



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

May 7, 2024

Kehinde Ogundipe
Eden Prairie Residential Care, LLC
G 15 B
405 W Greenlawn
Lansing, MI 48910

RE: License #:	AS250413135
Investigation #:	2024A0872028
	Palm Home

Dear Kehinde Ogundipe:

Attached is the Special Investigation Report for the above referenced facility. Due to the severity of the violations, disciplinary action against your license is recommended. You will be notified in writing of the department's action and your options for resolution of this matter.

Please review the enclosed documentation for accuracy and contact me with any questions. In the event that I am not available, and you need to speak to someone immediately, please contact the local office at (517) 643-7960.

Sincerely,

Susan Hutchinson, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(989) 293-5222

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
 BUREAU OF COMMUNITY AND HEALTH SYSTEMS
 SPECIAL INVESTIGATION REPORT
 THIS REPORT CONTAINS QUOTED PROFANITY**

I. IDENTIFYING INFORMATION

License #:	AS250413135
Investigation #:	2024A0872028
Complaint Receipt Date:	03/14/2024
Investigation Initiation Date:	03/14/2024
Report Due Date:	05/13/2024
Licensee Name:	Eden Prairie Residential Care, LLC
Licensee Address:	G 15 B 405 W Greenlawn Lansing, MI 48910
Licensee Telephone #:	(214) 250-6576
Administrator:	Kehinde Ogundipe
Licensee Designee:	Kehinde Ogundipe
Name of Facility:	Palm Home
Facility Address:	1629 Seminole Ave. Flint, MI 48503
Facility Telephone #:	(214) 250-6576
Original Issuance Date:	02/08/2023
License Status:	1ST PROVISIONAL
Effective Date:	08/08/2023
Expiration Date:	02/07/2024
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
On 03/13/24, staff Cory Marshall transported Resident A in his personal vehicle. Staff Marshall had a gun in the vehicle which he used to shoot at least one individual. The Adult Foster Care facility has a no weapons policy.	Yes
On 03/13/24, staff Cory Marshall took Resident A to Gracelawn Cemetery in Flint, MI to visit some of Staff Marshall's deceased relatives. While at the cemetery, Staff Marshall shot at least one individual and other individuals began firing their weapons. Resident A was shot once in the chest and once in the left arm.	Yes

III. METHODOLOGY

03/14/2024	Special Investigation Intake 2024A0872028
03/14/2024	Special Investigation Initiated - Telephone AFC Consultant, Martin Gonzales spoke to the home manager, Jessica Ortiz about this incident
03/15/2024	APS Referral We received an APS referral regarding this incident. Brandi Morris is the APS Worker
03/18/2024	Contact - Document Received Updates received from home manager, Jessica Ortiz
03/18/2024	Contact - Telephone call received I interviewed Oakland County CMH RRO, Michelle McCormick
03/18/2024	Contact - Document Received I received documentation from HM Ortiz
03/19/2024	Contact - Telephone call made I spoke to APS Worker, Brandi Morse
03/19/2024	Inspection Completed On-site Unannounced
03/19/2024	Contact - Document Sent I emailed HM Jessica Ortiz requesting information about this complaint

03/20/2024	Contact - Telephone call made I interviewed staff Cory Marshall
03/20/2024	Contact - Document Received I received documentation from HM Ortiz
04/05/2024	Contact - Document Sent I emailed Metro Police requesting a copy of the police report
04/14/2024	Contact - Document Received I received copies of the police complaints
04/24/2024	Exit Conference I conducted an exit conference with the licensee designee, Kehinde Ogundipe
04/24/2024	Inspection Completed-BCAL Sub. Non-Compliance

ALLEGATION: On 03/13/24, staff Cory Marshall transported Resident A in his personal vehicle. Staff Marshall had a gun in the vehicle which he used to shoot at least one individual. The Adult Foster Care facility has a no weapons policy.

