation #**

Citation #: - 41-B DISTRICT COURT (CLINTON TWP)  
Offense Date

- Agency
- MACOMB COUNTY SHERIFF DEPARTMENT
- Officer
- Second Officer
- Complainant

- Speed Cited
- Speed Limit
- Location
- Insured/Proof
- Accident
- N
- Work Zone

5/14/2021

## Case Details - CourtView Justice Solutions

Haz Mat Points Priors License Taken N BAC	Plate State Year Type Style Color
Drivers License C240777676394 Expiration State MI Type	

Events					
Date/Time	Location	Type	Result	Event Judge	
12/17/2018 01:30 PM	CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3	ARRAIGNMENT/CONFERENCE	ARRAIGNMENT- WAIVED	BIERNAT, JR, JAMES M	
01/14/2019 08:30 AM	CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3	PRETRIAL CONFERENCE	CHANGE EVENT START TIME	BIERNAT, JR, JAMES M	
01/14/2019 01:30 PM	CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3	PRETRIAL CONFERENCE	HELD-CRIMINAL	BIERNAT, JR, JAMES M	
05/06/2019 08:30 AM	CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3	MTN TO CHANGE BOND CONDITIONS	MOTION GRANTED	BIERNAT, JR, JAMES M	
08/06/2019 09:30 AM	CIRCUIT COURT BUILDING - 4TH FLOOR - COURT ROOM 3	FINAL PRETRIAL HEARING	REFERRED TO ANOTHER JUDGE	GATTI, JULIE	
08/08/2019 09:30 AM	CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3	FINAL PRETRIAL HEARING	HELD: NOT PLACED ON RECORD	BIERNAT, JR, JAMES M	
08/08/2019 09:00 AM	CIRCUIT COURT BUILDING - 4TH FLOOR - COURT ROOM 3	TRIAL	REFERRED TO ANOTHER JUDGE	GATTI, JULIE	
08/08/2019 09:00 AM	CIRCUIT COURT BUILDING - 3RD FLOOR - COURT ROOM 3	TRIAL	ADJOURNED-OTHER REASONS	BIERNAT, JR, JAMES M	
11/19/2019 09:00 AM	COURT BUILDING - 3RD FLOOR - COURTROOM 3NW	TRIAL	ADJOURNED-OTHER REASONS	BIERNAT, JR, JAMES M	
01/07/2020 09:00 AM	COURT BUILDING - 3RD FLOOR - COURTROOM 3NW	TRIAL	HELD-CRIMINAL	BIERNAT, JR, JAMES M	
01/08/2020 01:30 PM	COURT BUILDING - 3RD FLOOR - COURTROOM 3NW	TRIAL	HELD-CRIMINAL	BIERNAT, JR, JAMES M	
01/08/2020 09:00 AM	COURT BUILDING - 3RD FLOOR - COURTROOM 3NW	TRIAL	HELD-CRIMINAL	BIERNAT, JR, JAMES M	
01/10/2020 10:00 AM	COURT BUILDING - 3RD FLOOR - COURTROOM 3NW	TRIAL	HELD-CRIMINAL	BIERNAT, JR, JAMES M	
01/14/2020 01:00 PM	COURT BUILDING - 3RD FLOOR - COURTROOM 3NW	TRIAL	HELD-CRIMINAL	BIERNAT, JR, JAMES M	
01/15/2020 08:30 AM	COURT BUILDING - 3RD FLOOR - COURTROOM 3NW	TRIAL	HELD-CRIMINAL	BIERNAT, JR, JAMES M	
02/20/2020 09:30 AM	COURT BUILDING - 3RD FLOOR - COURTROOM 3NW	CRIMINAL SENTENCING	SENTENCE HELD	BIERNAT, JR, JAMES M	
04/28/2020 01:30 PM	COURT BUILDING - 3RD FLOOR - COURTROOM 3NW	MTN FOR EARLY RELEASE	MOTION GRANTED	BIERNAT, JR, JAMES M	
07/06/2020 08:30 AM	COURT BUILDING - 3RD FLOOR - COURTROOM 3NW	MISCELLANEOUS MOTION HEARING	CHANGE EVENT START TIME	BIERNAT, JR, JAMES M	

5/14/2021

## Case Details - CourtView Justice Solutions

Date/Time	Location	Type	Result	Event Judge
07/08/2020 01:30 PM	COURT BUILDING - 3RD FLOOR COURTROOM 3NW	MISCELLANEOUS MOTION HEARING	MOTION GRANTED	BIERNAT, JR. JAMES M.

