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National Committee in Support of Miami Florida Resolution 6021

Date: December 3, 2019

U.S. Court of Appeals
For the 9th District
P.O. Box 193939
San Francisco, California 94119-3939

RE: Powers VS BONYM #19-55013

Dear Court Clerk,

Notice to the Agent, is Notice to the Principal. Notice to the Principal, is Notice to the Agent. We are a committee of American State Nationals, State Citizen's & Foreign whistle-blowers and victims of fraudulent foreclosures in America and across the globe. Whom have teamed up in support of each other and Attorney Bruce Jacobs Miami Florida Resolution 6021. We are seeking justice and remedy through the rule of law, not corporate policies, known as statutes, codes, rules and regulations. Every State Constitution and the U.S. Constitution GUARANTEE a Republic form of government to We the People.

Remedy is inclusive of being made whole, with the return of STOLEN property/homes, compensable damages, criminal indictments for anyone obstructing justice or deprivation of rights, in clear violation of their oaths of office or emolument and a moratorium on all foreclosures, henceforth. As you and other body members investigate this matter further, you will see that some of our Committee Members have endured GREAT LOSS, HARM and INJURY by agents, agencies and/or representatives within all 3 branches of our Republic. Clearly, a re-education program in Foundational, Constitutional and Historical education, is needed, in all 3 branches of our Republic and their employees and defense contractors, whether foreign or domestic.

Enclosed herein you will find a Main Motion for Resolution 6021, a Motion for Investigation for the 9th Circuit Appellant Court in the Powers v BONYM case, a Petition of Remonstrance and some evidence or documentation in support of our grievances for redress. Because we are Americans and in like Patriots in Australia, each of our committee members will be following up with their own documentation to you and their respective State Legislatures/Local District Representatives, with oversight of the State Executive Agencies, Federal Executive Agencies and the U.S. Congress.

Checks and balances have gone unchecked for too long, when it comes to the RULE of LAW, following the Law of the Land, being Constitutional and within our Republic form of government,

Rene Powers, Chairwoman
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

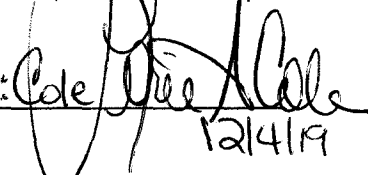
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GUARANTEED to the People. Since The Great West Expeditions the Settlers, the People across this Nation have embraced the American Dream of settling the Land and granting of a Home in Peace, Liberty and Justice for all, with the Pursuit of Happiness.

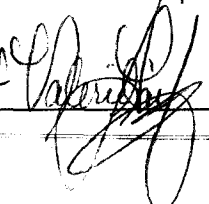
Our Fore-Fathers laid the foundations of our Great Country in an Iron-Clad form that could NOT be destroyed, unless and only if Tyrant's were to come into positions, where they abuse their Oaths of Office and Emoluments. We are at a crucial time in history, where the People are AWAKENING to that very thing happening from shore to shore, within or 50 Nation States. We (our Members) as Americans & one of the People will NOT tolerate such and will exercise our full Political Powers and Sovereign Authority to put an END to the TYRANNY, TREASON and FINANCIAL CRIMES AGAINST HUMANITY.

We thank you in advance for your time, cooperation, assistance and service. We look forward to working with you further to wrought out this EVIL from our Land.

In Love and Service on behalf of Committee Members R6021,
All Rights Retained, None Waived
:Lorie-Ann: Cole, one of the People


:Lorie-Ann: Cole
12/4/19

All Rights Retained, None Waived
:Valerie-Lynn: Naif, one of the People


:Valerie-Lynn: Naif

Citing; Noting the Absence of a Quorum

Enclosures

CC: Governor Gavin Newsom
AG/DOJ Xavier Beccerra
AG/DOJ William Barr
President Donald J. Trump
Chairman Lindsey Graham, Congress
Rep. Marc Levine
Secret Service

Rene Powers, Chairwoman
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

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U.S. COURT OF APPEALS

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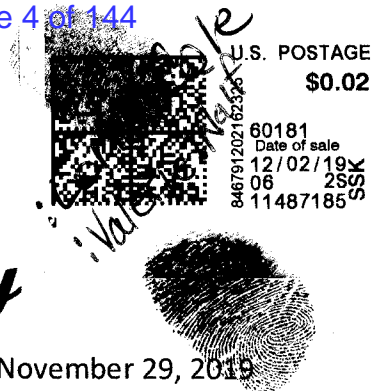
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Mail Package Contents in order of sequence

FILED
DOCKETED
DATE
INITIAL

- 1) Cover Letter 8 Individual Agents/Agencies Notified.....(2 pgs)
- 2) Main Motion #24 (7 pgs) for Miami-Florida Resolution 6021 Exhibit A.....(3 pgs)
- 3) Exhibit B; Renee Wyler Court Clerk Letter.....(1 pg)
- 4) Exhibit C; Cole-Naif Time-Line Case #2011CH4767.....(9 pgs)
- 5) Exhibit D; Naif, answer to complaint-retaliatory case #13CM1714.....(11 pgs)
- 6) Exhibit E; Naif, Affidavit case #13CM1714.....(10 pgs)
- 7) Exhibit F; Naif, Affidavit case #13CM1714.....(13 pgs)
- 8) Notice Emergency Motion for Investigation.....(4 pgs)
- 9) Petition of Remonstrance (34 pgs) inclusive of E-Clause, LLC diagrams.....(9 pgs)
- 10) Exhibit G Powers V BONYM case #18:17-cv-01386 Judge David Carter’s Order....(8 pgs)
- 11) Exhibit H; Powers “Cast of Characters” Article.....(10 pgs)
- 12) Exhibit I; Powers Letter to Andrew Kogan/DOJ.....(6 pgs)
- 13) Exhibit J; Powers Letter to Horowitz/DOJ.....(9 pgs)
- 14) Exhibit K; Powers Letter to Helen Edwards/RED CLIFF.....(2 pgs)
- 15) Exhibit L; Helen Edwards Letter to Horowitz/DOJ.....(4 pgs)
- 16) Exhibit M; Wolf Law Firm Letter.....(2 pgs)

137 Pages Not including Table of Contents



In the
California State Assembly

Date: November 29, 2019

9th Circuit # 19-55013

On Appeal from the United States District Court
 for the Central District of California,
 No. 8:17-CV-01386-DOC
 Hon. David O Carter

Billie Rene' Frances Lillian Powers
Appellant-Plaintiff, Pro Per

VS.

THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE,
 ON BEHALF OF THE HOLDERS OF THE ALTERNATIVE LOAN TRUST 2007-
 HY9;SELECT PORTFOLIO SERVICING,INC.;BANK OF AMERICA,N.A.;MORTGAGE
 ELECTRONIC REGISTRATION SYSTEMS, INC.;COMMONWEALTH LAND TITLE
 INSURANCE COMPANY; JON SECRIST;NICHOLE CLAVADETSCHER;THOMAS
 PEPPERS; and DOES 1 to 10, inclusive, or Defendants.
Defendant-Appellee.

