

Attorneys argue Matty Moroun, Dan Stemper weren't given due process

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Attorneys are at the Michigan Court of Appeals in Detroit this morning for a hearing on whether billionaire businessman Manuel (Matty) Moroun and a top aide should return to jail.

As the hearing opened, attorneys [David Domina](#) and Rodger Young, representing Moroun and Stamper, told the three-judge appeals panel that the two men had no personal notice that they could have been jailed and that they had no action they could perform to "purge" the contempt and get out of jail immediately. Therefore, they argued, Wayne County Circuit Court Judge Prentis Edwards had denied the men their due process.

"Mr. Stamper and Mr. Moroun certainly do not hold the keys to their cell," Young told the judges.

Neither Moroun nor Stamper was attending the hearing.

Moroun and Dan Stamper, president of the Moroun family's Detroit International Bridge Co., were jailed for civil contempt of court and spent a little over a day in Wayne County Jail in January at the order of Edwards.

The judge jailed the men for contempt after finding that the bridge company had done little or nothing to complete the long-delayed Gateway project at the Ambassador Bridge. Edwards had ordered the bridge company to comply with his order in February 2010.

The Appeals Court freed the men pending this morning's hearing on whether Edwards acted properly in incarcerating the pair.

Robert Mol, an assistant attorney general representing the Michigan Department of Transportation, faced sharp questioning from the three-judge panel on what appeared to be the open-ended nature of the incarceration that Edwards ordered -- until the Gateway project is completed.

President Judge Kurtis Wilder asked if it's not clear whether that completion might take six months or nine months or some other indeterminate period, why wouldn't the incarceration be considered a criminal contempt offense that would have required greater protections for the two men.

Mol told the court that the actions needed to get out of jail was in fact clear -- that the bridge company simply had failed to comply.

Mol argued that Moroun was the controlling owner of the bridge company and that Stamper had testified that he was in charge of the Gateway project. Therefore, he said, it was appropriate for Edwards to sanction the men individually.

"It makes a mockery of our judicial system if an order to a corporation doesn't have to obeyed by the very people who run it," Mol told the judges.

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