Holly man facing life in prison if convicted

Facing charges of torture, first-degree child abuse, preliminary exam set for Feb. 5

Bv Sharon Stone

Samual Lester Smart, 29, of Holly, appeared in Oakland County 52-2 District Court before Judge Joseph Fabrizio via a video conference Monday, Jan. 4 at 3:15 p.m.

Smart is facing two felonies — torture and first-degree child abuse. Both charges carry a sentence of up to life in prison. Bond was denied and he remains lodged at the Oakland County Jail.

Charges stem from a Michigan State Police Metro North Post investigation involving the death of 3-year-old Trinity Chandler of Groveland Township on Saturday, See TORTURE on 8



Samual Smart



'Our Linden restaurants have a made a commitment to Linden...'

■City Council passes 120-day moratorium to prohibit food trucks

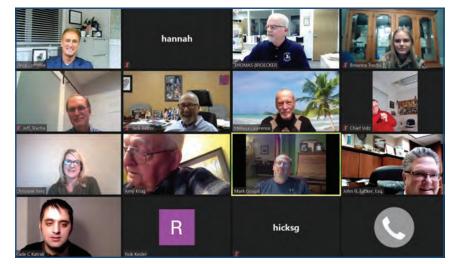
By Hannah Ball

Food trucks are currently not allowed in the city of Linden.

On Monday, Dec. 14, the Linden City Council adopted Ordinance No. 396, which creates a moratorium on permitting mobile food vehicle vending in Linden on public and private property.

See RESTAURANTS on 14

Board honors first female Eagle Scout in township, county



The Fenton Township Board of Trustees passed a resolution to honor Breanna Trecha, 18, (upper right corner) on Monday, Jan. 4 in celebration of her becoming an Eagle Scout. Board meetings are being held over Zoom due to the COVID-19 pandemic. See story on Page 12.

Local residents share story of receiving the first dose of COVID-19 vaccine

By Hannah Ball

Vaccinations for CO-VID-19 began locally in late December. Local residents

are sharing their stories of Care Center, received the receiving the shot. Katie Gauer, activities assistant at Fenton Health-

first shot of the Moderna vaccine Tuesday, Dec. 29. "It only hurt at the injection site and then hurt for a few days after were just muscle soreness. There See VACCINE on 7

Walking around Linden

has brought us joy, as we enjoyed the beauty of the season. Loved seeing the beautifully lit and decorated streetlights and gazebo, Community Christmas tree and fun photo set-up on Fairbanks' property, Symphony's lights, and all the awesome hand-painted and decorated storefront windows. Love our town."



66 Please publish the address and phone numbers for Center of Hope and

FARR. I would look to donate." Editor's note: Fenton Center of Hope's number is (810) 620-8167 and FARR's number is (810) 750-6244.

Bills could change how governments publish notices

Push for municipalities to post more information online, potentially create database of emails

By Hannah Ball

The Michigan legislature is considering a package of bills that could change how governments communicate municipal information to residents.

The significant changes in the package of bills, House Bills 6334-6440, would require municipal bodies to post notices about legal changes on a maintained website where they would have to be archived. They would be required to keep and maintain a database of emails of anyone who wants that information, and to send notices in the mail for anyone who requests them.

See BILLS on 14

C Thank you to St.

John's for making this year's Christmas celebration so awesome — the outdoor celebration, the lights, the decorations and all the people that made this possible."



PUBLIC NOTICE

NOTICE OF PUBLIC HEARING DRAINAGE IMPROVEMENT PROJECT FOR LOON HARBOR PRESERVE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN

To the residents and property owners of the Charter Township of Fenton, Genesee County, Michigan, and any other interested persons:

PLEASE TAKE NOTICE that as a result of petitions of property owners within the township signed by the record owners of land whose land area constitutes more than 50% of the total land area of the proposed district, the Township Board of the Charter Township of Fenton proposes to construct drainage improvements in the Loon Harbor Preserve condominium subdivision, and to create a special assessment district for the recovery of the cost thereof by special assessment against the properties benefited therein.

PLEASE TAKE FURTHER NOTICE that the District within which the foregoing improvements are proposed to be constructed and within which the cost thereof is proposed to be assessed is more particularly described as follows:

Units 1-83 of the Loon Harbor Preserve Condominium Subdivision

PLEASE TAKE FURTHER NOTICE that the Township Board has received preliminary plans showing the improvements and an estimate of the costs of such construction, contingencies and related services in the approximate amount of \$41,400, has placed the same on file with the Township Clerk, and has passed a Resolution tentatively declaring its intention to make such improvement and to create the special assessment district. The Township Board has also tentatively found the petitions for the improvement to be in compliance with statutory requirements.

PLEASE TAKE FURTHER NOTICE that said plans, estimates of cost, proposed special assessment district and petitions may be examined at the office of the Township Clerk, if open to the public, from the date of this Notice through the date of the public hearing and may be examined at such public hearing. Said plans, estimates of cost, proposed special assessment district and petitions are also available for review and examination on Fenton Township's website at <u>www.fentontownship.org</u>.

PLEASE TAKE FURTHER NOTICE that a public hearing upon such petitions, plans, district and estimate of costs will be held electronically via Zoom, commencing at 7:30 p.m. on Monday January 18, 2021.

At the hearing, the board will also consider any written objections to any of the foregoing matters filed with the board at or before the hearing as well as any revisions, corrections, amendments or changes to said plans, estimates, costs or special assessment district.

All interested persons are invited to be present at the hearing and to submit any comments they may have.

ROBERT E. KRUG FENTON TOWNSHIP CLERK 12060 MANTAWAUKA DRIVE FENTON, MI 48430-8817

Symphony Linden to get COVID-19 vaccine

Administering of vaccine for staff and residents to begin this Friday, Jan. 8

Symphony Linden announced that it will be administering its first round of COVID-19 vaccinations for residents and staff Friday, Jan. 8, making it among the first long-term care operators in the U.S. to protect frontline healthcare workers and residents against COVID-19.

"This is a proud moment for Symphony and for all the dedicated, heroic caregivers who have been fighting this invisible threat on the frontlines for the last nine months," said David Hartman, CEO of Symphony Care Network. "It is a relief to be able to begin administer-

ing these vaccines, but I know the fight I not yet over. We must rededicate to the infection prevention protocols and other protections we have in place to mitigate spread and continue to keep our residents safe until the threat is no longer."