Financial Summary				
Cost Type	Amount Owed	Amount Paid	Amount Adjusted	Amount Outstanding
COURT COSTS	\$600.00	\$600.00	\$0.00	\$0.00
CVRS FEES	\$130.00	\$130.00	\$0.00	\$0.00
STATE MINIMUM COSTS	\$68.00	\$68.00	\$0.00	\$0.00
Total	Total	Total	Total	Total
	\$798.00	\$798.00	\$0.00	\$0.00

Receipts			
Receipt Number	Receipt Date	Received From	Payment Amount
1260752	08/25/2020	GPS/ COGSWELL, STEVEN PAUL	\$798.00
Total	Total	Total	Total
			\$798.00

Case Disposition		
Disposition	Date	Case Judge
JURY VERDICT	01/16/2020	BIERNAT, JR, JAMES M

ATTACHMENT C

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF PROFESSIONAL LICENSING  
BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

STEVEN PAUL COGSWELL, M.D.  
License No. 43-01-059909,  
Respondent.

Docket No. 20-015029  
File No. 43-18-153404

FINAL ORDER

On April 15, 2020, the Department of the Attorney General, Licensing and Regulation Division, on behalf of the Department of Licensing and Regulatory Affairs (Department) executed a First Superseding Administrative Complaint charging Respondent with violating the Public Health Code, MCL 333.1101 et seq.

Based upon the Complaint and after consultation with the Chairperson of the Michigan Board of Medicine, the Department summarily suspended Respondent's license to practice medicine in the state of Michigan by Order of Summary Suspension dated March 6, 2019.

An administrative hearing was held in this matter before an administrative law judge who, on November 5, 2020, issued a Proposal for Decision (PFD) setting forth recommended Findings of Fact and Conclusions of Law.

The Michigan Board of Medicine Disciplinary Subcommittee (DSC), having reviewed the administrative record, considered this matter at a regularly scheduled meeting held via Zoom on January 20, 2021, and accepted the administrative law judge's Findings of Fact and Conclusions of Law contained in the PFD. Therefore,

The Summary Suspension dated March 6, 2019, is DISSOLVED, as of the effective date of this Order.

IT IS ORDERED that for violating MCL 333.16221(a), (b)(i), (b)(vi), (b)(xiii) and (e)(vi):


Respondent's license to practice medicine in the state of Michigan is PERMANENTLY REVOKED, commencing on the effective date of this Order.

This Order is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 15.231 *et seq.*, and this action will be reported to the National Practitioner Data Bank, and any other entity as required by state or federal law.

This Order shall be effective on the date signed by the DSC's Chairperson or authorized representative, as set forth below.

Dated: January 27, 2021

**MICHIGAN BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE**

By:   
Michael Draminski, Manager  
Compliance Section  
Bureau of Professional Licensing  
Authorized Representative

kp

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF PROFESSIONAL LICENSING  
BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

STEVEN PAUL COGSWELL, M.D.

License No. 48-01-059909

Complaint No. 48-18-153404

ORDER OF SUMMARY SUSPENSION

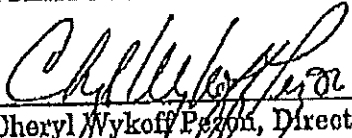
An administrative complaint has been issued against Respondent under the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 *et seq.*, promulgated rules, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 *et seq.*

After consideration of the documentation filed in this case and consultation with the Chairperson of the Board of Medicine, the Department concludes that the public health, safety or welfare requires emergency action, as allowed by section 16233(5) of the Public Health Code and section 92(2) of the Administrative Procedures Act.

THEREFORE, IT IS ORDERED that Respondent's license to practice medicine in the State of Michigan shall be summarily suspended commencing on the date this order is served.

