

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION**

United States of America v. David Jankowski, et al.

Jankowski · No. 24-11439 · Decided February 13, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan denied David Jankowski's motion seeking turnover of real property in South Haven, Michigan, to his son. The court held that Jankowski lacked standing to assert the purported lien rights of third parties and noted that the motion was untimely. The court also rejected Jankowski's contention that the restitution judgment had been paid in full, finding an outstanding restitution balance of \$4,183,031.01 as of February 13, 2026.

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION UNITED STATES OF AMERICA, Plaintiff, Civil Action No. 24-11439 v. David R. Grand1 United States Magistrate Judge DAVID JANKOWSKI, et al., Defendants.
_____/ ORDER DENYING DAVID JANKOWSKI'S MOTION FOR TURNOVER OF REAL PROPERTY LOCATED AT 301 NORTH SHORE, SOUTH HAVEN, MICHIGAN 48090 (ECF No. 86) Background The Court has explained in detail the relevant background of this matter (ECF No. 34, PageID.127-132; ECF No. 46, PageID.288-290), which it incorporates herein by reference.

For purposes of this Order, it suffices to say that: (1) the United States of America commenced this action to foreclose a criminal judgment lien (the "Lien") it holds on real property owned by David Jankowski ("Jankowski") located at 301 N. Shore, South Haven, Michigan 48090 (the "Property"); (2) on July 28, 2025, the Court granted the United States' motion for summary judgment, ordering that "Jankowski (and/or his family) shall have until August 8, 2025, to purchase the Property on terms mutually agreeable to the United States," and that "[i]n the event Jankowski and/or members of Jankowski's family do not purchase the Property by Friday, August 8, 2025, the United States shall 1 The parties have consented to my authority pursuant to 28 U.S.C. § 636(c).

(ECF No. 16). apply the proceeds of the sale of the Property to Jankowski's Restitution Judgment in United States v. Jankowski, 2:17-cr-20401" (ECF No. 34, PageID.135 (emphasis in original); ECF No. 46, PageID.293); (3) Jankowski (and/or members of his family) did not purchase the Property, and the United States is preparing to close on a sale to a third-party buyer in the immediate future (ECF No. 81, PageID.488), has filed a "Motion for Entry of Order Confirming

and/or Authorizing Sale of [the Property],” and has submitted a proposed “Order Confirming and Authorizing” that sale which addresses how the sale proceeds shall be distributed (the “Proposed Order”); and (4) on February 10, 2026, Jankowski filed a “Motion for Turnover of [the Property]” (the “Turnover Motion”).

(ECF No. 86). The United States filed a response to Jankowski’s motion on February 13, 2026. (ECF No. 90). For the reasons discussed below, the Court will deny Jankowski’s motion. Discussion In his Turnover Motion, Jankowski asks the Court to order the United States Marshals Service (“USMS”) to “immediately turn over possession and control of the [Property] ... to Stephen Jankowski, who will possess the property.” (ECF No. 86, PageID.545).

In support of his Turnover Motion, Jankowski asserts that there are “liens encumbering the [P]roperty [] totaling \$4,203,687, plus roughly \$400,000 to Fifth Third Bank and \$50,000 in property taxes to the [C]ity of South Haven, which exceeds the [P]roperty’s purported sale price of \$3,700,000 and on this basis, the government no longer has an equitable position[] permitting continued sale or retention of possession.” (Id.).

Thus, Jankowski asks that the Property be turned over to his son. (Id.). In support of the Turnover Motion, Jankowski provides an Affidavit of Truth, in which he avers that in October 2025, the Assistant United States Attorneys working on this case “requested payoffs of liens” on the Property, and that on November 12, 2025, Jankowski sent them certain documents that he attaches to his Turnover Motion.

(Id., PageID.547). Jankowski further avers that those documents “demonstrated priority of liens were perfected and [are] superior to the government [Lien].” (Id.). Specifically, he avers that on April 25, 2007, a judgment was entered against him in favor of Comerica Bank in the amount of \$3,485,586.70, that after interest charges and credits, as of November 27, 2007, the balance due to Comerica was \$869,153.48, and that in March 2008, Mary Grace Jankowski (Jankowski’s mother) “purchased the Judgement (sic) from Comerica” for \$915,000 plus continuing statutory interest.” (Id., PageID.552, 553).

Jankowski claims that he has made no payments to Mary Grace Jankowski and that the “cumulative amount accrued to date of principal and interest is \$2,611,720.00.” (Id., PageID.552). Jankowski also contends that another entity, PJANPS, LLC (“PJANPS”) “was granted a security interest by a mortgage for the [Property],” and that on March 15, 2013, PJANPS “assigned and transferred all security interest in the [P]roperty ... to MDS I and MDS II” (Id., PageID.557).