"This vaccine is the most powerful weapon we have in the fight against CO-VID-19," said Dr. Alexander Stemer, an infectious disease expert who co-chairs Symphony COVID-19 task force. "I applaud all our staff and residents who are doing their part to bring this pandemic to an end by getting vaccinated and protecting themselves, their loved ones and the community beyond."

Symphony is working closely with local, state and federal and public health authorities to secure vaccinations for all residents and staff as part of the federal Pharmacy Partnership for Long-Term



COMPILED BY SHARON STONE

MAN ASSAULTED, ABANDONED ON SIDE OF ROAD

On Jan. 1, at 2:53 a.m., Holly police were asked to assist the Michigan State Police by responding to a location on Dixie Highway where an asCare Program. Symphony selected CVS as its pharmacy partner to provide and administer the vaccine in all its facilities when it becomes available.

The vaccine distribution is Symphony's latest effort to contribute to the stop of COVID-19 spread in the community. Symphony also was the lead long-term care network to participate in a national COVID-19 antibody trial run by Eli Lilly, which developed

> a potential treatment specifically produced for protecting residents and staff at long-term care facilities. The U.S. Food and Drug Administration authorized the drug for emergency use in November as a result of the early trial results at Symphony and other care facilities.

At the outset of the

pandemic, Symphony implemented infection prevention controls and policies that exceeded the recommendations from the Centers for Disease Control and Prevention and state and local public health departments. It also formed its COVID-19 task force comprised of infectious disease experts that led a team of clinicians in implementing the most effective procedures and treatments to counteract the spread of coronavirus in its 29-facility network across Illinois, Indiana, Michigan and Wisconsin. The task force's ongoing analysis of local, state and federal regulations and guidance from the latest research in the field ensures the network is identifying and implementing the best methods to stop the spread of COVID-19 and to continue to enhance treatment outcomes.

sault victim was found lying on the ground. The officer located the victim who was with a good Samaritan who had stopped to assist. The officer determined the man was assaulted in a vehicle and was abandoned on the side of the road by the assailant. The officer called for medical attention and had the man transported to a medical facility. The officer also provided the victim with information on how to proceed with a criminal complaint against his assailant who fled the scene.

44 This vaccine is the most powerful weapon we have in the fight against COVID-19. **77**

Dr. Alexander Stemer Symphony COVID-19 task force

'Unusual and tragic' 2020 gives way to new year

■City leaders recap busy 2020, see hope of a better 2021 with COVID-19 vaccine

Submitted by Lynn Markland

With a challenging year, the city of Fenton continued to make progress while still responding to a pandemic. The city began 2020 responding to the pandemic early with the purchase of additional PPE (receiving some donations of PPE from The Home Depot). Later, we made building modifications with assistance from Kevin Johnson (Rhoads & Johnson Construction), Brad Alvord (Lindhout & Associates) and Brian Petty (Fenton Glass), making our buildings safer for the public and employees.

The city purchased an electrostatic disinfecting sprayer paid for with the assistance of a generous contribution from Gerry and Kay Willey of Fenton Home Furnishings.

The city took delivery of several necessary purchases in 2020 that included: a replacement fire truck for \$621,000; two replacement dump/snow plow trucks for \$407,000, equipped with wing plows; a replacement sewer truck for \$437,000; and three replacement vehicles for the police department for \$98,000.

The city refinanced bonds from a 2010 water main project saving



Lynn Markland Fenton City manager

\$250,000 in future interest costs.

The city also implemented a SAW (Stormwater, Asset Management, and Wastewater) program grant with a cost of about \$550,000 with 90 percent covered by the grant. The project included cleaning, inspection and video of about 20 percent of the collection system. Some needed repairs were identified. The City Council has approved approximately \$340,000 in repairs. A sewer and water rate study was prepared as part of the SAW grant.

Water main updates on Shiawassee

Street and water main replacement on George Street were completed at a cost of \$680,000. Consumers Energy fast forwarded a gas main replacement project on Shiawassee, which delayed repaying Shiawassee while gas service updates were constructed. The city will repave Shiawassee from Adelaide to Bent Oak in Spring 2021.

Bids were received for the second phase of the Orchard Hills development. The potential developer is conducting due diligence in preparation for the closing of the sale. Work on the second phase is expected to begin in 2021.

The city received \$168,000 in CARES Act funds for reimbursement of costs related to the COVID-19 coronavirus.

We applied for grants for the LAFF Pathway. The project is scheduled to be constructed in 2023. We also applied for a grant for the Riverwalk project. If approved, the project would be constructed in 2022.

Construction of 111 Leroy Place in the downtown area continued to make progress. The City/DDA worked with downtown businesses to create the Fenton Street Experience. This was done to create more outside dining and opportunities for shopping while providing for social distancing in the downtown area. See NEW YEAR on 7

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ALBERT J. BARNES 1910-2000 FENTON, MICHIGAN WORLD WAR II U.S. Army 42nd Infantry Division (Rainbow Division)

Private Service years: 1944-1946 He helped liberate Dachau Concentration Camp in Germany April 29, 1945



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Sharon Stone

Sharin' the spotlight Look at eating out, shopping as an adventure

By Editor Sharon Stone

t's no secret that my husband and I, along with several of our friends, enjoy going out to dinner - often. Maybe it's because our kids are grown and on their own. Maybe it's because we've worked hard all day and would rather have someone else do the cooking and cleaning.

We especially enjoy several of our favorite places in the tri-county area. We sometimes choose a place depending on their daily specials.

Even during this pandemic, we continue to go to several of our favorite restaurants, although it now includes sitting outside at a table wrapped in a blanket and hoping to be near an outdoor heater. We think of it as an adventure. We follow all of the rules and wear our masks when appropriate and genuinely have an enjoyable — but cold — evening out. We also do take-out.

Always looking to save money, we invested in the Fenton DDA's eGift card program. For every eGift card that we purchased to use at an area restaurant or business, the Chamber sent us a bonus matching eGift card. Our friends did the same. If you haven't bought any of these yet, go to Fentonlinden.com

and check things out. Our group of friends are committed to seeing that our locally owned restaurants and businesses are here for us when the pandemic fades away into a long-gone nightmare. As part owner of a retail store in Fenton and an

advocate of small businesses. my husband and I understand how difficult it is to own or work at one of these establishments.