Under Mich Admin Code, R 792.10702, Respondent has the right to petition for the dissolution of this order of summary suspension. This petition shall clearly state that it is a Petition for Dissolution of Summary Suspension and shall be filed with the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, Michigan 48909, with a copy served upon the Department of Attorney General, Licensing & Regulation Division, P.O. Box 30758, Lansing, Michigan, 48909. Questions concerning the Order of Summary Suspension may be directed to (517) 373-1146. Upon receipt of such a petition, an administrative hearing will immediately be scheduled before an administrative law judge, who shall dissolve the order of summary suspension unless sufficient evidence is produced to support a finding that the public health, safety, or welfare requires emergency action and a continuation of the suspension order.

DEPARTMENT OF LICENSING AND  
REGULATORY AFFAIRS

By:   
Cheryl Wykoff Pason, Director  
Bureau of Professional Licensing

Dated: 03/06/19

LE: 2018-0283074-A/Cogswell, Steven P., M.D., 183404/Order for Summary Suspension/2018-02-26

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF PROFESSIONAL LICENSING  
BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

STEVEN PAUL COGSWELL, M.D.  
License No. 43-01-059909

Complaint No. 43-18-153404

FIRST SUPERSEDING ADMINISTRATIVE COMPLAINT

Attorney General Dana Nessel, through Assistant Attorney General Jennifer Fitzgerald, on behalf of the Department of Licensing and Regulatory Affairs, Complainant herein, files this First Superseding Administrative Complaint against Steven Paul Cogswell, M.D. (Respondent), alleging upon information and belief as follows:

1. The Board of Medicine, an administrative agency established by the Public Health Code, 1978 PA 368, as amended, MCL 333.1101 *et seq.*, is empowered to discipline licensees under the Code through its Disciplinary Subcommittee.
2. Respondent is currently licensed to practice medicine pursuant to the Public Health Code.
3. Section 16221(a) of the Code allows the Disciplinary Subcommittee to take disciplinary action against a licensee for a "violation of general duty, consisting of negligence or failure to exercise due care, including negligent delegation to or supervision of employees or other individuals, whether or not injury results, or any

conduct, practice, or condition that impairs, or may impair, the ability to safely and skillfully engage in the practice of the health profession."

4. Section 16221(b)(i) of the Code allows the Disciplinary Subcommittee to take disciplinary action against a licensee for incompetence. Section 338.16106(1) of the Code defines incompetence as "a departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for a health profession, whether or not actual injury to an individual occurs."

5. Section 16221(b)(vi) of the Code allows the Disciplinary Subcommittee to take disciplinary action against a licensee for lack of good moral character. Section 338.16104(6) of the Code and MCL 338.41 to 338.47 define "good moral character" to mean "the propensity on the part of the person to serve the public in the licensed area in a fair, honest, and open manner."

6. Section 16221(e)(vi) of the Code allows the Disciplinary Subcommittee to take disciplinary action against a licensee for "conduct by a health professional with a patient while he or she is acting within the health profession for which he or she is licensed or registered, including conduct initiated by a patient or to which the patient consents, that is sexual or may reasonably be interpreted as sexual, including, but not limited to, sexual intercourse, kissing in a sexual manner, or touching of a body part for any purpose other than appropriate examination, treatment, or comfort."

7. Section 16221(b)(xiii) of the Code allows the Disciplinary Subcommittee to take disciplinary action against a licensee for conviction of a

criminal offense under section 750.520c of the Michigan Penal Code. A certified copy of the court record is conclusive evidence of the conviction.

8. Section 16233(5) of the Public Health Code provides for the summary suspension of a license, reading, in pertinent part, as follows:

After consultation with the chair of the appropriate board or task force or his or her designee, the department may summarily suspend a license or registration if the public health, safety, or welfare requires emergency action in accordance with section 92 of the administrative procedures act of 1969, being section 24.292 of the Michigan Compiled Laws. If a licensee or registrant is convicted of a felony; a misdemeanor punishable by imprisonment for a maximum term of 2 years; or a misdemeanor involving the illegal delivery, possession, or use of a controlled substance, the department shall find that the public health, safety, or welfare requires emergency action and, in accordance with section 92 of the administrative procedures act of 1969, shall summarily suspend the licensee's license or the registrant's registration.