He claims the “current balance payable to MDS I and MDS II ... totals \$1,591,967.68.” (Id.). The two combined amounts – \$2,611,720 to Mary Grace Jankowski and \$1,591,967.68 to MDS I/MDS II – comprise the above-referenced purported lien total of “\$4,203,687.” Thus, because the total value of those two liens “far exceeds the [P]roperty’s purported sale price of \$3,700,000,”

Jankowski asserts that the United States “no longer has any equitable interest” in the Property and thus “cannot sell” it.

(Id..PageID.548) (emphasis in original). For this reason, Jankowski asserts that the Property should be turned over to his son, Stephen Jankowski. Having considered the facts and arguments set forth in Jankowski’s Turnover Motion, which he makes for the first time virtually on the eve of the private sale,² the Court is not persuaded that the Property should not be sold by the USMS at this time.

This is primarily because, in the Turnover Motion, Jankowski attempts to raise the interests and purported rights of potential third-party lien holders – PJANPS, LLC; MDS I, LLC; MDS II, LLC; and Mary Grace Jankowski – and he lacks standing to do so.³ A party “generally must assert his own legal rights and interests, and cannot rest his claim to relief on the legal rights or interests of third parties.” *Kowalski v. Tesmer*, 543 U.S. 125, 129 (2004) (internal quotations omitted).

There are exceptions to this general rule if a party can make two additional showings: that “the party asserting the right has a ‘close’ relationship with the person who possesses the right; and (2) that “a ‘hindrance’ [exists] to the possessor’s ability to protect his own interests.” *Id.* at 129-30 (quoting 2 In his response to the United States’ summary judgment motion, Jankowski merely argued that summary judgment should be denied because his § 2255 motion (which has since been denied) was pending, and that in the alternative, the Court should allow him “to sell the [P]roperty privately” so that the sale could “bring in top dollar.” (ECF No. 28, PageID.103-05).

³ The Court notes that the United States filed its Motion for Entry of Order Confirming and/or Authorizing Sale of the Property on December 19, 2025. (ECF No. 74). After Jankowski filed motions seeking an extension of time to respond to this motion (ECF Nos. 78, 79), the Court granted him a brief extension, indicating that “his response must be received by the Court by February 6, 2026.” (ECF No. 82, PageID.495) (emphasis in original).

However, the Court did not receive Jankowski’s Turnover Motion until February 10, 2026; thus, the motion was untimely and could be denied on that basis alone. See, e.g., *Albright v. Ascension Mich.*, No. 1:22-cv-638, 2024 WL 4113312, at *3 (W.D. Mich. Aug. 1, 2024).

However, the Court will consider the merits of Jankowski’s Turnover Motion. *Powers v. Ohio*, 499 U.S. 400, 411 (1991)). Here, Jankowski brings the Turnover Motion on behalf of himself, but he is attempting to assert the rights of third parties in arguing for a “turn over” of the Property.

Although alleged in prior filings by the United States that PJANPS, LLC and Mary Grace Jankowski are related parties of Jankowski (ECF No. 74, PageID.427), Jankowski himself does not admit to any “close” relationship with these third parties.

Moreover, although related to Jankowski in some respects, none of the alleged potentially interested third parties have been hindered in protecting their potential interests in the Property, because the individual and the other entities⁴ (or their agents) are all represented by Mary Grace Jankowski (through counsel) and have participated in related Jankowski litigation as early as 2023.⁵ As the United States indicated in its pending Motion for Entry of Order Confirming and/or Authorizing Sale of the Property, it has attempted to communicate with counsel for Mary Grace Jankowski on behalf of PJANPS, LLC, as it has been verified that she is a representative of that entity.

(ECF No. 74, PageID.426-27). However, when the United States sought information from PJANPS, LLC and/or its identified representatives, no 4 MDS I, LLC's registered agent is Mary Jankowski. The United States asserts that it has been unable to find any record of any entity registered in the State of Michigan as MDS II, LLC, and submits it to be "at best a typo or at worst a fictional entity." (ECF No. 90, PageID.592).

The Court's own search did not reveal an entity by the name MDS II, LLC registered with the State of Michigan. ⁵ See *United States v. Jankowski, et al.*, No. 23-mc-51094, ECF No. 3 (Mary Jankowski on behalf of MDS I, LLC, represented by counsel); *United States v. Jankowski, et al.*, No. 23-mc-51036, ECF No. 112 (Mary Jankowski, represented by counsel); *United States v. Jankowski, et al.*, No. 24-mc-50222, ECF No. 2 (Mary Jankowski, represented by counsel). response was received, and the United States was forced to file a quiet title action in this Court.