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ASK ABOUT

FRONT LINE

WORKERS

Restaurant hosts and servers right now find themselves wearing winter gloves and hats, masks and dealing with anxious patrons trying to enjoy life and

a meal during a pandemic to an outdoor table cannot be all that much fun.

similar challenges as they monitor their websites for online sales, keep their space disinfected, cope with sometimes reduced inventory and demanding customers all

while smiling behind their masks.

to provide these services for all of us, and our neighbors who are supporting them. And as always, tip generously.

while staying healthy. Running to and from the kitchen

Retail employees have

I applaud the workers who continue



ions, if approved for publication, must be 50 and do not necessarily reflect the views of

ACCORDING TO GALLUP. President Trump is the most admired man in the country. Do vou understand what a monumental achievement that is considering the main stream media coverage is 93 percent negative toward Trump? Looks like a lot of people are starting to wake up.

THE SMARTEST DEMOCRAT,

Tulsi Gabbard, recently said, 'Identity politics is having an incredibly destructive effect on our country. Rather than recognizing what connects all Americans, identity politics is being used to help people and parties get in power and stay in power by pitting individual Americans against each other.'

TO MAKE SURE you get your mail, make sure the mailbox can be opened. Ours wasn't open this morning (Jan. 2) so I poured hot water on the door to the mailbox and made sure it could open for the mail lady.

Compiled by Hannah Ball, staff reporter _____ Question asked to Tri-County Times' Facebook followers

What kind of weather are you hoping for this winter? Do you want a lot of snow? | Street talk



"Hoping for a light winter, not much snow, not too cold, so we can walk our dog at least once a day."

Ann Marie Fenton



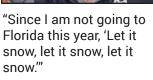
"About 32 on and off with rain. freezing rain and snow. Snow melting often and having its trouble accumulating."



"Love snow, love ice, just don't want the mix and dangerous driving."



"Given what we just went through with 2020...I'm just hoping we don't get 'flammable' snow."



Jason Pellett Fenton

Jamie Jones Fenton **Dennis Ward** Fenton

Denise Glaspie Linden

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Did you make a New Year's resolution?

Experts say there are several positive reasons to make them

Compiled by Sharon Stone

At the stroke of midnight on New Year's Eve, it is customary to sip a glass of champagne and toast to the New Year. Many people use the dawn of a New Year as a time to create a list of resolutions that reflect positive changes they hope to make in the year ahead.

Between 40 and 45 percent of American adults make resolutions each year, according to the health and wellness group Proactive Mindfulness. According to John C. Norcross, Marci S. Mrykalo and Matthew D. Blagys, coauthors of the study "Auld Lang Syne: Success predictors, change processes, and self-reported outcomes of New Year's resolvers and nonresolvers," within six months of starting a resolution 46 percent of people are still maintaining their resolutions.

Resolutions may seem silly to some, but there are several positive reasons to make them.

 Resolutions provide practice setting goals. Goal-setting is an important component of life. Goals are key because they provide general direction in life. A goal is a map that can give you an idea of where you are heading and what path you need to take to get there, according to the self-improvement guide Success Consciousness. Resolutions can be fun, low-pressure goals. Think of them as dress rehearsals for bigger life changes. • Resolutions offer time for reflection. Too often people are rushing through daily life without stopping or slowing down to truly assess the impact of their actions. Resolutions help you reflect on the past, present and future, figuring out what has been working and what may need to be changed to provide a boost, according to the wellness resource Al-





ternative Daily.

• Resolutions can serve as a catalyst for positive change. When something isn't working with your routine, personal health or relationships, resolutions can serve as the catalyst that ultimately rights the ship.

• Resolutions can promote self-esteem and empowerment. Making resolutions and keeping them can provide a sense of accomplishment that comes with goal-setting and following through. Resolving to lose 5 pounds and then seeing the proof on a scale can be a powerful motivator that compels you to make other self-improvements. Accomplishing small goals also can boost self-esteem.

Resolutions are often made at the dawn of a new year. These efforts can provide the motivation and direction people need to make positive changes in their lives.

Source: MetroCreative

POLICE & FIRE

COMPILED BY SHARON STONE

POLICE IMPERSONATOR

On Dec. 26, at approximately 7:30 p.m., Michigan State Police (MSP) Metro Detroit Post received reports of a possible police impersonator in the area of I-96 at Davison in Detroit making traffic stops. He was described as a white male wearing a black uniform. He was driving a black Charger with red/blue lights. The suspect identified himself as a state trooper. MSP does not use unmarked cars to conduct traffic stops; they use patrol cars that have either a red overhead light or are blue without an overhead light. If an unmarked vehicle does attempt to stop you and you are not sure if they are real, slow down and turn on your flashers and drive to a public area. Call 911 and explain your concerns. The dispatcher will confirm the identity of the officer. Anyone with information is to call the Metro South Post at (734) 287-5000 or use the MSP mobile app to leave a tip. Official MSP vehicles shown here.

Linden reminds residents about uncontained trash

■ '...any personal property so deposited in the front lawn or street right-of-way constitutes a public nuisance'

Compiled by Hannah Ball

Linden City is reminding people to be aware that uncontained trash may violate municipal ordinances.

On Dec. 16, the city posted a notice on lindenmi.us that states the following:

"Please take notice that any person or persons removing personal property from a residential or commercial premise and placing said personal property in the front lawn or street right-of-way is in violation of Chapter 8.04 of the City of Linden Municipal Code.

"As a result of a foreclosure or eviction proceeding is guilty of a misdemeanor.

"Take further notice that any personal property so deposited in the front lawn or street right-of-way constitutes a public nuisance. The City of Linden will take immediate action to abate the nuisance. Any costs or expenses incurred by the City of Linden will be charged as a special assessment against the subject property and placed upon the tax rolls for collection."

"It didn't hurt any more than any oth-

er vaccine. Just a little poke. I felt fine

afterwards. The only side effect I've

had is soreness around the injection site

that started about five hours after re-

ceiving the vaccine and still continues

now," she said Jan. 4. "I've never been

so happy to receive a shot in my life.

dose."

Really though, I'm

relieved and hopeful

for the future. I'm

sure I will be even

more relieved after

receiving the second

is schedule for Jan.

31. She has a vac-

cination card.

Her second dose

"MRNA vaccines

vaccine Jan. 3.

NEW YEAR

Continued from Page 3 The Farmers Market was continued and modified to create social distancing.

