



Written by [James Murphy](#) on March 22, 2021

Michigan Restaurant Owner Jailed for Keeping Her Business Open

A Michigan restaurant owner was jailed on Friday after refusing to comply with state rules pertaining to the COVID-19 pandemic. 55-year-old Polish immigrant Marlena Pavlos-Hackney was brought into custody on a bench warrant after a traffic stop on early Friday morning.

Pavlos-Hackney allegedly allowed indoor dining and did not enforce mandatory mask-wearing at her restaurant Marlena's Bistro and Pizzeria in Holland, Michigan. Since November of last year, Pavlos-Hackney chose not to follow Allegan County orders to close indoor dining, while it was banned in the state. The restaurant's food license was suspended on January 20.



YouTube

"She has put the community at risk. We are in the middle of a pandemic," said Ingraham County Judge Rosemarie Aquilina.

On March 4, Ingraham County Circuit Judge Wanda Stokes issued a bench warrant for Pavlos-Hackney's arrest for ignoring the suspension of her food license. She was ordered to turn herself in but did not do so.

"I'm not afraid. I'm fighting for freedom in America," Pavlos-Hackney told MLive.

In a contentious arraignment, Rick Martin of the Constitutional Law Group — Pavlos-Hackney's initial legal advisor — was held in contempt by Aquilina and arrested because he is not licensed to practice law in Michigan.

"You have formally, by your own hand, told this court you were a lawyer and you wanted to represent your client," Aquilina scolded. "This is an appearance. This is for lawyers."

Judge Rosemarie Aquilina had "constitutional attorney" Rick Martin arrested for contempt of court after he tried to represent Marlena Pavlos-Hackney. Martin is not licensed to practice law in Michigan. pic.twitter.com/zznrhUWSAj

— Malachi Barrett (@PolarBarrett) [March 19, 2021](#)

Initially, Pavlos-Hackney refused to comply with the judge, refused to be sworn in, and interrupted the judge several times.

After a brief recess, in which Pavlos-Hackney was allowed to consult with her new lawyer Robert Baker, she agreed to pay a \$7,500 civil contempt fine and close the restaurant pending further court proceedings.



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"She really doesn't understand, your honor," Baker told the court. "She didn't understand the process. It was a little disconcerting at first. She doesn't want to say anything that's going to be detrimental to her."

But the judge ordered Pavlos-Hackney held in custody until the Michigan Attorney General's office is satisfied that the restaurant will remain closed.

"You have selfishly not followed orders," the judge scolded. "You did not follow them for your own financial gain and apparently for the publicity that comes with this."

Pavlos-Hackney has indeed received some publicity for her stand against government overreach. She has appeared with Tucker Carlson on Fox News as well as on Glenn Beck's radio program. A [gofundme](#) campaign has raised more than \$240,000 for her legal bills.

"I stay strong because I'm not going to let the government intimidate me or put fear in me," she told Beck. "I'm going to keep fighting for American freedom and my constitutionally protected rights."

Supporters of the restaurant owner boarded up the business on Saturday and [rallied](#) outside the building, chanting, "Free, Marlena."

At the rally, Michigan GOP co-chair Meshawn Maddock called out Michigan Attorney General Dana Nessel for harassing Pavlo-Hackney, while choosing not to investigate Governor Gretchen Whitmer for her Andrew Cuomo-like coronavirus policies that may have led to the death of senior citizens in the state.

"In case Dana Nessel needs some help with legal ethics, let's jail the governor for killing grandma but not the waitresses and line cooks that just want to earn a living," Maddock told the crowd. "Friends, we are accused of being racist, sexist and stupid — all of you. They want to fire us, cancel us, silence us, while they go about with their treachery. I am imploring you to find your voice. Stand up, fight back and be brave."

Nessel, a Democrat, took to Twitter to rant about the case, declaring that she couldn't "understand how or why this is controversial."

Wd there be widespread support for a restaurant whose establishment defied health & safety protocols and customers contracted salmonella, hepatitis A or E. Coli as a result? O/15,000 Michigan residents have died from Covid-19. Can't understand how or why this is controversial. <https://t.co/kdQRcVsGyH>

— Dana Nessel (@dananessel) [March 19, 2021](#)

Pavlos-Hackney, who fled communism in Poland in 1983, told WOOD-TV on Thursday, "We don't want this country to become a communist regime that's going to dictate what we can and cannot do."

In a state where Governor Gretchen Whitmer chooses to hide how she [funneled COVID-19 patients](#) into nursing homes with an exemption from freedom of information laws and where the Attorney General Nessel does absolutely nothing about it, is it any wonder that citizens are now fighting back against what they consider unfair and unnecessary government restrictions on their businesses?



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