Mason's Main Motion No: 24

Page XXXVI in the 2010 Mason's Manual of Legislative Procedures

Presented by:

*The National Committee in Support of Miami Florida
 Resolution 6021*

Introduction

Our committee was formed as many of our members are whistle-blowers and victims of unlawful foreclosures, throughout several of our 50 Nation States. Seeing and hearing too many of these cases all over social media and the internet. We as American State Nationals and State Citizens joined our efforts to help build bridges between the "legal system" and our Lawful **GUARANTEED** Republic.

These five pages are in conjunction with Exhibit A page 1 of 3 Miami, Florida Resolution 6021
 and the Member List of National Committee Members for R6021

Our chairwoman Billie Rene' Frances Lillian Powers whose case is currently ongoing, in the 9th Circuit Appellant Court, had 100's of Interested Parties for Criminal Joinder, that joined in her case# 8:17-CV-01386-DOC before the Hon. David O. Carter. Rene Powers case is not an anomaly in any sense, as many of our members in their own personal stories from "legal" cases, will show EXTREME prejudice, bias, errors/mistakes, violations of oaths of office, violations of emoluments, TREASON, human rights violations, theft of property and much criminality and evil doing.

Ms. Powers whom herself had her home and its occupant's SWAT TEAMED by the Orange County Sheriff's department, in her Foreclosure Eviction. Had everything STOLEN right down to even her private delicates (underwear). Not to mention the family heirlooms, pictures, memorial items of her life and her families "captured" life experiences all STOLEN, by public actors.

Currently, another member of ours, see **EXHIBIT B**, Renee Wyler up in the Cedar, Michigan area; recently received a Letter of Threat from the Chief Clerk Jerome W. Zimmer, Jr., threatening to sanction her and/or take other action, if she files any further incriminating evidence, showing the "conflicts of interest" that currently 2 of 3 paneled Judge members have.

Other such members such as Bill Fabricious in California, whose physical body suffered severe burning, as his home was "suspiciously" burnt down and Charlene Von Schlesien in Colorado, who also had her home "suspiciously" burnt down, as they merely DEFENDED their right to their property. Other such members like Faith Brashear in California, who was assaulted and was beaten up, when she was unlawfully evicted from her home.

Faith Brashear, who has filed a Qui Tam in The Federal Court of Claims in Washington D.C. (BRASHEAR VS. UNITED STATES) on behalf of the POWERS VS. BONYM case and all interested parties, whom Judge David O. Carter ordered to have all interested parties documents destroyed, as evidence, of the ongoing criminal bankers and attorneys at law in collusion with courts, clerks and judges allowing forged, fake & mis-leading documents to be entered into the court records, under false, misleading pretenses, homes and assets are being STOLEN from the American People.

Lorie Cole & Valerie Naif, of the Chicago, Illinois area, two other members of our National Committee are other prime examples of the "ongoing" abuses, see **EXHIBIT C, EXHIBIT D & EXHIBIT E**, that illustrates BAD FAITH on the Judiciary and within the Law Enforcement Agencies and Agents. Our committee is a spin off from the original California 18 who presented cases and documented evidence to former California Attorney General Kamala Harris, whom to date has done nothing to respond nor investigate the claims of the California 18.

Most recently, Congresswoman Maxine Waters and her office were contacted by Ms. Powers, in which Ms. Powers was looking to have a face to face meeting with Ms. Waters to discuss our grievances and the financial crimes against humanity. To date Ms. Waters and her staff have

never contacted Ms. Powers to set up that in person meeting, even after numerous attempts have been made by Ms. Powers.

Memorandum of Law

CONSTITUTION OF THE UNITED STATES

Article I, Section 1 "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives".

Therefore, we as a Committee of Members in Support of Resolution 6021, whom are one of we the people, are within the correct venue, who has such vested power to implement Miami Florida Resolution 6021.

Article 1, Section 8 "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;"

It appears we have a civil Domestic Violence issue on the Land in the Several States, with Interstate Commerce matters. We have Foreign Central Bankers and Assignments of Mortgages and other Assets through Corporate entities, that are wroughting out the American people's substance.

"To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;"

There have been numerous cases that have already been through the Judicial branch such as one example being the Lynn Syzmoniak case that, clearly supports and lays out the Mortgage Backed Securities that are Counterfeit Securities and the robo-signing and fraudulent, forged documents that are being presented in courts across this nation.

Not to mention the \$25 Billion settlement case, that 49 State's Attorney Generals brought against 5 Major Banks in the UNITED STATES.

"To define and punish Piracies and Felonies committed on the high seas, and Offenses against the Law of Nations;"

We have Inland Piracy and Felonies happening on a GRAND scale across our 50 Nation States, that members on our National Committee have been HARMED by.

“To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;”.

This Resolution is just the start of cleaning up our 50 Nation States, concerning the UNLAWFUL captures of our Land/Homes and lives being Pirated.

“To make rules for the Government and Regulation of the land and naval Forces;”.

“To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;”.

Clearly, our Committee Members have illustrated in their own personal “legal” cases the need for re-educating the current employees, within all 3 pillars/branches of our government. As, ignorance of The Law and certainly The Supreme Law of Land, is no excuse. Domestic Violence is rampant throughout the 50 Nation States and within the agencies thereof. When the very Law Enforcement Agencies and those “practicing” at law are guilty of such High Crimes, Felonies and Mis-Demeanors, the militias can be called upon to execute the Laws of the Union and suppress Insurrections and repel Invasions=Domestic Violence.

“To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-yards and other needful Buildings;”.

The Legislature has the vested and exclusive power in all cases; so, it clearly has jurisdiction over POWERS VS BONYM case and any other one of our Committee Members cases.

“And to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

Therefore, the Legislature/Congress has the power to make laws that are in support and defend the Supreme Law of the Land, being the Constitution for the United States. It also can address and remedy any laws that conflict with the Constitution, where the Rights of the People have been Deprived of Due Process and Equal Protection of the law. Justice delayed, is justice denied.

See **EXHIBIT A**, Miami Resolution 6021 for Motion before this body.