The DDA created an eGift card program with \$300,000 in matching funds to assist participating local businesses in the DDA district.

Additionally, City Council approved an Industrial Facilities Tax (IFT) abatement for our long standing Niles Industrial Coatings business in the Business and Industrial Park. Niles Industrial Coatings is scheduled to invest \$1,385,000 and create 20 new jobs in order to qualify for the abatement with the State of Michigan.

The planning commission and building department has been busy throughout the year. Construction continued at the former Kmart property with several stores opening.

Site plans have been reviewed for a new Taco Bell building.

Rhoads & Johnson constructed its new headquarters building, and Kemp Brothers has broken ground for a new industrial multi-tenant building, and a site plan was approved for ClearPath's assisted living/memory care facility, all in the Business and Industrial Park.

Several new homes have been constructed in the city. With a number of residents working from home, many decided to do home improvements. All of this has kept the building department busy.

The 2020 election was extremely busy. The City Clerk's office was hectic with the Presidential Primary in March. the Primary in August and the General Election in November. The pandemic prompted many people to vote by absentee ballot. In the General Election, 68 percent of registered voters in the city of Fenton exercised their constitutional right to vote, more than half of those voted by absentee ballot. This was not unexpected, however, it did cause a heavier work load for the Clerk's office. The City Clerk's office and the election worker's, as usual, did an excellent job conducting all of the elections held this year.

In all, 2020 was an unusual and tragic year in many ways.

The year 2021, will start out much the same as 2020 ended with the important exception that we now have a vaccine to help us end the pandemic. The vaccination program will take time, but, it does give us hope that 2021 will be a better year.

Lynn Markland is the Fenton City manager.

VACCINE

Continued from Front Page

was also some fatigue for a day or so," she said. She's not yet sure when she'll get the second dose. Gauer doesn't have a vaccination card, but she may receive one after her second dose.

"Emotionally, I felt kind of nervous as to how I was going to feel after the vaccine, but I also knew that I would be okay because my doctor did a lot of research and said that it was safe for me to get the vaccine," she said. "For those that are unsure about getting the vaccination, your best bet is to consult with your doctor because they're going to know the most information about the vaccination, as well as talk to your employer and just do knowledgeable research on the two different vaccinations available."

Linden resident Angie Common, a registered nurse at Michigan Medicine, received her first dose of the Pfizer vaccine Dec. 31, 2020. She felt "fine" after, and she experienced a low-grade fever and some tenderness in her arm that evening and the next day.

"It was emotional on many levels. I'm thankful for the ability to help protect myself, my family, and my patients, my staff and students," she said. "I respect each individual's decision to receive or not receive the vaccine. After speaking with my trusted colleagues, and my family — I knew it was the right decision for me."

Common is scheduled to receive her second dose Jan. 17. She has a vaccination card. Along with working at Michigan Medicine, she's also an adjunct nursing professor for two universities.

"Anything new has a level of fear and risk. COVID is also new, and we do not know long term effects of it yet. Personally, I have seen the effects of COVID on my family, friends, staff and patients. My decision to get the vaccine was based off of my experience being front line, and those who I have seen very ill from this.

"We all need to do our part, wearing masks, washing hands, socially distancing, and for me — it was getting vaccinated. I encourage people to have a baseline discussion with their healthcare provider, so when the next phase of vaccinations for the general public is available, they can make an educated decision," she said.

Nan Hajec, who works for McLaren Health Care at the corporate facility in Grand Blanc in accounting, received the first dose of the Pfizer COVID-19 vaccine Dec. 18, 2020. She took two Tylenol two hours before the appointment.

"That next day my arm was sore for a few hours and then it never bothered me again," Hajec said. "I was a bit nervous and excited at the same time when my appointment for the vaccine was scheduled. I think it is a privilege to have received the vaccine. I wish my family,

my husband and children, could have received the vaccine at the same time I did. I have a son who is an EMT in the Detroit area and he still has not received the first dose."

She is scheduled to receive the second dose Jan. 11. She has a vaccination record card.

"For the people who are apprehensive about receiving the vaccine I would say to do your own research, from reputable sources. Talk with your primary care doctor, ask for her opinion on the safety and value of the vaccine. For whatever reason, getting this vaccine has become political and it never should have. If you have never been against vaccines in the past there is no reason to be against this one now," she said.

Linden resident Julie Carr, a physical therapist assistant at Encore Rehabilitation Services, received the Moderna

44 It was emotional on many levels. I'm thankful for the ability to help protect myself, my family, and my patients, my staff and students. **77**

Angie Common Linden resident

have been rigorously studied and tested for more than a decade. I would suggest doing research

and consulting with their doctors about it," she said.

HOT LINE CONTINUED

I FEAR THE long term, economic repercussions of Whitmer's COVID-19 strategy of closing down businesses. People underestimate how easily Whitmer destroyed businesses and how hard it will be to restart them.

YOU MEAN TO tell me it's been a year and we can't make enough PPE equipment or oxygen to run hospitals? Unbelievable.

INSTEAD OF FORCING property owners to subsidize local businesses, why not end these tyrannical lockdowns and let people make their own decisions?



HOT LINE CONTINUED

THANKS TO PRESIDENT Trump, hospital price transparency went into effect Jan. 1. Hospitals' standard charges, including the rates they negotiate with insurance companies and the discounted price a hospital is willing to accept directly from a patient if paid in cash, must be publicly available, free of charge, and presented in a consumerfriendly display.

SPORTS BETTING WILL destroy many Michigan families and encourage corruption in sports. Phantom penalty calls, dropped passes, errors in baseball and passes thrown for interceptions will be questioned by viewers.

THERE HAVE BEEN several comments on the beautiful lights at St. John Catholic Church. Well, that's our son. St. Nick Holiday Lighting, Class of 2005.

MANY OF US are blessed with no interruption in our income during this crisis. Could you the Tri-County Times post any reputable local charities that we could donate our \$600 federal money to? A lot of us are so leery of donating to scams, not knowing where our money really goes.



Cell phones, search warrants, and the Fourth Amendment

On April 3, 1973, inventor Martin Cooper introduced the first cell phone, "The Motorola DynaTAC," at a news conference in New York City.

The phone was 9 inches tall, weighed 2.5 pounds, had a battery charge of 20 minutes, and was nicknamed "The Brick."