INVESTIGATION: On 03/14/24, I received an Incident/Accident Report (IR) dated 03/13/24, completed by the home manager, Jessica Ortiz. According to the report, on 03/13/24, Staff Cory Marshall took Resident A to Gracelawn Cemetery in Flint, MI to visit some of Staff Marshall's deceased relatives. While at the cemetery, Staff Marshall shot at least one individual with the weapon he keeps in his vehicle. Staff Marshall is licensed to carry a firearm in the State of Michigan. However, his employment was terminated with Palm Home AFC since he broke two of the company policies: 1. Taking a resident on personal errands and 2. No weapons policy.

On 03/19/24, I conducted an unannounced onsite inspection of Palm Home Adult Foster Care facility. I interviewed Resident A who was sleeping in his room. Resident A confirmed that on 03/13/24, Staff Marshall took him on a personal outing to Gracelawn Cemetery. While at the cemetery, Resident A said that Staff Marshall used a gun to shoot at least one individual. Resident A also received two gunshot wounds.

On 03/20/24, I interviewed Staff Cory Marshall via telephone. Staff Marshall confirmed that on 03/13/24, he took Resident A with him on a personal outing to Gracelawn Cemetery. Staff Marshall said that he is licensed to carry a weapon in the State of Michigan, and he had his handgun in the side door of his vehicle. Staff Marshall confirmed that while at the cemetery, he pulled his weapon and shot an individual. Staff Marshall confirmed that his employment was terminated with Palm Home AFC because he violated the company policy about carrying a weapon and taking a resident on a personal outing.

I reviewed Staff Marshall’s employee file. Staff Marshall was hired at Palm Home AFC on 02/19/24 and he was terminated on 03/14/24. The reason listed was, “Staff took resident on a personal errand, violated our no weapons policy, putting the resident in danger, causing the resident to get hospitalized. Staff is not able to be hired back into any Eden Prairie at any home.”

APPLICABLE RULE	
R 400.14204	Direct care staff; qualifications and training.
	<p>(2) Direct care staff shall possess all of the following qualifications:</p> <p>(a) Be suitable to meet the physical, emotional, intellectual, and social needs of each resident.</p> <p>(b) Be capable of appropriately handling emergency situations.</p>
ANALYSIS:	<p>On 03/14/24, I received an IR regarding staff Cory Marshall and Resident A. According to the report, on 03/13/24, Staff Marshall took Resident A on a personal outing to Gracelawn Cemetery. While at the cemetery, Staff Marshall used his firearm that he keeps in his personal vehicle to shoot at least one individual. According to the IR, Staff Marshall’s employment with Palm Home AFC was terminated due to violating company policies regarding no weapons and not taking residents on personal outings.</p> <p>On 03/19/24, Resident A confirmed that Staff Marshall took him on a personal outing to Gracelawn Cemetery. While at the cemetery, Resident A said that Staff Marshall used a gun to shoot at least one individual. Resident A also received two gunshot wounds.</p> <p>On 03/20/24, I interviewed Staff Marshall via telephone. He confirmed that on 03/13/24, he took Resident A on a personal outing to Gracelawn Cemetery. He said that while at the cemetery, he pulled his weapon and shot an individual. Staff Marshall confirmed that his employment was terminated with Palm Home AFC because he violated the company policy about carrying a weapon and taking a resident on a personal outing.</p> <p>I conclude that there is sufficient evidence to substantiate this rule violation.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION: On 03/13/24, staff Cory Marshall took Resident A to Gracelawn Cemetery in Flint, MI to visit some of Staff Marshall's deceased relatives. While at the cemetery, Staff Marshall shot at least one individual and other individuals began firing their weapons. Resident A was shot once in the chest and once in the left arm.

INVESTIGATION: On 03/14/24, I received an Incident/Accident Report (IR) dated 03/13/24, completed by the home manager, Jessica Ortiz. According to the IR, "On 03/13/24 I received a phone call at 7:00pm from my 2nd shift Team Lead Andrew Murphy. He informed me that a resident was on an outing with his 1 on 1 (Resident A) and got shot and was at Hurley Hospital. I immediately went right to the hospital to figure out what was going on. When I arrived, I spoke with the social worker, she informed me of what happened. The first initial story I got was that Cory (Marshall) took (Resident A) with him to the cemetery to visit his cousin's headstone who had passed away years ago. He met some family up there. I was told as soon as they arrived at the cemetery they walked up to the headstone, and a car pulled up behind his car and 2 men got out and started shooting at them, and Cory (Marshall) pulled out his gun and started shooting back. That (Resident A) had got caught in the crossfire. The Social Worker had first told me that it was Cory (Marshall) who accidentally shot (Resident A), as (he) told them, 'My staff shot me, it wasn't on purpose though, he was trying to shoot the people who were trying to steal from him.' Cory (Marshall) was arrested immediately and taken to jail. I then waited at the hospital until I was able to visit and see (Resident A) myself." HM Ortiz notified all necessary individuals and when she left the hospital at 10:30pm, Resident A was in stable condition.