In Love and Service,

:Lorie-Ann: Cole, one of the People
National Committee Member R6021
All Rights Retained, None Waived

:Lorie-Ann: Cole 
12/4/19

:Valerie-Lynn: Naif, one of the People
National Committee Member R6021
All Rights Retained, None Waived

:Valerie-Lynn: Naif 
12-4-2019

Noting the Absence of a Quorum

Attachment: Page 1-3 Miami Florida Resolution 6021

National Committee Members List & Contact Information

Name	Phone	EMail	Location	Case #
Billie Powers	949-374-4052	Powersbillie@yahoo.com	NewPort Beach, California	19-55013 & 8:17-CV-01386-DOC
Gene Johnson	559-907-7623	bakmanwater@hotmail.com	Fresno, California	
Bruce Soloway	813-473-0161	Bjs0321@outlook.com	Mississippi	
Faith Brashear	858-405-2488	faith@betterquest.com	San Diego, California	
Charles Koppa	442-444-8417	Opinion2@yahoo.com	San Diego, California	
Daryl Nolch	+61 3901 49879	darylnolch@gmx.com	Australia	
Renee Wyler	231-499-7739	reneewyler@gmail.com	Michigan	
Ronald Poulson	951-492-8690	ronaldpoulson@msn.com	Riverside, California	
Valerie Lopez	619-343-9729	2rms@sbcglobal.net	Orange County, California	
Susan Augustitus	831-595-8014	susanaugustitus@aol.com	N. California	

These five pages are in conjunction with Exhibit A page 1 of 3 Miami, Florida Resolution 6021 and the Member List of National Committee Members for R6021

Charlene Von Schlesien	559-361-8642	vonschlesien@protonmail.com	Colorado	
Bill Fabricious	559-361-8642	stargate@ocsnet.net	Washington	
Carol Keihn	765-969-3738	calisaac1961@gmail.com	Indiana	
Lorie Cole	708-244-3421	lacoled22742gmail.com	Wheeling, Illinois	2011CH4767
Valerie Naif	773-457-2059	ValerieNaif@gmail.com	Wheeling, Illinois	2011CH4767
Eugene Warner	816-714-0418	Dr3rivers@yahoo.com	Hawaii	
Lou Noble	951-845-5418	Nobledjpsalms33@outlook.com	Orange County, California	
Wendy Alison Nora	612-333-4144	accesslegalservices@gmail.com	Wisconsin	



**Miami
FL**

**Resolution
6021**

Exhibit A

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING ALL FUNDS AGREED TO OR AWARDED AS SANCTIONS AFTER ATTORNEYS' FEES AND COSTS ARE DEDUCTED ("FUNDS") IN ANY CASE WHERE BRUCE JACOBS, ESQ. OR HIS LAW FIRM OBTAINS SANCTIONS AGAINST BANK OF AMERICA, JP MORGAN CHASE, U.S. BANK, FANNIE MAE, OR ANY OTHER MORTGAGE SERVICERS OR ANY OF THEIR COUNSEL FOR FRAUD ON THE COURT INVOLVING FORGERY, PERJURY, OBSTRUCTION OF JUSTICE, DESTRUCTION OF EVIDENCE, BACKDATING OF RECORDS, AND/OR DEFIANCE OF COURT ORDERS; DESIGNATING THE SPECIAL REVENUE ACCOUNT TITLED "FORECLOSURE SANCTIONS AFFORDABLE HOUSING TRUST FUND" TO RECEIVE THE FUNDS; DIRECTING THE CITY MANAGER TO DEVELOP A FRAMEWORK IN ORDER TO UTILIZE OR DISTRIBUTE THE FUNDS TO CREATE AFFORDABLE HOUSING THROUGHOUT THE CITY OF MIAMI AND THE STATE OF FLORIDA.

Information

Department:	Commissioners and Mayor	Sponsors:	Commissioner, District Two Ken Russell, Mayor Francis X. Suarez
Category:	Elected Official Item		

Attachments

Agenda Summary and Legislation

Body/Legislation

WHEREAS, the City of Miami ("City") is a national leader in holding major banks accountable for improper actions in their handling of mortgage loans; and

WHEREAS, the City has initiated litigation against Bank of America, J. P. Morgan Chase, Wells Fargo, and Citibank (collectively, "Banks") for violations of the Fair Housing Act seeking damages caused to the City as a result of discriminatory and predatory loans resulting in expedited foreclosures; and

WHEREAS, the litigation against the Banks has been fought to the United States Supreme Court and has resulted in new law helping local governments to address issues relating to housing in their communities; and

WHEREAS, the improper actions of the Banks that resulted in foreclosures have significantly harmed the City, the State of Florida ("State"), as well as other communities across the nation; and

WHEREAS, the harm caused by the improper actions includes, but is not limited to, reducing the

availability of affordable housing; and

WHEREAS, the affordable housing crisis is a serious issue in the City and the State that requires substantial additional resources in order to make a significant impact; and

WHEREAS, the City has just completed the largest and most comprehensive affordable housing study in its history; and

WHEREAS, the City is well prepared to dispense funds in a manner that aligns with the needs of the State to address affordable housing issues; and

WHEREAS, Bruce Jacobs, Esq. and his law firm (collectively, "Jacobs") have committed to tender to the City, for the purpose of advancing affordable housing, all funds agreed to or awarded as sanctions against Bank of America, JP Morgan Chase, U.S. Bank, Federal National Mortgage Association ("Fannie Mae"), or any other mortgage servicers or any of their Counsel, after attorneys' fees and costs are deducted ("Funds"), in any foreclosure involving fraud on the court including but not limited to forgery, perjury, obstruction of justice, destruction of evidence, backdating of records, and/or defiance of court orders related to evidence of standing to foreclose or any false claims about a loan boarding process used to admit documents under false pretenses; and

WHEREAS, the City agrees Jacobs shall be entitled to a contingent attorney's fee equal to eighteen percent (18%) of any funds awarded or agreed to as sanctions, less any attorneys' fees separately awarded to Jacobs for his work by any Court imposing sanctions; and

WHEREAS, the Funds are to be appropriated by separate Resolution; and

WHEREAS, it is appropriate for the City Commission to (i) accept all Funds in any case where Jacobs obtains sanctions against Bank of America, JP Morgan Chase, U.S. Bank, Fannie Mae, or any other mortgage servicers or any of their counsel in any foreclosure involving fraud on the court including but not limited to forgery, perjury, obstruction of justice, destruction of evidence, backdating of records, and/or defiance of court orders related to evidence of standing to foreclose or any false claims about a loan boarding process used to admit documents under false pretenses (ii) designate the special revenue account titled "Foreclosure Sanctions Affordable Housing Trust Fund" to receive the Funds, and (iii) direct the City Manager to develop a framework in order to utilize or distribute the Funds to create affordable housing throughout the City as well as the State;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. The City Manager is authorized[1] to accept all Funds in any case where Jacobs obtains sanctions against Bank of America, JP Morgan Chase, U.S. Bank, Fannie Mae, or any mortgage servicers or any of their counsel for fraud on the court involving forgery, perjury, obstruction, destruction of evidence, backdating of records, defiance of court orders, false, forged, fraudulent evidence of standing to foreclose, and/or any false claims about a loan boarding process used to admit documents under false pretenses.

Section 3. The special revenue account titled "Foreclosure Sanctions Affordable Housing Trust

"E"-A

Fund" is hereby designated to receive the Funds. The funds shall be protected and dedicated solely to creating affordable housing throughout the City and the State and for no other purpose unless ordered by the Court(s) imposing sanctions.