To say the least cell phones have come a long way since then.

Today 96 percent of American adults own cell phones of one kind or another.

Among the owners are people who are involved in criminal activities. When they are caught, the police sometimes find it is important to download the digital data from their phones for evidence of crimes.

However, under the Fourth Amendment to the United States Constitution, people have the right to be secure in their persons, houses, papers,



and effects, and free from unreasonable searches and seizures.

Since a cell phone's contents are considered a type of "papers" or "effects," a search warrant must first be obtained before any search or download.

The Fourth Amendment also provides that there be particularity as to the place to be searched, what is to be seized, and the alleged criminal activity justifying the warrant.

This ensures that "general" searches aren't allowed, which the Constitution's Framers intended to prohibit.

Requiring cell phone search warrants has been the law since 2014 when the United States Supreme Court held in Riley v California that it was constitutionally mandated.

After Riley, the question of the allowed extent of a cell phone search was raised in situations where a warrant has been issued for one crime and officers then search for evidence of a second crime.

In Michigan, this fact situation was recently addressed in the Dec. 28, 2020 case of People v Hughes when a warrant to search for drug crime evidence was issued and a search for evidence of an armed robbery was subsequently conducted.

The Hughes Court unanimously held that for the evidence of the armed robbery to be admissible, a second warrant must first be obtained.

To underscore the importance of search warrants, on Nov. 3, 2020 Michigan's voters overwhelmingly approved Proposal 2 amending Michigan's Constitution to require warrants to access electronic data or electronic communications.

The Fourth Amendment and search warrants protect us all.

I am confident this will never change.



COMPILED BY SHARON STONE

SUSPICIOUS DOOR-TO-DOOR SOLICITATION IN HOLLY

On Monday, Dec. 28, 2020 at 11:16 a.m., a resident on Center Street in Holly called Holly police to report two men in a black Jeep had been soliciting doorto-door in the neighborhood and acting in a suspicious manner. The officer located the subjects,



Trinity Chandler

TORTURE

Continued from Front Page Dec. 19, 2020. Smart was reportedly the boyfriend of Trinity's mother.

On Dec. 20, 2020, MSP reported that Special Investigation Section detectives were looking into the death of the girl.

During the probable cause conference Jan. 4, defense attorney Michael McCarthy requested that his client's preliminary exam be done in person. All parties agreed on scheduling an in-person preliminary exam for 9 a.m. on Feb. 5.

Chris George of the prosecutor's office told the judge that he has subpoenaed medical records on the victim and expects to have them within 14 days.

Charges against Smart may be amended, George said. He added that the medical examiner is finalizing the report and some procedures take up to eight weeks.

identified them and warned them about unlicensed solicitation and released them.

INDIVIDUAL WARNED ABOUT LOUD MUSIC

On Tuesday, Dec. 29, 2020 at 2:39 a.m., Holly police were dispatched to a loud music complaint coming from a parked vehicle with the occupant listening to loud music. The officer located the vehicle and occupant and gave them a verbal warning to lower the music because a return complaint could result in a citation.

MIDWEEK TIMES

David's Dabblings

Some thoughts about sports and others not dealing with sports at all

COVID DIDN'T DESTROY THE CHRISTMAS SPIRIT

The holiday season has come and gone.

It certainly was different than any in my 51 years on this Earth, but I'll say this, it remained a successful one.

COVID-19 certainly didn't make it easy for families to celebrate together, and like many other families we decided to not have family Christmases on either side of our family. However, a funny thing happened as Christmas came closer on the calendar. Both families figured a way to see each other safely during the holiday season.

It started with my wife's side of the family. Anna's mom noticed a couple of days before Christmas the weather forecast was expected to be warmer the next day. So within a period of about 10 hours she set up an outdoor family Christmas at her home. We were able to see our nieces open their presents while remaining socially distanced.

When Christmas came, we decided to surprise all of my family members by driving to their homes and calling them on the phone once we arrived. We made four stops and enjoyed surprise outdoor celebrations with each ranging from 10 to 30 minutes in length. It was a lot of fun, and the adversity of the situation actually made it more memorable.

Was it different than any other Christmas we had? Of course. Was it less than ideal? Of course. Will we remember this Christmas easier than just about any other of our lifetimes? For certain.

Lake Fenton boys XC team had historical 2020 season

By David Troppens

The Lake Fenton varsity boys cross country team had an outstanding 2020 fall season.

In a lot of ways it could be argued as the best in school history.

The Blue Devils were the dominant team in the Flint Metro League, capturing the Metro's Star Division crown. It could be argued the Blue Devils were the all around league champs as their team score at the final Metro meet would've beaten all of the teams in the Stripes Division.

It didn't look like it was going to be a Metro championship season at See LAKE FENTON on 11

The Lake Fenton varsity boys cross country team captured a Metro League Stars Division title this fall. **Photo: David Troppens**

SUNDAY, JANUARY 6, 2021 | PAGE 9 | MYFENTON.COM/SPORTS



Sports Times

Fenton football winning Metro title was 2020's top fall story

By David Troppens

For the second straight season, the Fenton varsity football team played in the Metro League's championship game. For the second season, the Tigers also won it.

This year, the Tigers defeated Brandon 33-21.

The Blackhawks took a 7-0 lead on a Dylan Dickens one-yard run, but Charlie Hundzinski caught a 21-yard TD pass from Dylan Davidson, tying the game at 7-all by the end of the first quarter.

The game was tied 14-14 at halftime with Marcus Berkey scoring Fenton's TD on a three-yard run.

The Tigers took control in the second half with Fenton scoring both third-quarter touchdowns. The first was a 56-yard run by Berkey and the next was Hudzinski's second TD reception from Davidson, a 15-yard catch.

The Tigers made it three straight TDs when Hudzinski caught a fiveyard TD pass. The Tigers led 33-14 and cruised to the victory from that point.

"This is everything for us," Hundzinski said.

"We all grew up with each other as kids. The upper and lower classmen are together. We try to bringeveryone along with us. We do



The Fenton varsity football team captured a second straight Metro League championship by beating the Brandon Blackhawks in the Metro title game this fall. (Above) Marcus Berkey runs downfield during the contest. **Photo: Mark Bolen**

everything together. It's basically family for us."

Berkey ran for 186 yards on 21 carries while Davidson had 103 yards on 22 carries. The Tigers had 489 yards total offense in the contest.