9. Section 16226 of the Code authorizes the Disciplinary Subcommittee to impose sanctions against licensees if, after an opportunity for hearing, the Disciplinary Subcommittee determines the licensee violated one or more of the subdivisions in section 16221 of the Code.

#### FACTUAL ALLEGATIONS

10. At all times relevant to this complaint, Respondent provided care and treatment to female inmates as a medical doctor at Macomb County Jail.

*Patient R.B.<sup>1</sup>*

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<sup>1</sup> Initials used to protect patient privacy.

11. On or around September 14, 2018, R.B. presented to Respondent with complaints of shoulder pain and abdominal pain/cramping.

12. Respondent had R.B. lay on a table to examine her abdomen.

13. After examining her abdomen, Respondent proceeded to touch R.B.'s vulvar area and rub her clitoris.

14. R.B. felt fearful and helpless. Respondent then kissed her on the lips.

15. Respondent diagnosed R.B. with chronic shoulder pain with previous surgery and probable ovarian cysts. No physical examination is noted. Respondent ordered ibuprofen and a double mattress for R.B.

16. R.B. reported the incident to authorities.

***Patient S.B.***

17. On or around August 14, 2018, patient S.B. presented to Respondent complaining of a MRSA<sup>2</sup> eruption on her buttock and a broken tooth.

18. Respondent diagnosed S.B. with a MRSA infection and prescribed Bactrim DS, 1 tablet BID for 10 days, and Diflucan 150 mg, 1 tablet daily for 2 days. He also diagnosed S.B. with a tooth/gum infection and prescribed Bactrim and ibuprofen 600 mg, 1 tablet BID for 10 days.

19. During this visit, while Respondent was examining S.B., he placed his fingers inside S.B.'s vagina. S.B., in turn, placed her hand inside Respondent's pants, touching his penis. Respondent then agreed that he would bring S.B. chewing tobacco at her next visit if the sexual conduct was to continue.

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<sup>2</sup> MRSA is an abbreviation for Methicillin-resistant Staphylococcus Aureus.

20. On or around August 20, 2018, S.B. presented to Respondent for a follow-up of her MRSA infection. Respondent noted that S.B. did not start the antibiotics yet and now complained of spreading itching. Respondent prescribed S.B. Vistaril every night for 7 days and ordered S.B. to follow-up in one week.

21. During this visit, Respondent, again, placed his fingers inside of S.B.'s vagina while S.B. placed her hand inside of Respondent's pants. Respondent also brought S.B. a bag of chewing tobacco as discussed at S.B.'s last visit.

22. On or around August 27, 2018, S.B. presented to Respondent for a follow-up visit. Respondent noted S.B. had not received her Vistaril yet, had excoriations surrounding her MRSA lesion, and ordered a restart of Vistaril.

23. During this visit, Respondent gave S.B. a bag of M&M's and placed his fingers inside of S.B.'s vagina. S.B. notified Respondent that she was done with the sexual conduct.

24. On or around September 10, 2018, S.B. presented to Respondent for asthma. Respondent indicated that S.B.'s asthma was under good control and noted that S.B.'s plan was to have "no asthma exacerbations over the next 90 days." There was nothing noted regarding S.B.'s recent MRSA infection.

25. During this visit, Respondent provided S.B. another bag of M&M's and, again, touched S.B.'s vagina while S.B. touched his penis. Respondent also took a personal photograph of S.B. with her breasts and vagina exposed.

***Patient S.G.***

26. On or around September 13, 2018, S.G. presented to Respondent to discontinue Synthroid. Respondent noted S.G. had no history of hypothyroidism and her TSH was elevated when taking Lithium. S.G. reported that she also had a pinched nerve from a previous injury.

27. After Respondent examined S.G.'s lower back, Respondent placed his hands underneath S.G.'s pants and touched her vulvar area. S.G. closed her legs and left the room.