See *United States v. PJANPS, LLC*, No. 25-13472 ("PJANPS Quiet Title Case"). On January 15, 2026, a default was entered in that action as to PJANPS, LLC, and the United States' Motion for Entry of Default Judgment against PJANPS, LLC, is pending. PJANPS Quiet Title Case, ECF Nos. 12, 14.

For all these reasons, Jankowski does not have standing to assert the interests of PJANPS, LLC; MDS I, LLC; MDS II, LLC; or Mary Grace Jankowski. Thus, there is no basis to grant his Turnover Motion. Finally, Jankowski maintains that his motion should be granted because "the restitution i[is] paid in full." (ECF No. 86, PageID.549) (emphasis in original). Exhibit IV to Jankowski's motion purports to illustrate an outstanding restitution balance of only \$1,825,844.11, which is significantly less than the \$3,700,000 sale price of the Property.

(*Id.*, PageID.573).⁶ However, the United States explains that the \$1,825,844.11 figure is merely Jankowski's "annual garnishment accounting for 2025." (ECF No. 90, PageID.596). Indeed, records of the Clerk of the Court, which is the official recordkeeper of criminal monetary payments under 18 U.S.C. § 3612(a), reflect Jankowski's restitution balance as of February 13, 2026, is \$4,183,031.01.

See attached Exhibit A. Thus, Jankowski still owes significant restitution, which further supports denial of his Turnover 6 According to the United States, pursuant to 28 U.S.C. § 3205(c)(9)(A), it provides debtors with an annual accounting of garnished funds. (ECF No. 90, PageID.596). Jankowski's Exhibit IV appears to be his annual garnishment accounting for 2025, which was provided by the United States Attorney's Office ("USAO").

(ECF No. 86, PageID.572-74). The United States clarifies that Jankowski's balance with the USAO has not yet been adjusted to account for the movement of funds from the Clerk's Office to the USMS for application to his forfeiture money judgment. See United States v. Jankowski, No. 17-cr-20401, ECF No. 356. Motion. Conclusion For the reasons stated above, IT IS ORDERED that Jankowski's Turnover Motion (ECF No. 86) is DENIED.

Dated: February 13, 2026 s/David R. Grand Ann Arbor, Michigan DAVID R. GRAND United States Magistrate Judge CERTIFICATE OF SERVICE The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on February 13, 2026. s/Julie Owens JULIE OWENS Case Manager EXHIBIT A Case 5:24-cv-11439-DRG ECF No. 92, PageID.612 Filed 02/13/26 Page 9 of 31 Case Inquiry-All Parameter Value Case Number DMIE217CR020401 Party Number Payee Code Display Party Detail Y - Print Party Details Display Payee Detail Y - Print Payee Details Display Transactions Y - Print Transaction History 2/13/2026 10:15:00 Page 1 of 23 Case 5:24-cv-11439-DRG ECF No. 92, PageID.613 Filed 02/13/26 Page 10 of 31 U.S. Courts Case Inquiry Report Case Num: DMIE217CR020401; Party Num: N/A; Payee Code: N/A Show Party Details: Y; Show Payee Details: Y; Show Transactions: Y Case Number DMIE217CR020401 Case Title USA V JANKOWSKI ET Summary Party Information: Party # Party Code Party Name Account Code Debt Type JS Account # Total Owed Total Collected Total Outstanding 001 23PP035473 DAVID JANKOWSKI MIEA3234 VICTIM RESTITUTION 0.00 0.00 0.00 001 23PP035473 DAVID JANKOWSKI MIEA3234 SPECIAL PENALTY ASSESSMENT 3,000.00 3,000.00 0.00 001 23PP035473 DAVID JANKOWSKI MIEA3234 FEDERAL RESTITUTION 3,699,999.00 695,430.91 3,004,568.09 001 23PP035473 DAVID JANKOWSKI MIEA3234 TREASURY REGISTRY 2,684,161.45 2,700,303.22 0.00 001 23PP035473 DAVID JANKOWSKI MIEA3234 FEDERAL J&S RESTITUTION DMIE217CR020401/A 1,500,001.00 321,538.08 1,178,462.92 7,887,161.45 3,720,272.21 4,183,031.01 002 23PP040008 HASSAN HAMDAN MIEA3297 SPECIAL PENALTY ASSESSMENT 200.00 200.00 0.00 002 23PP040008 HASSAN HAMDAN MIEA3297 FEDERAL J&S RESTITUTION DMIE217CR020401/A 1,500,001.00 321,538.08 1,178,462.92 1,500,201.00 321,738.08 1,178,462.92 Summary Payee Information: Payee/Adr Code Payee Name Total Owed Total Paid Total Outstanding 25PP045006/1 RUBIN FRAMPTON 460,000.00 460,000.00 0.00 IPACCMS/1 CENTER FOR MEDICARE AND MEDICAID SERVICES 3,699,999.00 1,905,754.63 3,699,999.00 IPACCMS/1 CENTER FOR MEDICARE