The IR further stated, "After leaving the hospital, I received a phone call at 11:18pm from a number I assumed was the hospital, so I answered. It was Cory Marshall calling me. He informed me that he had been let out of jail, and it was deemed self-defense. He then told me his side of the story about what happened. He stated he was at work when he received a phone call from his family that they were going to visit the cemetery to see his cousin. So, he decided to go and take (Resident A) with him. He stated they got to the cemetery, when they arrived, they did notice another group of people that were visiting someone else's headstone. He said he didn't know who they were. He said they were only there for about 5-10 minutes then got into the car to leave. Cory (Marshall) in the driver's seat, (Resident A) in the passenger seat. He said shortly after they got into the car, a man walked up to the window and was 'talking crazy' to them and proceeded to show his gun and went to grab his gun. He said once he went to grab his gun that's when he shot the man. He said immediately after that, the group of people that were with the man who just got shot started shooting at his vehicle. He said he tried to back out to leave but it was hard to get out, and the other guys ran to their car. He said he got (Resident A) to his family friends' car to get him out of the situation, and he had no clue (Resident A) had even been shot the entire time. Once his friend seen (Resident A) shot, they called 911 to request an ambulance. He said once he got him in the car with his friends he then got back into his car and called 911 informing them of the incident and kept them on the phone the entire time telling them where he was going, where they then arrested him. He said they investigated the situation, then called the

prosecutors and they cleared him to go home, deemed it as self-defense. He said he didn't know (Resident A) was shot until the police officers told him after he was already arrested. He said he did not shoot (Resident A), that that was from the other people, that it was no way possible, and they would be able to tell that by running the bullets. Cory (Marshall) is licensed to carry in the state of Michigan." HM Ortiz further stated that on 03/14/24, she spoke to hospital staff who reported that Resident A received surgery and is in stable condition. Since Staff Marshall broke 2 of the company policies (1. Taking a resident on personal errands and 2. No weapon policy) he was terminated and will no longer be able to work for any Eden Prairie facilities.

The corrective measures taken were, "Staff has been terminated, will be doing a training on the importance of our No weapons policy, and also not taking the residents on personal errands. Manager will continue to keep in contact with all parties involved, and report any changes to guardian, licensing, case manager and RR.

On 03/18/24, I spoke to Oakland County Recipient Rights Officer (RRO), Michelle McCormick via telephone. RRO McCormick said that she was assigned the investigation regarding Resident A being shot while with staff Cory Marshall. According to RRO McCormick, she spoke to the home manager, Jessica Ortiz who reported that Resident A is still in the hospital.

On 03/19/24, I conducted an unannounced onsite inspection of Palm Home Adult Foster Care facility. I interviewed Resident A and the home manager, Jessica Ortiz.

Resident A was in his room, sleeping but he agreed to talk to me. I noted a bandage on his left arm, between his wrist and elbow. I asked him what happened, and he said, "I got shot." Resident A also touched his chest and said he has a bandage there as well because he was shot in the chest. I asked Resident A to tell me about how he got shot. He said, "(Staff) Corey (Marshall) was trying to protect me." Resident A told me that last week, he went with Staff Marshall to the cemetery "to see one of his ancestors." Resident A and Staff Marshall were sitting in the car, with the windows up. Resident A said that a man walked up to his side of the car and another man walked up to Staff Marshall's side of the car. Resident A said that the men looked mad, and he was scared. I asked him what happened next, and he said that one of the men looked at Staff Marshall and said, "You're gonna die bitch!" I asked Resident A if either man had a weapon and he said he does not remember. Resident A said that Staff Marshall then pulled out a gun and shot the man closest to Resident A and then turned the gun and shot the man closest to his window. Both men fell to the ground.