Section 4. The City Manager is directed¹ to develop a framework to utilize or distribute the Funds to create affordable housing throughout the City and the State.

Section 5. The City agrees Jacobs shall be entitled to a contingency fee equal to eighteen percent (18%) of any Funds awarded or agreed to as sanctions, less any amounts separately awarded to Jacobs for his work by any Court imposing sanctions.

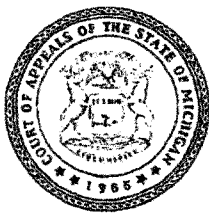
Section 6. This Resolution shall become effective immediately upon its adoption and signature of the Mayor.[2]

[1] The herein authorization is further subject to compliance with all requirements that may be imposed by the City Attorney, including but not limited to, those prescribed by applicable City Charter and City Code provisions.

[2] If the Mayor does not sign this Resolution, it shall become effective at the end of ten (10) calendar days from the date it was passed and adopted. If the Mayor vetoes this Resolution, it shall become effective immediately upon override of the veto by the City Commission.

"E"-A

CHRISTOPHER M. MURRAY
CHIEF JUDGE
JANE M. BECKERING
CHIEF JUDGE PRO TEM
DAVID H. SAWYER
MARK J. CAVANAGH
KATHLEEN JANSEN
JANE E. MARKEY
PATRICK M. METER
KIRSTEN FRANK KELLY
KAREN FORT HOOD
STEPHEN L. BORRELLO
DEBORAH A. SERVITTO
ELIZABETH L. GLEICHER
CYNTHIA DIANE STEPHENS



State of Michigan
Court of Appeals
Detroit Office

MICHAEL J. KELLY
DOUGLAS B. SHAPIRO
AMY RONAYNE KRAUSE
MARK T. BOONSTRA
MICHAEL J. RIORDAN
MICHAEL F. GADOLA
COLLEEN A. O'BRIEN
BROCK A. SWARTZLE
THOMAS C. CAMERON
JONATHAN TUKEL
ANICA LETICA
JAMES ROBERT REDFORD
JUDGES
JEROME W. ZIMMER JR.
CHIEF CLERK

August 1, 2019

Exhibit B

Annette Renee Wyler
781 E. Shetland Trail
Cedar, MI 49621

Re: **Annette Renee Wyler v Bayview Loan Servicing LLC**
Court of Appeals No. **342750**
Lower Court No. **2017-010021-CH**

Dear Ms. Wyler:

We received the "Judicial Notice to Court of Judges Conflict of Interest . . ." that you e-filed in this case. Please be advised that we will not accept the document for filing because there is no authority in the court rules for such a filing and because it includes inappropriate, personal information pertaining to the Judges who heard your appeal. I have forwarded your filing to the Court's Security Director for review for possible further action. If you make any additional submissions in this case that include such inappropriate material, we will refer the matter to the State Police for investigation and you may be subject to sanction by this Court.

Very truly yours,

Jerome W. Zimmer Jr.
Chief Clerk

cc: Steven A. Matta
Melissa Z. Frantzaolos
Patrick D. Schefsky
Court of Appeals Security Director

DETROIT OFFICE
CADILLAC PLACE
3020 W. GRAND BLVD. SUITE 14-300
DETROIT, MICHIGAN 48202-6020
(313) 972-5678

TROY OFFICE
COLUMBIA CENTER
201 W. BIG BEAVER RD. SUITE 800
TROY, MICHIGAN 48064-4127
(248) 524-8700

GRAND RAPIDS OFFICE
STATE OF MICHIGAN OFFICE BUILDING
350 OTTAWA, N.W.
GRAND RAPIDS, MICHIGAN 49503-2349
(616) 456-1167

LANSING OFFICE
925 W. OTTAWA ST.
P.O. BOX 30022
LANSING, MICHIGAN 48909-7522
(517) 373-0786

TIME-LINE

Exhibit C

Foreclosure:

- 1) **October 6, 2011** Foreclosure lawsuit filed: **2011CH4767**
- 2) **October 16, 2011** Served Summons:
- 3) **February 3, 2012** first appearance **courtroom 1003**, presiding **Judge Robert G. Gibson**:
Received a 28 day extension to file answer. Filed answer late, toiled with bankruptcy, do we file, and had no means to representation. Had four years of corporate and personal taxes that needed to be prepared and filed.

April 2, 2012 next court appearance on foreclosure case, long security check in lines, and just a few minutes late is getting into the courtroom. Met the Plaintiff's; **Weltman, Weinberg & Reis Co. LPA (Deutsche Bank) attorney** exiting as we entered. Stood in line for nearly an hour and 45 minutes to go in front of Judge Gibson, to be told he had already heard our case and entered a default judgment against us, because we weren't in the courtroom when he called our case up.

Upset about the default and judgment and due to ignorance and lack of experience we did not know how to handle with a motion to reconsider. We then decided to place the house on the MLS, with a personal referral for a real-estate broker. Began showing the house right away. Got our first offer **1st week in July (2012)**, offer from an RE investor, a really low and unreasonable bid that got denied.

Received a letter from CMS (Carrington Mortgage Services) **mid July 2012** denying our short-sale offer and the same day received a letter with four (4) possible work-out options. Excited about the work-out options, I called to speak with a customer service representative about our options and what we needed to do. I spoke with a Cindy Foit, who then informed me that they just mailed out notice and I should have received my notice that they scheduled the house up for auction on **July 31, 2012**.

Confused, frustrated and infuriated at the conflicting letters all being sent at once. I went on to question Ms. Foit in regards to the letter concerning the work out options and tried to understand if their letters were just "protocol letters" that are computer generated to make it seem as though they might be working with the home-owners that are struggling to help save them from foreclosure, only to find that in fact the letters are computer generated and that apparently I am just a number or case file in a computer, not a human with circumstances or hardships to be understood or even really considered when choosing to proceed with the legal interest, by the bank.

- 4) Mid July retained Jon Dowat, Thinking outside of the box a BK & tax attorney. **July 30, 2012** Mr. Dowat **filed our BK** paperwork to halt the Sheriff's auction on the foreclosure case. This begins our research and discovery of what was really going on with the foreclosure case. As in February of 2010 we had received paperwork from CMS who modified our loan without us ever requesting it or doing any paperwork at all for the modification (suspicion's arose, that something wasn't right with the note/mortgage).
- 5) Began to do a lot of studying and research to understand banking, court proceedings, foreclosure, etc. Started corresponding back and forth with CMS for validation of the debt, the original promissory note for the mortgage, etc.
- 6) **Mid December 2012 BK discharged.**
- 7) **February 2013** received letter from CMS DuPage Sheriffs auction scheduled for **Tuesday March 19, 2013 @ 10:00a.m.** (we attended the auction, we wanted to know everything that was going on) and **gave Sheriffs paperwork with our UCC-1 Secured Party Creditor Standing filed and recorded with the DuPage County Recorder. This pertinent to the April 15, 2013 court hearing**

This same time we had been receiving collection letters from CMS concerning property taxes and a communication with another third party attorney for CMS Wutscher, McGinnis, LLC regarding conflicts with their interest in the property. Filed a notice of felony, with judicial notice to Judge Gibson and Sheriff Zaruba (who never responded nor looked into the matters) concerning the plaintiff's attorney lack of standing to file the suit initially and filing false, misleading documents into the court.