"It feels really good," Berkey

said. "We want the legacy to keep going forward for Fenton. Winning the championship defiitely gives us a lot confidence moving forward."

The Tigers would end the season with a 7-1 record, overall losing in the district semifinal to North Farmington 41-37 at home.

MIDWEEK TIMES

Fenton-Linden football game was the top rival game of the fall

By David Troppens

The most exciting sporting event involving rivals of the 2020 fall season had to be the Fenton varsity football team's 20-17 road victory against the Linden Eagles.

Fenton made it seven straight wins against the Eagles, but the victory didn't come easy.

Linden led 17-7 entering the fourth quarter, but Logan Angel scored on a four-yard TD run, cutting Fenton's deficit to 17-14 with 7:53 remaining in regulation. Dylan Davidson then gave the Tigers the lead for good on a 10-yard TD run.

"It's everything," Fenton senior Eddie Briand IV said after the win. "Our coach always tells us (the rivalry) means more when you lose so we weren't going to let that happen today."

"It's our game of the year,' Davidson said. "It's close every year. No matter where the teams may fall in the league, it's always a good game and always a good battle.

The Tigers would end the season with a 7-1 record, losing in the district semifinal to North Farmington 41-37 at home.

The Eagles finished the season with a 5-3 mark and lost in the district title game to Kearsley.

Early on, Davidson scored on a threeyard run, giving the Tigers a 7-0 lead, but Linden's Carson Kelley kicked a 28-yard field goal, cutting the Fenton lead to just 7-3 after one quarter.

Bryce Eliuk scored on a one-yard run, giving the Eagles a 10-7 halftime lead. Gavin Wildeman gave the Eagles a 17-7 lead with a 40-yard TD run in the third quarter.

Linden varsity football coach Denny Hopkins could only be impressed by his team's effort in a losing cause.

"They played extremely hard," Hopkins said. "We had a great week of practice. We challenged the kids saying last week (a 14-7 loss to Swartz Creek) wasn't us and they stepped up. We just made a couple of bad mistakes at the end and it cost us.

"They made a couple of nice plays on their last drive. We couldn't stop them."

The win sparked the Tigers' second straight Metro League Stripes Division title.





The Fenton and Linden varsity football teams competed in an outstanding contest in 2020 with the Tigers earning a 20-17 victory at Linden High School. **Photo: Mark Bolen**

Fenton girls swim team continues to dominate Metro League

By David Troppens

The Fenton varsity girls swimming and diving team captured its 17th straight Metro League crown this fall. That streak is probably older than most of the girls on the squad.

The Tigers blew out all six of their opponents in duals and then won the league meet with 652 points, well more

than double of second-place Corunna. Fenton won event titles in nine events.

The Tigers also qualified many individuals for individual events and for each of the three relays. The state meet remains on the schedule and always remains in limbo due to COVID-19. But it is currently scheduled for Jan. 16 where the team should create more highlights.

Fenton XC teams win league crowns

By David Troppens

The Fenton varsity cross country program has become the elite teams in the Flint Metro League in recent times.

That didn't change during the fall. Both varsity teams captured their fifth consecutive Metro League championships as they both won the Stripes Division.

Both teams won all three Metro jamborees, dominating action in the Stripes Division under first-year head coach Kelley Miller.

The girls captured their fifth straight title by scoring 35 points at the league meet, 13 points better than second-place Linden. Taylor Huntoon won the race with a time of 19:17.70.

The boys won the final meet by a 45-55 margin against second-place Flushing. Michael Crane won the race with a time of 16:17.19.

11



The Holly varsity volleyball team posted a perfect Flint Metro League Stripes Division season, earning a second straight title.

Holly volleyball cruises to a perfect Flint Metro League season

By David Troppens

A year ago, the Holly varsity volleyball team won a Flint Metro League Stripes Division title for the first time since 1994.

In 2020, the Bronchos elevated their own lofty credentials, not only winning the Stripes Division for the second straight season, but doing so with a perfect record.

Holly won a share of the Stripes crown with a 25-16, 25-20, 25-18 victory against the Linden Eagles. A few days later, the Bronchos locked up the undefeated title by beating Swartz Creek 25-8, 25-13, 25-11 at Holly High School.

"It's one of my biggest accomplishments ever, and I'm proud of this team," Nicole Jewell said. "I love them so much. Being able to play with these girls for a year, it's something we've been wanting to do for years."

"It's something that's never been done before and we got to do it," Holly varsity volleyball coach Deena Maher said. "It's been a goal of ours. It's such a long season and you hope to get there. Once you get there it's unbelievable."

Holly boys tennis back on top of Metro

By David Troppens

The Holly varsity boys tennis team returned back to the top of the Metro mountain this fall by earning a 6-2 victory against the Fenton Tigers.

The win locked up Holly's co-Metro League championship with the Flushing Raiders with both teams tied atop the standings at 7-0-1. The Bronchos had no issues dominating the Tigers. A few weeks earlier, it was a 4-4 tie against Flushing that enabled the Bronchos to make sure they had a chance to earn the co-title. Holly won three of the doubles flights matches against the Raiders while Flushing took three of the four singles matches.

Fenton, Linden soccer earn share of Metro crown with Goodrich

By David Troppens

For the second straight season, very little was settled among the top boys soccer teams in the Flint Metro League.

The Fenton Tigers, Linden Eagles and Goodrich Martians found themselves in a three-way tie at the end of the Metro season for the league crown.

The Eagles earned a 4-2 victory

against the Fenton Tigers in a pivotal contest between the two rivals.

The other two results that assured all three teams would end up tied at 10-1 in Metro action was Fenton's 3-1 win aginst Goodrich a week later and then Goodrich's 1-0 victory against Linden on the last date of Metro contests during the season.

LAKE FENTON

Continued from Page 9

the first Stars Division meet as Lake Fenton took third. However, Lake Fenton won the second and third league competitions and won the Stars Division title outright.

Joey Gilbert led the team by taking first at the meet with a time of 15:59.3.

"After seeing our growth and success as a team these past races, I can say I am extremely proud of the team, and I don't think any of us thought we would accomplish what we have thus far," Gilbert said. "I cannot wait to see how we do this postseason."

Lake Fenton also captured the Greater Flint Cross Country Championship title and eventually qualified for the D2 state meet. While there, the Blue Devils placed 10th at the meet with Kevin Lewis, Gilbert, Colton Dietrich, Nolan Pinion and Matt Fletcher being the team's scoring runners at the meet.