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DMIE217CR020401-A FEDERAL J&S RESTITUTION CTC MIECCA25-DET150013235 06-Dec-24 06-Dec-24 PR 3,913.46 DAVID JANKOWSKI O 06 6855XX 2/13/2026 10:15:00 Page 14 of 23 Case 5:24-cv-11439-DRG ECF No. 92, PageID.626 Filed 02/13/26 Page 23 of 31 U.S. Courts Case Inquiry Report Case Num: DMIE217CR020401; Party Num: N/A; Payee Code: N/A Show Party Details: Y; Show Payee Details: Y; Show Transactions: Y Transaction Information: Document Document Accomplished Line Amount Party/Payee Doc Trans Fund Type/Number* Date Date Type Name Actn Type Account Debt Type Debt Payee Depository Check Number Line # Type Line # Line # Number DMIE217CR020401-001 3 FEDERAL RESTITUTION CTC MIECCA25-DET150013309 12-Dec-24 12-Dec-24 PR 600.00 HASSAN HAMDAN O 06 6855XX DMIE217CR020401-A FEDERAL J&S RESTITUTION CTC MIECCA25-DET150013486 27-Dec-24 27-Dec-24 PR 600.00 HASSAN HAMDAN O 06 6855XX DMIE217CR020401-A FEDERAL J&S RESTITUTION CTC B010725DMIE217CR020401001180 07-Jan-25 07-Jan-25 PR 213.46 DAVID JANKOWSKI O IP2 6855XX DMIE217CR020401-001 3 FEDERAL RESTITUTION CTC B010725DMIE217CR020401001180 07-Jan-25 07-Jan-25 PR 86.54 DAVID JANKOWSKI O IP2 6855XX DMIE217CR020401-A FEDERAL J&S RESTITUTION CTC MIECCA25-DET150013643 13-Jan-25 13-Jan-25 PR 600.00 HASSAN HAMDAN O 06 6855XX DMIE217CR020401-A FEDERAL J&S RESTITUTION CTC MIECCA25-DET150013835 24-Jan-25 24-Jan-25 PR 600.00 HASSAN HAMDAN O 06 6855XX DMIE217CR020401-A FEDERAL J&S RESTITUTION CTC MIECCA25-DET150014018 06-Feb-25 06-Feb-25 PR 600.00 HASSAN HAMDAN O 06 6855XX DMIE217CR020401-A FEDERAL J&S RESTITUTION CTC MIECCA25-DET150014183 20-Feb-25 20-Feb-25 PR 3,913.46 DAVID JANKOWSKI O 06 6855XX DMIE217CR020401-001 3 FEDERAL RESTITUTION CTC MIECCA25-DET150014183 20-Feb-25 20-Feb-25 PR 1,586.54 DAVID JANKOWSKI O 06 6855XX DMIE217CR020401-A FEDERAL J&S RESTITUTION CTC MIECCA25-DET150014316 27-Feb-25 27-Feb-25 PR 600.00 HASSAN HAMDAN O 06 6855XX DMIE217CR020401-A FEDERAL J&S RESTITUTION CTC MIECCA25-DET150014379 05-Mar-25 05-Mar-25 PR 600.00 HASSAN HAMDAN O 06 6855XX DMIE217CR020401-A FEDERAL J&S RESTITUTION CTC MIECCA25-DET150014465 07-Mar-25 07-Mar-25 PR 1,586.54 DAVID JANKOWSKI O 06 6855XX DMIE217CR020401-A FEDERAL J&S RESTITUTION CTC MIECCA25-DET150014465 07-Mar-25 07-Mar-25 PR 3,913.46 DAVID JANKOWSKI O 06 6855XX DMIE217CR020401-001 3 FEDERAL RESTITUTION 2/13/2026 10:15:00 Page 15 of 23 Case 5:24-cv-11439-DRG ECF No. 92, PageID.627 Filed 02/13/26 Page 24 of 31 U.S. Courts Case Inquiry Report Case Num: DMIE217CR020401; Party Num: N/A; Payee Code: N/A Show Party Details: Y; Show Payee Details: Y; Show Transactions: Y Transaction Information: Document Document Accomplished Line Amount Party/Payee Doc Trans Fund Type/Number* Date Date Type Name Actn Type Account Debt Type Debt Payee Depository Check Number Line # Type Line # Line # Number CTC

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