- 8) **On our own motion to vacate foreclosure judgment April 15, 2013** before presiding **Judge Bonnie Wheaton 2007.** Our case was the last case heard due to some of the discovery and arguments we were going to be bringing in. We were denied our motion to dismiss and reverted back to Judge Gibson's court room for the judicial confirmation of the Sheriff's auction sale.

After our motion before Judge Wheaton we were approached by **Deputy Phillips #661** who was the bailiff for Judge Gibson's court room and this particular day he was in Judge Wheaton's court room, as Gibson was out. Judge Wheaton was covering her case load and Judge Gibson's that day.

:Valerie: Naif and myself (:Lorie: Cole) were taken into one of the conference rooms with **Deputy Phillips**, we had 5 other guest with us for moral support, one of which being Valerie's sister who wanted to sit in on the conversation with **Deputy Phillips** and was told "No" and had her body guided by Phillips, to move out of the conference area and he then proceeded to lock the double doors, locking out all five of our guest and motioning us (Val and I) back into the conference room.

Deputy Phillips approached us by stating "Ladies, I have been assigned to investigate some documents you have filed into your foreclosure case", reviewing the documents he appeared to have in his hands, recognized as the UCC-1's filed with the DuPage County Recorder and hand delivered to the Sheriff's on March 19, 2013. He then asked if we consented. Valerie asked if he was fair and reasonable man. Which he responded "Yes, I am." So Valerie asked him if he would mind if she went to get her phone so she may also record this conversation for her records. Deputy Phillips who appeared to be bothered and got upset at this request responded by saying "Look you don't get to dictate how this investigation is going to happen" He then proceeded to take out his white recording device and stated the time and date and asked for our names for the record. I responded by saying my name is: Lorie: Cole and this is: Valerie: Naif and we take our Fifth Amendment right and do not consent to this investigation. We filed a complaint the same with Sheriff John E. Zaruba who has never responded to this illegal "custodial interrogation" which we viewed as intimidation to STOP us from defending our rights to real-property and exposing some very legitimate issues with our banking system and the state of economy.

- 9) WE Continued to do research and discovery knowing this whole thing was not right and went down to the county recorder to review the title records for our property. Pulled all of the mortgage title transfers looking for what was not right.
- 10) **April 19, 2013** filed a motion for presentment and cause for reconsideration and challenging the Sheriff's auction sale.
- 11) **April 24, 2013** appeared before Judge Gibson for judicial confirmation of Sheriff's sale.
- 12) Appeared before Judge Gibson with the "whole-saler" who bought our property at the Sheriff's auction. Presented to Judge Gibson the Mortgage Assignment Transfer that was found on the County Recorder's record where there was/is an invalid mortgage assignment transfer from New Century Mortgage to Deutsche Bank in 2007. The mortgage assignment which was prepared by a David Skreisman with Fisher and Shapiro

out of Northbrook, Illinois filling out the transfer paperwork and a California Notary's stamp on it but no corporate seal or Notary's signature to authenticate that the mortgage assignment transferred was valid. The promissory note would come into possession of the bank (Deutsche) by either assignment of transfer or by endorsement of the promissory note being made payable to the bearer. What is crucial to understand in 2007 is that New Century Mortgage was forced into a Ch. 11 BK and there was a lot of robo-signing going on and they were forced by Federal BK courts to reassign all of their mortgages.

- 13) **Back in Fall/Winter of 2012** we had requested by QWR, FOIA for the original note or a true certified copy front and back showing such endorsement. To date CMS has never produced such evidence of the note nor was it ever enforced by the state trial court. Judge Gibson relied upon the response by the Banks attorneys who was a little taken by the new "evidence" we had presented and appeared to stumble on her words a bit, correcting herself and even stated on the record she had never looked over the mortgage assignment transfers. Trying to assert our defense with the Notice of Felony that had been served earlier on this case with Judge Gibson pointing out that had he investigated our Notice of Felony he would have seen that some of the arguments we were asserting would support the violations we alleged.

Judge Gibson seemed agitated that we brought up the Notice of Felony and even smirked and stated on the record "You're going to bring up my Notice of Felony" and he then proceeds to make his ruling in favor of the bank and judicially confirms the sheriff's sale. Valerie appalled by his lack of judicial discretion to even consider to perhaps take leave and in light of the new evidence introduced. She had asked Judge Gibson "Your honor what about Contract Law?" Very agitated at this time Judge Gibson hits the gable on the bench and says "Mam, I have made my ruling and step away from the bench!"

Given 30 days to vacate premises, requested more time, denied, by the Judge.

- 14) **April 30, 2013** filed our notice of appeal.
- 15) Continuing to research and study and learn more about the foreclosures that have been ramped throughout America and world-wide we were referred to a few people who might be able to help us. **May 7, 2013** we retained some assistance to help us with an administrative remedy for the foreclosure case. **May 14, 2013** the first letter from the third party was sent out to all parties involved in the foreclosure case, Judge, bank, lawyers and Sheriff.

- 16) In the midst of the 3rd party we had hired for an administrative remedy, we also had retained a **Federal Postal Judge: David-Wynn: Miller** to represent us with what we understood to be "bank fraud". He consulted with us and filed a **QUO WARRANTO/LIS PENDENS/TORT/FOR QUIET TITLE CLAIM**, on our behalf where he is the claimant and we are the whistleblowers. That case was served and filed to all parties in the foreclosure case on or about **May 30, or 31, 2013**. That document is filed with the DuPage County Recorder as **R2013-078104** and with the DOJ Eric Holder/Tort Branch and Consumer Financial Protection Bureau as **Federal Postal Case RE 581 698 597 US**.
- 17) **Mid April 2013** we start receiving third party letters from law firms stating a felony case had been filed against both of us **13CM1714** (:Valerie: Naif) and **13CM1715** (:Lorie: Cole) for "**forgery**".
- 18) Shocked at this as neither one of us have any criminal history and have never knowingly, willfully or intentionally ever tried to defraud or cause any one loss, harm or injury. We contacted Judge Miller and he said this was pretty typical of the courts to try to scare us into abandoning our property, so they don't have to evict us and we leave willingly abandoning our property and rights. He said not to worry about it and that at that point anyone who takes any action after being served with the **QUO WARRANTO/LIS PENDENS/TORT/QUIET TITLE** claim can be named as co-conspirators in the "bank fraud".
- 19) On or about **1st week in June** we received a notice on our door from the DuPage County Sheriff that we were going to be contacted shortly with the eviction. That next day we received a letter stating Eviction scheduled for **June 13, 2013 at 11:30a.m.**
- 20) **June 13, 2013 at 9:30a.m.** Two Sheriffs showed up to our home and stood in the driveway (as there were posted performance contracts for no trespassing on the private property) they would not enter the property. They said they wanted to talk with the home-owners. So Valerie and I went out to the driveway to speak with them and I shared with them the Federal Criminal Complaint/Suit with the DOJ and that we knew our rights and we were not going to abandon our property. We were peaceful, law abiding people and we know they were there to do their job and that they would have to violate our rights and evict us from our rightful real-property.
- 21) As the two officers stood in the street for a few moments, I grabbed a couple of bottled waters (it was going to be hot day) and took it out to them and said to them "I see you

have to stand out here in this heat, so please have some water" they both thanked me and said they were actually going to be leaving and coming back.