28. Respondent diagnosed S.G. with sciatica and lithium toxicity. No physical exam, lab results, or medication history is noted. Respondent ordered "Prednisone taper then Mobic, avoid Lithium."

29. S.G. reported the incident to authorities.

***Criminal conviction***

30. On October 18, 2018, the Macomb County Prosecutor's office charged Respondent with six counts of violating MCL 750.520c of the Michigan Penal Code, a felony otherwise known as second-degree criminal sexual conduct.

31. On or about January 15, 2020, after a jury trial, Respondent was convicted of one count of violating MCL 750.520c. Among other things, he was sentenced to serve one year in the St. Clair County jail, with credit for 4 months' time served.

#### COUNT I

Respondent's conduct, as described above, constitutes negligence or failure to exercise due care, or any conduct, practice, or condition that impairs, or may impair, the ability to safely and skillfully engage in the practice of the health profession, in violation of section 16221(a) of the Code.

#### COUNT II

Respondent's conduct, as described above, constitutes Respondent's failure to conform to minimal standards of acceptable and prevailing practice for a physician, in violation of section 16221(b)(i) of the Code.

#### COUNT III

Respondent's conduct, as described above, constitutes Respondent's lack of good moral character, in violation of section 16221(b)(vi) of the Code.

#### COUNT IV

Respondent's conduct, as described above, constitutes conduct by Respondent with a patient while acting within the health profession for which he is licensed, including conduct initiated by a patient or to which the patient consents that is sexual or may reasonably be interpreted as sexual, including, but not limited to, sexual intercourse, in violation of section 16221(e)(vi) of the Code.

#### COUNT V

Respondent's conduct, as described above, constitutes conviction of a criminal offense under section 750.520c of the Michigan Penal Code, in violation of section 16221(b)(xiii) of the Code.

FURTHER, pending a hearing and final determination in the within cause; and pursuant to section 16233(5) or (6) of the Public Health Code, the Order of Summary Suspension issued on March 6, 2019 will remain in effect.

THEREFORE, Complainant requests that this First Superseding Complaint be served upon Respondent and that Respondent be offered an opportunity to show compliance with all lawful requirements for retention of the aforesaid licenses. If compliance is not shown, Complainant further requests that formal proceedings be commenced pursuant to the Public Health Code, rules promulgated pursuant to it, and the Administrative Procedures Act of 1969, as amended; MCL 24.201 *et seq.*

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, Respondent has 30 days from receipt of this First Superseding Complaint to submit a written response to the allegations contained in it. Pursuant to section 16192(2) of the Code, Respondent is deemed to be in receipt of the First Superseding Complaint 3 days after the date of mailing listed in the attached proof of service. The written response shall be submitted by email to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing to [LARA-BPL-RegulationSection@michigan.gov](mailto:LARA-BPL-RegulationSection@michigan.gov), with a copy mailed to the undersigned assistant attorney general. If unable to submit a response by email, Respondent may submit by regular mail to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, MI 48909, with a copy mailed to the undersigned assistant attorney general.

Pursuant to section 16231(9) of the Code, failure to submit a written response within the 30 day-period shall be treated as an admission of the allegations contained in the complaint and shall result in transmittal of the complaint directly to the Board's Disciplinary Subcommittee for imposition of an appropriate sanction.

The administrative complaint previously filed against Respondent on February 25, 2019 is hereby WITHDRAWN and replaced in full by this superseding complaint.

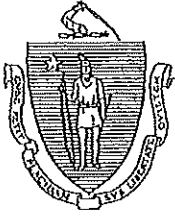
Respectfully Submitted,

DANA NESSEL  
Attorney General

*/s/ Jennifer Fitzgerald*

Jennifer Fitzgerald (P60109)  
Assistant Attorney General  
Licensing & Regulation Division  
525 W. Ottawa, 3<sup>rd</sup> Floor, Wms Bldg.  
P.O. Box 30758  
Lansing, Michigan 48909

Dated: April 15, 2020



The Commonwealth of Massachusetts  
Board of Registration in Medicine  
178 Albion Street, Suite 330, Wakefield, MA 01880