According to Resident A, there were some other men there and they started shooting at him and Staff Marshall as well. Resident A said that the other men began running away so Staff Marshall got out of the car and began chasing them. Resident A told me he was sitting in the car, and he said, "I was crying and in pain because I got shot." I asked him if he knows who shot him and he said no. Resident A stated that one of Staff Marshall's female cousins came over to the car and when she realized Resident A had been shot, she called the ambulance and the police. I asked Resident A if the men knew Staff

Marshall and he said yes. I asked him how he knew this, and he said, "because they called him by name." Resident A said that the ambulance came to the cemetery and took him to the hospital. Resident A was in the hospital for a few days because he had surgery. Resident A said that he is feeling better now but he is still "not good."

On 03/20/24, I interviewed former staff, Cory Marshall via telephone. Staff Marshall said that on 03/13/24, he went to the cemetery to see two of his cousins who are buried across from each other. He took Resident A with him and left Resident A in the car while Staff Marshall went to the graveside. Staff Marshall said that two other cars with some of his relatives were there at the cemetery as well. Staff Marshall said that he noticed there were four other cars at the cemetery, but he did not think anything of it. When he got back to the car, he sat and looked at his phone for a few minutes. Staff Marshall said he could not leave since his cousin's car was directly in front of him and his friend's car was directly behind him. Staff Marshall had his window down but cannot recall if Resident A's window was up or down. Staff Marshall said he looked up and saw a man approaching his car from the front. The man looked in Staff Marshall's cousin's car and then proceeded to walk up to Staff Marshall's car. The man walked up to his window and said, "Whatchu on?" Staff Marshall said, "Whatchu mean?" and the man again said, "Whatchu on?" and then lifted his shirt, revealing and reaching for a gun. Staff Marshall said that he has a CCW permit in Michigan and had his 9mm in the car door, so he grabbed it and shot the man four times.

According to Staff Marshall, he heard numerous gun shots and when he looked in his rearview mirror and saw that he could move his vehicle, he put his car in reverse and then took off driving. Staff Marshall said that he ended up running into a tombstone and when his car came to a stop, he got Resident A out of the car and put him in his cousin's car. Staff Marshall said that he got in his friend's car, and they drove away out of fear of getting shot. Staff Marshall told me that he was trying to defend himself and Resident A and everything happened very fast. Staff Marshall said that he did not know that Resident A had gotten shot until later, when the police told him.

I asked Staff Marshall if he knew the man he shot or any of the men who were shooting at him. Staff Marshall said that he only knows the man he shot goes by the name "Ghetto Boy." He said that he knows Ghetto Boy from the internet but said that he has never had a problem with him, and he does not know why Ghetto Boy would have a problem with him. I asked Staff Marshall if he believes he was targeted and he said that it seems like it. Staff Marshall told me that on 03/14/24, his mother's house got shot up as well. Staff Marshall said that when he was younger, he used to be a popular rapper and had a recognizable internet presence. Staff Marshall told me that a lot of people in Flint know him from that and they all know him as "Cory." I asked him if any of the men called him by name and he said no.

Staff Marshall confirmed that he was terminated from Palm Home AFC. I asked him if he had all his training and he said that he completed everything except for his recipient rights training. Staff Marshall told me that he has a valid CPR and First Aid card, he received all his AFC training, and he completed his fingerprinting.

On 03/21/24, I spoke to RRO Michelle McCormick about this investigation. I discussed my findings thus far and we talked about the RRO requirements for staff to provide services to residents. She stated that an employee has 30 days to complete their recipient rights training from their date of hire. I told her that according to HM Ortiz, Staff Marshall was hired on 02/19/24 and he was terminated on 03/14/24.

At my request, on 03/21/24 Staff Marshall texted me a copy of his Michigan Concealed Pistol License. This license was issued to him on 11/14/23 and it expires on 03/22/28.

On 03/21/24, I reviewed paperwork related to this complaint. Resident A was admitted to Palm Home AFC on 8/18/23. I reviewed his hospital discharge paperwork and noted that he was admitted to Hurley Medical Center on 03/13/24 due to a gunshot wound of his chest cavity and a gunshot wound of his left forearm. Resident A had surgery on 03/14/24 and he was discharged on 03/18/24.