- 22) **June 13, 2013, 11:30 a.m.** 4 DuPage county sheriffs cars show-up with the party (Renew Homes) who bought the property at auction with two of their employees/helpers. They allowed us to remove our pets from the house and told us we were not allowed to enter into the fenced in yard any longer.
- 23) About 12:30pm. A fifth Sheriff car pulls up and says she is looking for: Valerie: Naif, I spoke with the Deputy (J. Pfeiffer), I introduced myself and told her my name and that I was the other home-owner how could I help her. She stated mam, I need to speak with Valerie, I said she was around; she may be over at the neighbor's house as we have dogs in their yard. Ms. Pfeiffer went inside the house to look for her and then Valerie comes back from the neighbor's house and I tell her that there was a Sheriff (5th car) that came saying she needed to speak with you.
- 24) Deputy Pfeiffer meets Valerie at the gate entrance at the yard and driveway and tells her she is under arrest that she has a warrant for her arrest. Myself and two other family members say "An arrest warrant for what?" She replies "For Forgery" we reply no way this is crazy, non-sense, she is no criminal, has no record." Valerie's nephew asked about where was the warrant, they replied they did not have to have it in their possession that there was one. Valerie was handcuffed, read no Miranda rights at the time of the arrest or at any time while in custody.
- 25) The family continues to pack things up and removes our belongings from the premises. Elizabeth (Valerie's sister) starts calling to get information about bail, etc. on Valerie so we can get her out. We find out later that evening that bail is set for \$3,000.00. Valerie reserved all of her rights and said she reserved the right to remain silent and did not wish to contract.
- 26) Because Valerie would not speak with any of the Deputies, about the alleged charges, as they came on her private property and arrested her without any verification that she was the individual they claimed to have a warrant for. She knew she had the right to not be witness against herself so she said nothing. The Sheriff kept trying to get her to describe herself/the vessel, by ht, wt, hair color, eye color. Her only reply was you came and arrested me, you don't need me to describe to you what sits before you. You can pull up my driver's license online and confirm if I am who you think I am. No thank you, I reserve all of my rights and do not wish to contract. As we have discovered that all

police departments, sheriff's offices and court house are private corporations and we have proven that by getting EIN numbers and Dun & Bradstreet numbers. If this were a de jure republican government, there would be no need for any such, as it would be a "government for the people" not a de facto government for "profit".

- 27) They began to threaten her with a Psych Evaluation. As she stood her ground, exercising her rights, they then then had the Psych Dr. come and evaluate her and he too began to ask the same questions her ht, weight, etc. She stated "Thank you Dr., but no thank you I choose not to contract and to be silent and not be a witness against myself." He responded Psych Ward and then the female deputies got her in the psych ward room and said ok strip, Valerie replied by asking; "Is this really necessary all because I choose to exercise my right to remain silent? They (Deputies) reply back by stating "You will remove your clothing or we will remove them for you!" With that Valerie responded, fine if you must violate my rights and she began to remove her clothing, they made her completely strip naked, she folded her clothes and handed them over to them. They left her to sit naked with just a moving blanket in the Psych Ward for nearly 9 hours of incarceration, while they came back 2-3 different times to give her a jumpsuit to put on so they could book her. Every time they went to book her, when she would not give them any information describing herself they would bring her back to the Psych Ward and make her strip again and sit with no clothing.

What is important to understand about this describing of one-self is that you are describing a "vessel" which is presumed and assumed to be a "Legal Fiction/Dead-Entity/Corporation" as evidenced by the NAME (all caps name) this is defined in the Styles manuscript even talks about the curs-ive (curse) sig-nature (si as in simulate or simulation) of the writing of the "dead".

- 28) Elizabeth got down to the DuPage county jail and was sending notes to Valerie that she was there to bail her out. That Judge Miller and Lorie wanted her out and do what she needed to just get out of their jurisdiction. Valerie who had not eaten since the day before late afternoon, early evening of **June 12, 2013**. She began to feel overheated and light-headed (she is hyperglycemic) she tried to wet her head with the sink in the psych ward and then the Deputies came to get her to book her for release, they saw she was "wavering" asked if she needed help and before she could respond she fell to the floor, the female deputy came up behind her and put her steel toe boot in her back twice and said "Get up, there is nothing wrong with you" Valerie asked her for sugar, please give me sugar she continued to say this. The nurse was then called over and stuck her finger and said it read 120 glucose level; Valerie eventually got up and was

leaned against a wall and given some artificial orange juice which she drank. As she was standing there 6/7 male officers approached where she was standing, the officers were talking back and forth and said "Yeah this one is uncooperative" With that several of the Officers responded, "F*** that S*** I would get her naked and put her back in the psych ward."

- 29) Valerie finishes with the booking and is released; as she is walking out male officer chases her down to tell her she is forgetting her paper-work. The male officer hands it to Elizabeth as Valerie is trying to make her way out of the building, because she is feeling sick and needed to vomit.
- 30) Valerie vomits four times after hitting the fresh air, releasing all of the artificial orange juice they gave her. Traumatized at the whole ordeal she came home, to her mother's house, to be comforted by family/loved ones. Valerie's own mother did not recognize her when she walked in her home, with the appearance of being through "hell".

Attempted Forgery

- 31) Not really knowing what "**attempted forgery**" was we reached out to a good customer of us, who is a criminal attorney and ex-state representative to see what he thought or suggested. He referred us to some of his associates which we met with on **July 13, 2013**. After meeting with these 2 attorney associates of our customer's. We did not like their defense strategy that would make it appear that we were clowning around or trying to play some joke with the "negotiable instruments" that is the item/s in question. I informed them that I had received third party letters as well stating a case had been filed against me, why didn't they arrest me too on the day of eviction. They looked up in their system on the case filed with the Eighteenth Judicial Circuit with the case number I gave them and said I had a warrant for my arrest as well. They suggested I go turn myself in.
- 32) Valerie and I discussed and determined that I would go and turn myself in at the local Lombard Police station considering the inhumane and unnecessary conduct when they arrested her, we did not want to subject me to the same abuse. So on Sunday **July 14, 2013** I went to turn myself in early afternoon between 2-3:00pm. I walked in with my

Illinois driver's license, told them I had met with a third party who said there was a warrant for my arrest. I proceeded to tell them that I have no criminal history and that they may have to wait for the state police response. The three females behind the window take my ID and enter it into the system and tell me to wait. So Valerie and I sit while they do a search. The one female deputy comes to the window and says mam we can't find anything, do you have any other information, and I said well I have an alleged case number from some third party attorney letters I have been receiving. I gave her the case number she called the DuPage county sheriff and they said they would call back. DuPage county sheriff called back and said we could not find anything, but give her our number and tell her to contact us. The Lombard clerk gave me a business card with the number to the DuPage county sheriff and repeated what they had said and then told me "Mam we can't arrest you because we don't find any arrest warrant issued for you, in the lead system!" With that we left and met 3 family members who were out in the parking lot, knowing we were going to turn me in.