Gilbert had an outstanding season, taking first in seven of his nine races.

Joey Gilbert helped lead the Lake Fenton varsity boys cross country team to a league title and a 10th-place finish at the D2 state cross country meet.

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MIDWEEK TIMES

44 I feel like

it's a huge

accomplishment

and was honored

when they asked

me about this

resolution to

congratulate me

for this. 77

Breanna Trecha

Fenton Township resident

18-year-old first woman to become Eagle Scout in Fenton Township, county

■She earned 51 merit badges

By Hannah Ball

The Fenton Township Board of Trustees passed a resolution Monday, Jan. 4 to honor the first woman to achieve Eagle Scoutrank in the township and in Genesee County.

Breanna Trecha, 18, of Fenton Troop 212G, is the 10th person in her family to earn the highest rank in scouting.

"I was very excited when I found out. I feel like it's a huge accomplishment and was honored when they asked me about this resolution to congratulate me for this," Trecha said, adding that it's a "great honor" to be the first woman in the area to receive the recognition. "I can be a role model to all the other girls who are trying to earn this accomplishment as well."

Supervisor Vince Lorraine said her family must be "super proud" and complimented them. Treasurer John Tucker said, "Obviously being the first female to do that in the county, we're very proud of you."

Trustee Kade Katrak thanked her for completing the community service project.

Trecha has been involved in scouting since she was 14 when she joined the Ven-

ture Scouts troop. She became involved in the National Youth Leadership Training (NYLT) program, which she was in for three years.

Her grandfathers were Boy Scouts, and her father, Jeff Trecha, is an Eagle

Scout. Trecha also has three Eagle Scout brothers. John earned his Eagle in 2012, Parker in 2014 andhertwin brother, Bradley earned his in 2016. Trecha has four uncles who have earned the highest rank, as well as her cousin Alex in 2010. "I always growt up in

"I always grew up in Scouting," Trecha said in a previous Times article. "I started in Girl Scouts as my mother (Amy) was the leader and I spent six years in that program. My dad

was a den leader for two of my brothers in Cub Scouts and I was always able to go along with the Cub Scouts as well."

Trecha surpassed the 21 merit badges necessary to earn her Eagle Scout rank. She earned 51.

For her Eagle Scout project, she led



a group of volunteers in refurbishing, repairing and staining approximately 50 park picnic tables at the Linden Recreational Park. They spent more than 100 hours fundraising, getting materials and supplies, and then completing the

project, she said. They completed the project in June.

Trecha is currently studying to earn a bachelor's in science in pharmaceutical science with a minor in chemistry at the University of Toledo. She plans to earn a masters in medicinal and biological chemistry.

The Fenton Township resolution states, "WHEREAS, Bre-

anna Trecha, a valued member of Scout Troop 212G, is a dedicated young woman who has earned the respect and admiration of her fellow scouts through her active participation in the many programs sponsored by the Scouting organization, including six years in Girl Scouts and five years in Venture Scouting.

"She joined Troop 212G in 2019, advancing through the ranks of Tenderfoot, Second Class, First Class, Star and Life, and earning her Eagle Scout Rank in October of 2020, and WHEREAS, Breanna becomes the tenth member of the Trecha family to earn the rank of Eagle Scout, including her father Jeff and her brothers, John, Parker and Bradley, and

"WHEREAS, Breanna has truly exhibited a commitment to the principals of Scouting and has consistently conducted herself in a manner becoming an Eagle Scout, and WHEREAS, Breanna completed a major community service project consisting of repairing and refurbishing more than 50 picnic tables at the Linden Recreational Park, leading a group of volunteers in working over 100 hours on the project;

"NOW, THEREFORE, BE IT RE-SOLVED, that the Township Board of the Charter Township of Fenton hereby applauds the diligence, determination, and dedication of Breanna Nicole Trecha in pursuing the highest honor awarded by the Scouting organization and extends its heartiest congratulations to her on the occasion of her earning the rank of Eagle Scout..."



COMPILED BY SHARON STONE

Ascension Genesys welcomes physician to women's health and cancer team

A new specialist has joined the Ascension Medical Group and Ascension Genesys medical



staff. Sharif Sakr, MD, FACOG, is a gynecologic oncologist and provides care to patients who have cancer

of the reproductive system. He also has a special interest in minimally invasive gynecologic surgery, intraperitoneal chemotherapy (HIPEC) and clinical trial research. Sakr is board-certified in obstetrics and gynecology through the American College of Obstetrics and Gynecology (ACOG). He received his medical degree from the University of Alexandria in Alexandria, Egypt and completed his residency in obstetrics and gynecology at Wayne State University School of Medicine in Detroit. He also completed a fellowship in Gynecologic Oncology at Karmanos Cancer Institute/ Wayne State University and a research fellowship at Yale University in New Haven, Connecticut. With a special interest in clinical research, Sakr has presented at national meetings and published in numerous peer-reviewed journals. Sakr is involved with training, teaching and mentoring residents, medical students, and fellows for the Gynecologic Oncology department. He strives to provide the most up-to-date and evidenced based care to his patients in an individualized and compassionate manner. Sakr's office is at Ascension Genesys Surgical Specialty Services, Suite 4642, located inside Ascension Genesys Hospital, One Genesys Parkway, in Grand Blanc. Appointments can be made by calling (810) 606-7900.

11650 Stallion Lane • Holly



www.accentdd.com

RESTAURANTS

Continued from Front Page The vote was unanimous.

Mayor Danielle Cusson said, "Our council as a whole has been concerned with the number of food trucks coming in town during a time when our brick and mortar restaurants are struggling because of the pandemic and various orders. We started this discussion back in the

summer and decided while we continue to work out legislation, the moratorium would go into place."

The city currently does not have an ordinance that sets rules and regulations pertaining to food trucks, and Cusson said they are working on one now.

"Our Linden restaurants have made a commitment to Linden, and it's unfair to allow food trucks to pay a minimal fee and compete for business in these tough times.

44 Our Linden restaurants have made a commitment to Linden, and it's unfair to allow food trucks to pay a minimal fee and compete for business in these tough times. **77**

> Danielle Cusson Linden mayor

We will work together to draft our legislation on how to proceed with this in the

future," Cusson said. The ordinance states:

"Whereas the City believes it is in the best interest of the City and its citizens and otherwise appropriate to impose a moratorium on the permitting of such mobile food vehicle vending until appropriate legislation can be drafted.