Tel: 781-876-8230  
[www.mass.gov/massmedboard](http://www.mass.gov/massmedboard)

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Public Member  
SANDEEP S. JUBBAL, MD  
Physician Member  
GEORGE ZACHOS, JD  
Executive Director

November 13, 2023

(VIA FIRST CLASS MAIL)  
Steven P. Cogswell, M.D.,  
4359 Knickerbocker Ct, SW  
Wyoming, Michigan 49519

Darina Griffin, Esq.  
Board of Registration in Medicine  
178 Albion Street, Suite 330  
Wakefield, Massachusetts 01880

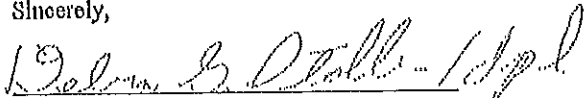
RE: In the Matter of Steven P. Cogswell, M.D.  
Adjudicatory Case No. 2022-005 (RM-22-0020)

Dear Dr. Cogswell and Ms. Griffin:

The Board of Registration in Medicine (Board) is in receipt of the Recommended Decision issued by DALA in the above referenced matter. Please find enclosed Policy 2023-02 (Policy on Deadlines for Post-Recommended Decision Filings) which provides important deadlines and information about filing pleadings in this matter with the Board.

First, please notify me in writing within fourteen (14) business days whether you intend to file one or more of the following (1) objections pursuant to the provisions of 801 CMR 1.01 (1)(c)(1), (2) a memorandum on disposition, and (3) a motion to remand to DALA. Please note that any extension requests must be made writing and that my authority to grant such extensions is limited to the timeframes set forth in the enclosed policy. Email is an acceptable manner in which to submit notifications and requests.

Sincerely,

  
Debra G. Stoller  
Senior Board Counsel

DGS/dpl

Enclosure

cc: Vita P. Berg, General Counsel (w/o enclosure)

COMMONWEALTH OF MASSACHUSETTS  
BOARD OF REGISTRATION IN MEDICINE

POLICY 2023-02

POLICY ON DEADLINES FOR POST-RECOMMENDED DECISION FILINGS

Issued September 21, 2023

The Board adopts this policy to establish a standard set of deadlines for filing pleadings for the Board's consideration in pending adjudicatory proceedings following the issuance of a Recommended Decision by the Division of Administrative Law Appeals (DALA).

1. Upon receipt of a Recommended Decision issued by DALA in an adjudicatory proceeding initiated by the Board and referred to DALA, the Board's Division of Law and Policy (DLP) shall provide a copy of this policy to the parties. Each Party shall notify the Board within 14 days of the issuance of the Recommended Decision whether the Party intends to file: (1) Objections to the Recommended Decision, (2) a memorandum on disposition, and (3) a motion to remand to DALA.
2. In accordance with 801 CMR 1.01(11)(c)1., the Parties shall have 30 days from the date that DALA issues its Recommended Decision to file objections to the Recommended Decision. The Board authorizes DLP to grant a request for an extension on time to file such objections provided that the request is made in writing to DLP, with copy to the other Party, and the deadline for filing, inclusive of any extension, does not exceed 45 days from the date that DALA issues its Recommended Decision.
3. In accordance with 801 with 801 CMR 1.01(11)(c)1., the Parties shall have 20 days from the date of receipt of objections to the Recommended Decision to file responses to the objections. The Board authorizes DLP to grant a request for an extension on time to file such responses provided that the request is made in writing to DLP, with copy to the other Party, and the deadline for filing, inclusive of any extension, does not exceed 75 days from the date that DALA issues its Recommended Decision.
4. The Parties shall have 90 days from the date that DALA issues its Recommended Decision to file a memorandum on disposition.
5. The Parties shall have 30 days from the date that DALA issues its Recommended Decision to file a motion to remand to DALA. Filing a motion to remand to DALA shall not alter the deadlines set in paragraphs 1 through 4.
6. If a deadline according to this policy falls on a weekend or holiday, the due date shall be the first following business day.

7. This policy shall apply to matters where DALA issues its Recommended Decision following the date that this policy is adopted.