33) July 15, 2013 Valerie's first court appearance **room 4007 in front of Presiding Judge Jane Mitton**. Valerie does not enter a plea; question the nature and cause of the matter according to the sixth amendment of the constitution. She stated she heard the Judge and understood the charges as she read them, but she did not understand the nature and cause as far as jurisdiction. Judge Mitton began to question her on how much money she made and that she had better not enter her court without an attorney present.

34) August 20, 2013 Valerie's second court appearance when asked about counsel by the Judge, Valerie replied "Your honor do I not have the right to appear in my own proper personam?" With that the Judge dropped the counsel business other than stating "you waive your right to counsel?" Valerie still had not entered a plea, and filed a motion for continuance, corrected by lodging for dismissal as the jurisdiction had never been clarified so she may prepare her defense. Valerie also demanded discovery evidence as far as the instruments, which the prosecution replied they needed two weeks. The case was continued to September 19, 2013 for trial conference. (Incident with Deputy Phillips) (See Affidavit sent to UPU-Universal Postal Union)

35) September 19, 2013 Valerie made her third appearance after mailing and filing documents that exposed some fraud taking place in the court concerning the Legal fiction/strawman. She has clarified some assumptions/presumptions that she is anything other than a live-sentient being woman and wished to settle the matter privately. (Another Incident with Deputy Phillips) (Anonymous Letter).

Exhibit D

THE EIGHTEENTH JUDICIAL CIRCUIT COURT, DU PAGE, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS¹
Plaintiff

CASE No: 13CM1714

Against

Hon. JUDGE JANE MILTON

: Valerie: Naif

Counter Plaintiff

ANSWER TO THE COMPLAINT

I, Valerie: Naif, the beneficiary and one of the people² of the several state/s Illinois, hereinafter counter-plaintiff accepts the oaths³, and bonds of all the officers of this court, and moves this

¹ It is an **Oxymoron** to use People where it should read Citizen i.e., "The Citizens of the State of Illinois". The state has no authority to act on behalf of the people, only a jury can so act, under the pretense of law - **Fourteenth Amendment Section 1**. - All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges ...

² **PEOPLE**. People are supreme, not the state. **Waring vs. the Mayor of Savannah, 60 Georgia at 93**; The state cannot diminish rights of the people. **Hertado v. California, 100 US 516**; Preamble to the US and IL Constitutions - We the people ... do ordain and establish this Constitution...; ...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects...with none to govern but themselves... **CHISHOLM v. GEORGIA (US) 2 Dall. 419, 454, 1 L Ed 440, 455, 2 DALL (1793) pp471-472**: The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative. **Lansing v. Smith, 4 Wend. 9 (N.Y.) (1829), 21 Am. Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav.Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7.**

* **CONSTITUTION FOR THE UNITED STATES OF AMERICA**: We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

* **STATE OF ILLINOIS CONSTITUTION**: We, the People of the State of Illinois, grateful to Almighty God for civil, political and religious liberty which He has permitted us to enjoy and seeking His blessing upon our endeavors- in order to provide for the health, safety and welfare of the people; maintain a representative and orderly government; eliminate poverty and inequality; assure legal, social and economic justice; provide opportunity for the fullest development of the individual; insure domestic tranquility; provide for the common defense: and secure the blessings of freedom and liberty to ourselves and our posterity, do ordain and establish this constitution for the State of Illinois.

Both constitutions (and the constitution of any real republic) the operative word is "establish." The People existed in their own individual sovereignty before the constitution was enabled. When the People "establish" a constitution, there is nothing in the word "establish" that signifies that they have yielded any of their sovereignty to the agency they have created. To interpret otherwise would convert the republic into a democracy (Republic vs. Democracy);.

³ **Oaths: Article VI**: "This Constitution, and the laws of the United States... shall be the supreme law of the land; and the judges in every State shall be bound thereby; anything in the Constitution or laws of any State to the contrary notwithstanding... All executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution."

Honorable Court to quash for lack of authority⁴ of personam jurisdiction⁵ given that this courts' jurisdiction is barred⁶ because this is a nisi prius⁷ court, and not a court of record⁸.

JUDICIAL COGNIZANCE

1. Counter plaintiff moves the court to take "Judicial notice, or knowledge upon which a judge is bound to act without having it proved in evidence". Black's Law 4th edition, 1961

DOCTRINE OF ESTOPPEL

STARE DECISIS⁹ ET NON QUIETA MOVERE¹⁰

2. This court "must" adhere to authority, "The doctrine of stare decisis is but an application of the doctrine of estoppel." Brown v. Rosenbaum, 175 Misc. 295, 23 N.Y.S.2d 161, 171;
3. "Jurisdiction must be documented, shown, and proven, to lawfully exist before a cause may lawfully proceed in the courts" Stuck v. Medical Examiners, 94 Ca2d 751.211 P2s 389; Maine v. Thiboutot, 100 S. Ct. 250; Stanard v. Olesen, 74 S. Ct.768; Hagan's v. Lavine, 415 U.S. 528; McNutt v. G.M., 56 S. Ct. 789, 80 L. Ed. 1135; Griffin v. Mathews, 310 Supp. 341, 423 F. 2d 272; Basso v. U.P.L., 495 F 2d. 906; Thomson v. Gaskiel, 62 S. Ct. 673, 83 L. Ed. 111; and Albrecht v U.S., 273 U.S. 1.

STATUTES ARE NOT LAW

⁴ **AUTHORITY.** [Black's Law 4th edition, 1891] Permission. People v. Howard, 31 Cal. App. 358, 160 P. 697, 701. Control over, jurisdiction. State v. Home Brewing Co. of Indianapolis, 182 Ind. 75, 105 N.E. 909, 916.

⁵ **JURISDICTION.** Bouvier's Law, 1856 Edition A power constitutionally conferred upon a judge or magistrate, to take cognizance of, and decide causes according to law, and to carry his sentence into execution. 6 Pet. 591; 9John. 239.

