

**STATE OF MICHIGAN  
IN THE 6<sup>th</sup> CIRCUIT COURT FOR OAKLAND COUNTY**

**THE PEOPLE OF THE STATE OF MICHIGAN,**

Plaintiff,

Case No. 2022-279990-FH  
Hon. Cheryl A. Matthews

v

**JENNIFER CRUMBLEY,**

Defendant.

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**DEFENDANT JENNIFER CRUMBLEY'S MOTION TO SEVER TRIAL**

NOW COMES the Defendant, JENNIFER CRUMBLEY, by and through her attorney,  
SHANNON M. SMITH, and for her Motion states as follows:

1. Defendants Jennifer Crumbley and James Crumbley are each charged by Information with four counts of involuntary manslaughter contrary to MCL 750.321 and a trial for both Mr. and Mrs. Crumbley is currently set for January 23, 2024.

2. On October 31, 2023, law enforcement conducted additional interviews of witnesses in Florida.

3. The prosecution provided the police reports and audio recorded copies of the interviews to the defense on November 2, 2023.

4. Upon reviewing the new discovery, severance of the defendants in this case is now necessary as the prosecution intends to call one or both of the witnesses.

5. Pursuant to MCR 6.121(C), “[o]n a defendant’s motion, the court must sever the trial of defendants on related offenses on a showing that severance is necessary to avoid prejudice to substantial rights of the defendant.”

6. Further, pursuant to MCR 6.121(D), “[o]n the motion of any party, the court may sever the trial of defendants on the ground that severance is appropriate to promote fairness to the parties and a fair determination of the guilt or innocence of one or more of the defendants...”

7. At this time, severance of the trials is requested and necessary for the following reasons:

- (a) to avoid prejudice that will impact substantial rights of Mrs. Crumbley;
- (b) to promote fairness to the parties, including Mrs. Crumbley; and,
- (c) to ensure that a jury reaches a fair determination of the guilt or innocence of Mrs. Crumbley.

8. If the trial is not severed, Mrs. Crumbley will be deprived of her constitutional

right to a fair trial, to be represented by effective counsel, the right to due process, the right to confront the witnesses and evidence against her, and the right to fundamental fairness under both the State and Federal Constitutions. *See* U.S. Const., Amends VI, XIV; Const 1963, art 1 § 20.

WHEREFORE, for the reasons stated above, Mrs. Crumbley asks the Court to sever the trials of Mr. and Mrs. Crumbley and grant all other relief deemed fair, just, and equitable.

Respectfully submitted:

Dated: November 10, 2023

*Shannon M. Smith*  
SHANNON M. SMITH (P68683)

**PROOF OF SERVICE**

On the 10<sup>th</sup> day of November, 2023, the undersigned certifies that a copy of the above *Motion* was served upon the prosecution and Counsel for Mr. Crumbley by e-mail/ e-file.

Respectfully submitted:

Dated: November 10, 2023

*Shannon M. Smith*  
SHANNON M. SMITH (P68683)