



## || Criminal Law

Foster Swift has a rich history of protecting the rights of the accused and ensuring fairness in criminal cases. Many of our founding partners earned their reputations in the criminal law arena.

Our criminal defense section represents persons accused of crimes including all types of traffic offenses, municipal ordinance violations, and serious felony charges. We handle cases before both state and federal trial and appellate courts. We also handle administrative hearings before state agencies involving professional licensing matters and driver's license appeals. In many situations, a criminal conviction can be a life-changing event. We utilize independent experts to confront charges. We have helped many individuals navigate the criminal justice process and arrive at just outcomes.

Our expertise extends to the following areas:

- Federal trial
- State trial
- Federal appellate
- State appellate
- Felonies
- Misdemeanors
- Probation violations
- Drivers licensing actions
- University relations, implications of criminal charges/convictions
- Family law implications of criminal charges
- Professional licensing implications of criminal charges
- Expungement of conviction

Sometimes bad things happen to good people. We can help make the best of a bad situation. We have developed extensive resources to assist our clients in getting their lives back on track, while protecting the best interests of our clients. When needed, we can make referrals to other professionals including mental health professionals, substance abuse counselors and court probation staffs to assist and protect our clients.

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### ATTORNEYS

#### Shareholder

Andrea Badalucco

Frederick D. Dilley

Alexander S. Rusek

#### Senior Attorney

Benjamin M. Williams

#### Associate

Brandon W. Waddell



Our many contacts in law enforcement throughout Michigan give us access to key decision makers in the criminal justice process. We have helped many clients save their careers and preserve their reputations.

Michigan's driver's license sanctions are among the most severe in the nation. We have assisted many clients facing the loss of driving privileges. In many cases we have preserved our clients' licenses and have obtained restoration of driving privileges that were suspended or revoked.

Foster Swift's criminal defense attorneys have the resources and experience to navigate sophisticated and complicated white collar crime situations in both State and Federal Court. Our attorneys have represented those charged with various crimes in the workplace including fraud and embezzlement. We have a network of expert witnesses to review and assess the evidence. Our attorneys also are experienced with professional license restoration in the wake of white collar crime charges.

Foster Swift has been named a Tier 1 firm in **Criminal Defense: White Collar** in Lansing by *U.S. News – Best Lawyers*® "Best Law Firms" in 2016, 2017, 2018, 2019 and 2020.

### **Representative Matters**

- Attorney Alexander S. Rusek successfully negotiated the dismissal of the assaultive criminal charges against his client less than one week before the start of the trial in the matter.
- Represented national corporation charged criminally for violating building codes and ordinances. Attorneys Alexander S. Rusek and Toi Thomas successfully negotiated a dismissal of the criminal charges resulting in a *de minimis* fine for the client.
- Represented car dealership in a federal lawsuit and associated arbitration matter wherein the Plaintiff claimed numerous violations of consumer protection laws and other causes of action. Case was successfully settled within one week of the client retaining Foster Swift, which included a resolution of the arbitration matter and dismissal of the federal lawsuit without any admissions of guilt or liability.
- March 2023: Client was charged with Assault and Battery and was alleged to have physically assaulted her minor sister. Following extensive negotiations with the prosecutor, the case was dismissed in its entirety, leaving our client with a clean record.
- March 2023: Client was charged with Operating While Intoxicated – High BAC and Refusal to Submit to a Preliminary Breath Test. Client, a 20-year old student, was alleged to have crashed his vehicle on the highway with a BAC of 0.194 (more than double the legal limit of 0.08 BAC). After successful negotiations with the prosecutor, client pled to the significantly reduced charge of Operating While Visibly Impaired and was sentenced to fines and costs (no jail, no probation).

### **PUBLICATIONS & ALERTS**

Cannabis Law Update, *Ingham County Bar Association BRIEFS*, July 19, 2023

Expungement Process in Michigan, *Foster Swift Business & Tax Law News*, October 31, 2022

"Intent" Not Required for "Sexual Molestation", *Foster Swift Insurance E-News*, March 30, 2010



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## NEWS

- Foster Swift Elects Three Shareholders for 2024, *Ingham County Legal News*, January 15, 2024
- Are You Prepared? New Video Series Exposes Potentially Devastating Legal Challenges for Young Adults & Their Families, *EIN Newswire*, November 21, 2023
- Former Illinois Assistant Attorney Joins Foster Swift's Family Law Practice, *Detroit Legal News*, November 14, 2023
- Rusek and Thomas Win Dismissal of Criminal Charges in Flint Water Crisis Prosecutions, *Mlive*, May 22, 2023
- Be Careful on the Biggest Bar Night of the Year, *Global Newswire*, November 21, 2022
- MBN Introduces New Senior Attorney Alexander Rusek, *Michigan Business Network*, October 12, 2022
- What You Need to Know About Trauma-Informed Lawyering, *State Bar of Michigan - On Balance Podcast*, September 26, 2022
- Litigators Rusek and Thomas Join Foster Swift, *Ingham County Legal News*, September 13, 2022
- Actions During College Welcome Week Could Lead to Long-Term Legal Problems, *Yahoo!*, August 22, 2022
- Three Former Summer Associates Join Foster Swift, December 7, 2021
- Treatment Courts Foundation Holds 11th Annual Breakfast, *Michigan Business Network*, October 26, 2021
- DDBA elects new officers for 2020-2021, June 15, 2020
- Hillman Appointed Judge for 55th District Court of Ingham County, April 7, 2020
- Foster Swift Elects Badalucco and Gismondi as Shareholders, January 13, 2020
- Former Foster Swift Attorney Receives Lifetime Achievement Award, November 18, 2019
- Foster Swift Listed in Best Lawyers® "Best Law Firms" 2020, November 1, 2019
- Foster Swift Rated Tier 1 in 27 Practice Areas in Best Lawyers® "Best Law Firms", November 1, 2018
- Attorney Andrea Badalucco Joins Foster Swift, *Southfield Chamber*, June 5, 2018
- 30 Foster Swift Attorneys Selected to 2017 Michigan Super Lawyers and Rising Stars Lists, September 8, 2017
- 21 Foster Swift Attorneys named to 2015 Michigan Super Lawyers and Michigan Rising Stars, September 8, 2015
- 44 Foster Swift Attorneys Named to 2016 Best Lawyers in America® Roster, August 21, 2015
- Foster Swift Hosts Panel Discussion on Criminal Procedure, March 25, 2011
- Criminal Defense Attorney Training, August 18, 2010

## EVENTS

- Unintended Consequences Your College Student May Face, *Foster Swift Second Wednesday Lunch Break*, October 11, 2023
- An Overview of Michigan's Felony Sentencing Guidelines, *Foster Swift Second Wednesday Lunch Break*, May 10, 2023
- Your College-Bound Child and the Law, *Foster Swift 2nd Wednesday Morning Break*, August 11, 2021
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Collateral Consequence of Criminal Behavior: Professional & Occupational Licenses, *State Bar of Michigan (SBM): Criminal Law Section's Mid-Winter Conference*, February 16, 2020

Legal Savvy Winter Warm Up, *State Bar of Michigan*, January 15, 2011

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