"The City of Linden hereby ordains, that the City Council hereby imposes a moratorium on the permitting of mobile food vehicle vending on private and public property in the City of Linden, aside from special events as approved by the City pursuant to historical practice, for a period of 120 days from the effective date of this Ordinance, unless new legislation pertaining to mobile food vehicle vending is adopted by the City and becomes effective prior to the expiration of the 120 days."

BILLS

Continued from Front Page

The bills would still require municipal governments to send these notices to the media, but they would no longer be required to pay to have them published.

Thomas Broecker, operations manager/deputy clerk, said the township has never had any "great objection" to the requirement to publish notices in a local paper, such as the Tri-County Times. Costs are manageable, he said, as opposed to publishing them in papers such as the Flint Journal, which would be more expensive.

"If legislation is enacted, I'm sure the township will take

1 believe our current website is very user-friendly, but we can always look for ways to improve. **77**

Thomas Broecker Fenton Township operations manager/deputy clerk

advantage of that to reduce operating expenses to some extent. If new legislation requires the online archiving of legal notices and ordinance amendments, I do not expect that to be a problem. We already archive all ordinances as they are adopted (including amendatory ordinances), and adding an archive for other legal notices would be relatively simple. I believe our current website is very user-friendly, but we can always look for ways to improve," Broecker said.

Fenton Township's website has links easily available for ordinances, meeting minutes, agendas and more. The most common form of engagement at the township is by email and by phone. Broecker said township meetings, even when they were in person, weren't attended by many people.

Another proposed change in the group of bills is requiring municipalities to keep a "master file" of emails of people to send these notices too.

"Reducing the volume of paper communications may take longer since not everyone has email and maintaining an email 'master file' for the general public would be a significant undertaking," he said.

One change Broecker would be happy to see no longer requiring municipalities to have special assessment public hearing notices in newspapers.

Obituaries

Richard Guy Young

1928 - 2020

Richard Guy Young - age 92, of Linden, passed away at home on Monday, January 4, 2021. A private Funeral Mass will be celebrated at St. John the Evangelist Catholic

Church, 600 N. Adelaide St., Fenton. The Mass will be live-streamed at 10 AM Saturday, January 9, 2021 on Mr. Young's obituary page at www.sharpfuneralhomes. com. Those desiring may make contributions to St. John Outreach or the Linden Historical Society. Richard was born December 19, 1928 in Gregory, the son of A. Vincent and A. Maude (Kuhn) Young. He was a graduate of Pinckney High School and Ferris State. He was also a veteran of the U.S. Navy. He was married to Susan Campbell on November 10, 1951 in Pinckney; they had



resided in Linden since 1968. Mr. Young was a pharmacist, retiring in 1989. He was a member of the USS Vesole Association, American Legion, Linden Historical

Society and St. John the Evangelist Catholic Church. He is survived by his wife. Susan; children, Andrew (Barbara) Young, S. Jennifer (David) Norton, James (Mary) Young, Jeffrey Young and Elizabeth (Amanda) Young; 18 grandchildren; 44 great-grandchildren; many nieces and nephews. He was preceded in death by his parents; son, Christopher Guy Young; four sisters and five brothers. Tributes may be shared at www. sharpfuneralhomes.com.



The current statute requires a "lengthy" notice to be published twice for each of the two public hearings, he said.

"That's a total of four publications for a notice that is already mailed to all affected property owners and has no impact on any other citizens," he said.

Joe Graves, Argentine Township clerk and former Michigan state legislator, said these are a group of bills he's seen in different forms in the legislature before.

"One thing I learned during my seven years is, you never give a bill thumbs up or down until you see the finished product. Bills get modified during the committee process in both the house or senate," he said.

The package of bills was introduced Nov. 12 and was postponed temporarily on Dec. 2.

Fenton Clerk Jennifer Kienast said, "While information is trending more toward the use of social media and websites, the city of Fenton continues to engage citizens through all forms of communication. The best way to educate people is truly dependent upon their preferred method of obtaining information. With all the avenues in which communication is shared, the need for information in print will ultimately depend on customer demand."



MIDWEEK TIMES

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ARIES

Mar 21/Apr 20 Aries, you may be tempted to loosen up and show more of your personality at work this week. Just remember to exercise discretion in situations that call for professional demeanor.

TAURUS Apr 21/May 21

Think before you speak this week, Taurus; otherwise, you may let go of something you had preferred to keep to yourself. Carefully think over your comments.

GEMINI

May 22/Jun 21 Gemini, try to balance your feelings by focusing on the facts rather than "what ifs." It's alright to feel anxious, but try not to let it overwhelm you the next few days.

CANCER

Jun 22/Jul 22 Cancer, you may finally get the answer to a problem or situation that has been on your mind for some time. It will be a relief to finally let this go and focus on new possibilities.

Horoscopes

LEO

Jul 23/Aug 23 Leo, take some time this week to brainstorm creatively. How would you change things if time and money were no issue? Speculating can provide inspiration.

VIRGO

Aug 24/Sept 22 Virgo, even when under pressure, you manage to present yourself as capable of getting the job done. Always put your best foot forward and portray yourself as someone who is steady.

LIBRA

Sept 23/Oct 23 Libra, playing it casual and projecting your friendly charm simply isn't going to cut it at work this week. You will have to make it clear that you're ready for a serious discussion.

SCORPIO Oct 24/Nov 22

Scorpio, temptation is around every corner. Figure out a way to stay grounded and on a successful track. Friends and family are ready and willing to help.

SAGITTARIUS

Nov 23/Dec 21 An issue that has to be addressed this week, Sagittarius, even though you would rather it just disappear. Focus on a plan and then get others to back you.

CAPRICORN Dec 22/Jan 20

Capricorn, you are generous with your time, and now many people are asking for help. You may start to feel burdened. Learn how to say "no" with tact.

For the week of January 4, 2021

AQUARIUS

Jan 21/Feb 18 Aquarius, check in with a friend if you have an emotional issue that needs working through. It won't be helpful to keep your feelings bottled up inside for too long.

PISCES Feb 19/Mar 20

Being in a relationship is a balance of give and take, Pisces. You may feel uncomfortable asking for what you need, but you shouldn't.

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