According to Resident A's Oakland County Individualized Plan of Service (IPOS) dated 10/01/23, Resident A is (now) 20-years old, he has a behavior plan and he requires 1:1 staffing during waking hours, and "within eyesight in the home at all times." Resident A is diagnosed with a mild intellectual disability, disruptive mood dysregulation disorder, ADHD, and a learning disability. Resident A has a history of verbal and physical aggression, property destruction, and elopement.

According to Resident A's health care appraisal dated 11/15/23, he is diagnosed with vitamin D deficiency, anxiety, hypertension, schizophrenia, and ADHD. Resident a's assessment plan dated 12/20/23 states that in the community, staff must be "in line of sight, with 24-hour supervision."

I reviewed Staff Marshall's employee file. Staff Marshall was hired at Palm Home AFC on 02/19/24 and he was terminated on 03/14/24. The reason listed was, "Staff took resident on a personal errand, violated our no weapons policy, putting the resident in danger, causing the resident to get hospitalized. Staff is not able to be hired back into any Eden Prairie at any home."

Staff Marshall received CPR and First Aid training on 03/04/24, an iChat was completed on 02/16/24, he completed the fingerprinting process. I obtained a copy of his eligibility letter dated 02/21/24. He completed all AFC and Recipient Rights trainings as required.

I reviewed a copy of the police reports regarding this complaint. According to the first report, Officer Shirenuva Jones responded to Hurley Medical Center on 03/13/24 in response to victims being brought to the hospital due to a shooting at Gracelawn cemetery in Flint, MI. Officer Jones interviewed two witnesses but was unable to interview the first victim (Individual 1) who was listed in critical condition. Dr. Sava told Officer Jones that Individual 1 received a gunshot wound to his stomach and one to his chest.

Officer Jones interviewed Resident A who received a gunshot wound to the left side of his chest and his left forearm. Resident A told Officer Jones that he was at the cemetery with Staff Marshall, visiting Staff Marshall's family. Resident A told Officer Jones that Staff Marshall accidentally shot him while he was shooting at someone else. Resident A said that he did not hear Staff Marshall arguing with anyone, but he believes Staff Marshall shot at someone because they stole from him.

According to the second police report completed by Officer Jermine Horston, on 03/13/24, he and Officer Cooper responded to Gracelawn cemetery in response to a shooting. The officers made contact with Resident A and noted that he appeared to have a gunshot wound to his left forearm and a wound to his left shoulder/chest area. Officer Horston noted that Resident A "appeared to be mentally ill" and he was unable to provide officers with his home address.

According to the third police report completed by Officer Michael Forystek, on 03/13/24, he received a "possible shooting" call at Gracelawn cemetery. Officer Forystek was then patched through to Cory Marshall who reported that he had just shot someone at Gracelawn cemetery, in self-defense and he retreated to his mother's residence. Officer Forystek and Officer Perry went to Marshall's mother's residence, secured the firearm used in the shooting, and arrested Cory Marshall.

According to the fourth police report completed by Officer Deshawn Perry, on 03/13/24 Officer Perry was dispatched to city of Flint address in reference to a suspect (Cory Marshall) in a shooting complaint at Gracelawn cemetery. Officer Perry secured Cory Marshall in his cruiser and secured the weapon used in the shooting. Officer Perry noted that the weapon had no live round in the chamber but there were several live rounds in the magazine. The weapon was identified as a Smith/Wesson M/P Shield 9mm.

According to the last police report completed by Officer Terry Lewis, on 3/15/24 Officer Lewis went to Hurley Medical Center to retrieve evidence regarding this case. Officer Lewis was given one clear specimen container which contained one spent, bloody bullet. The evidence was collected on 03/14/24 from Resident A's body by Dr. Kristoffer Wong who performed his surgery and retrieved the bullet from his chest. The type of bullet was not identified in this report.

According to Resident A's Oakland County Individualized Plan of Service (IPOS) dated 10/01/23, Resident A is (now) 20-years old, he has a behavior plan and he requires 1:1 staffing during waking hours, and "within eyesight in the home at all times."

According to his health care appraisal dated 11/15/23, he is diagnosed with vitamin D deficiency, anxiety, hypertension, schizophrenia, and ADHD. His assessment plan dated 12/20/23 states that in the community, staff must be "in line of sight, with 24-hour supervision."

On 07/06/23, I conducted the renewal inspection and found significant violations. The facility was cited for the following physical plant, medication, and paperwork violations: R 400.401(2), R 400.406, R 400.208(3), R 400.316(1)(i), and R 400.301(4). The licensee designee, Kehinde Ogundipe submitted a corrective action plan dated 07/18/23. The facility was issued a provisional license on 07/19/23 and has remained on a provisional license since then.

APPLICABLE RULE	
R 400.14305	Resident protection.
ANALYSIS:	(3) A resident shall be treated with dignity and his or her personal needs, including protection and safety, shall be attended to at all times in accordance with the provisions of the act.
	<p>On 03/13/24, staff Cory Marshall took Resident A on a personal outing to Gracelawn Cemetery to visit some relatives of his. During that outing, Resident A was shot twice and was taken to Hurley Medical Center. According to his hospital discharge paperwork, he was admitted to Hurley Medical Center on 03/13/24 due to a gunshot wound to his chest cavity and a gunshot wound to his left forearm. He had surgery on 03/14/24 and he was discharged on 03/18/24.</p> <p>According to the Incident/Accident Report I reviewed, at the time of his admission, Resident A told hospital staff “My staff shot me, it wasn’t on purpose though, he was trying to shoot the people who were trying to steal from him.”</p> <p>On 03/19/24, I interviewed Resident A and observed a bandage on his left arm and one on his chest. I asked him what happened, and he said, “I got shot.” He told me that two men were standing on either side of the vehicle they were in. He said that one of the men looked at Staff Marshall and said, “You’re gonna die bitch!” I asked Resident A if either man had a weapon and he said he does not remember. Resident A said that Staff Marshall then pulled out a gun and shot the man closest to Resident A’s window and then turned the gun and shot the man closest to his window. He told me that staff Cory Marshall “was trying to protect me” and said he does not know who shot him.</p> <p>Staff Cory Marshall told me that he did not shoot Resident A and he does not know who shot him. He told me that he did not shoot at a man outside of Resident A’s car window and there is “no way” Resident A got caught in any crossfire.</p> <p>On 03/13/24, Resident A told Officer Jones that he was at the cemetery with Staff Marshall, visiting Staff Marshall’s family.</p>

	<p>Resident A told Officer Jones that Staff Marshall accidentally shot him while he was shooting at someone else. He said that he did not hear Staff Marshall arguing with anyone, but he believes Staff Marshall shot at someone because they stole from him.</p> <p>According to Resident A's Oakland County Individualized Plan of Service (IPOS) dated 10/01/23, Resident A is (now) 20-years old, he has a behavior plan and he requires 1:1 staffing during waking hours, and "within eyesight in the home at all times."</p> <p>According to his health care appraisal dated 11/15/23, he is diagnosed with vitamin D deficiency, anxiety, hypertension, schizophrenia, and ADHD. His assessment plan dated 12/20/23 states that in the community, staff must be "in line of sight, with 24-hour supervision."</p> <p>I conclude that there is sufficient evidence to substantiate this rule violation.</p>
CONCLUSION:	VIOLATION ESTABLISHED

On 04/24/24, I conducted an exit conference with the licensee designee, Kehinde Ogundipe via telephone. I discussed the results of my investigation and explained that I am going to be recommending revocation of the license. LD Ogundipe said that Oakland County Health Systems is not renewing their contract with Eden Prairie Residential Care, LLC. Therefore, all residents will be moving out of Palm Home AFC no later than 05/30/24. I told him that I am still going to move forward with the revocation recommendation, and he said that he understands.

IV. RECOMMENDATION

Due to the facility being on a provisional license and current violations, I recommend revocation of the license.

Susan Hutchinson

May 6, 2024

Susan Hutchinson Licensing Consultant	Date
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Approved By:

Mary Holton

May 6, 2024

Mary E. Holton Area Manager	Date
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