⁶ **BARRED.** Obstructed by a bar; subject to hindrance or obstruction by a bar or barrier which, if interposed, will prevent legal redress or recovery; as, when it is said that a claim or cause of action is "barred by the statute of limitations." Wilson v. Knox County, 132 Mo. 387, 34 S.W. 45, 477.

⁷ **NISI PRIUS.** Bouvier's Law, 1856 Edition Where courts bearing this name exist in the United States, they are instituted by statutory provision.

⁸ **COURT OF RECORD** proceeds according to the course of common law Jones v. Jones, 188 Mo. App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689 Black's Law Dictionary, 4th Ed., 425, 426

⁹ **STARE DECISIS.** Black's Law 4th edition, 1961 To abide by, or adhere to, decided cases. Policy of courts to stand by precedent and not to disturb settled point. Neff v. George, 364 Ill. 306, 4 N.E.2d 338, 390, 391.

¹⁰ **STARE DECISIS ET NON QUIETA MOVERE.** To adhere to precedents, and not to unsettle things which are established. 87 Pa. 286; Ballard County v. Kentucky County Debt Commission, 290 Ky. 770, 162 S.W.2d 771, 773.

4. This nisi prius court relies on statutes, which is not law, that seeks to control¹¹ the behavior of the sovereign¹² people¹³ of New York, who are under common law, not statutes, and who ordained and established¹⁴ the law.
5. "All codes, rules, and regulations are for government authorities only, not human/Creators in accordance with God's laws. All codes, rules, and regulations are unconstitutional and lacking due process..." **Rodrigues v. Ray Donovan.**
6. "The common law is the real law, the Supreme Law of the land, the code, rules, regulations, policy and statutes are not the law", **Self v. Rhay, 61 Wn (2d) 261.**
7. "All laws, rules and practices which are repugnant to the Constitution are null and void" **Marbury v. Madison, 5th US (2 Cranch) 137, 180**

JURISDICTION MUST BE PROVEN - NOT DECIDED

8. "The law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings" **Hagan's v. Lavine, 415 U.S. 528**
9. "No sanction can be imposed absent proof of jurisdiction" **Stanard v. Olesen, 74 S. Ct.768**
10. "Court must prove on the record, all jurisdiction facts related to the jurisdiction asserted." **Lantanav. Hopper, 102 F2d 188; Chicago v. New York, 37 F Supp 150.**
11. "Once challenged, jurisdiction cannot be 'assumed', it must be proved to exist." **Stuck v. Medical Examiners, 94 Ca2d 751.211 P2s 389; Maine v. Thiboutot, 100 S. Ct. 250**
12. "No sanction can be imposed absent proof of jurisdiction" **Stanard v. Olesen, 74 S. Ct.768**

¹¹ **Rom 9:21** Hath not the potter power over the clay,

¹² The very meaning of 'sovereignty' is that the decree of the sovereign makes law. **American Banana Co. v. United Fruit Co., 29 S. Ct. 511, 513, 213 U.S. 347, 53 L.Ed. 826, 19 Ann. Cas. 1047.** A consequence of this prerogative is the legal ubiquity of the king. His majesty in the eye of the law is always present in all his courts, though he cannot personally distribute justice. **Fortesc.c.8. 2Inst.186** His judges are the mirror by which the king's image is reflected. **1 Blackstone's Commentaries, 270, Chapter 7, Section 379.**

¹³ **PEOPLE.** People are supreme, not the state. **Waring vs. the Mayor of Savannah, 60 Georgia at 93;** The state cannot diminish rights of the people. **Hertado v. California, 100 US 516;** Preamble to the US and IL Constitutions - We the people ... do ordain and establish this Constitution...; ...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects...with none to govern but themselves... **CHISHOLM v. GEORGIA (US) 2 Dall. 419, 454, 1 L Ed 440, 4SS, 2 DALL (1793) pp471-472;** The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative. **Lansing v. Smith, 4 Wend. 9 (N.Y.) (1829), 21 Am. Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav. Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7.**

¹⁴ **US Constitution** - We the people ... do ordain and establish this Constitution for the United States of America.

TOWN AND CITY COURTS HAVE NO JURISDICTION OVER THE PEOPLE

13. "Service of an appearance ticket¹⁵ does not confer personal jurisdiction upon a criminal court. Only Congress can make an act a crime, affix punishment to it, and declare court that shall have jurisdiction." **U.S. v. Beckford, 966 F.Supp. 1415 (1997)**
14. "Appearance ticket is not accusatory instrument and its filing does not confer jurisdiction over defendant." **People v. Gabbay**
15. "Service of an appearance ticket on an accused does not confer personal or subject matter jurisdiction upon a criminal court." **People v. Giusti**
16. "Trial court acts without jurisdiction when it acts without inherent or common law authority, ..." **State v. Rodriguez**
17. "Criminal law magistrates have no power of their own and are unable to enforce any ruling." **Davis v. State**
18. This court does not have jurisdiction or common law authority.
19. "..., every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent." **Cruden v. Neale**

WITHOUT AN INJURED PARTY NO COURT HAS AUTHORITY OVER A SOVEREIGN

20. The **US Constitution under Article 1 Section 8 Clause 17** grants court's Jurisdiction under Common Law¹⁶ or Admiralty or Military tribunal venue.
21. Common law is preserved under the Supreme Courts, and other courts of record, as defined in our US and State Constitutions.
22. Legislators are authorized under the Constitution, ordained by the people, to write statutes and codes, enforced as law, to control bureaucrats, municipalities, government agencies,

¹⁵ "Appearance ticket is not accusatory instrument and its filing does not confer jurisdiction over defendant." **People v. Gabbay, 670 N.Y.S.2d 962, 175 Misc.2d 421 678 N.Y.S.2d 26,92 N.Y.2d 879, 700 N.E.2d 564 (1997)**

* "Service of an appearance ticket on an accused does not confer personal or subject matter jurisdiction upon a criminal court." **People v. Giusti, 673 N.Y.S.2d 824, 176 Misc.2d 377 (1998)**

¹⁶ "Trial court acts without jurisdiction when it acts without inherent or common law authority, ..." **State v. Rodriguez, 725 A.2d 635, 125 Md. App 428, cert den 731 A.2d 971,354 Md. 573 (1999)**

elected officials, interstate commerce, but not people, who's rights are unalienable¹⁷ and cannot be legislated.

23. "Sovereignty itself [the people] is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts And the law is the definition and limitation of power." ... "For, the very idea that man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life, at the mere will of another, seems to be intolerable in any country where freedom prevails, as being the essence of slavery itself." Yick Wo v. Hopkins, 118 US 356, 370
24. Let the record show this court can only be an Admiralty Court¹⁸, acting under color of law¹⁹, alleging jurisdiction over a people, fraudulently applying statutes as laws upon the people.
25. Counter-plaintiff has not pleaded, and therefore has not yielded jurisdiction to this court, nor can this court force its jurisdiction upon the people without their consent²⁰.
26. There exists no sworn affidavit by an injured party, as is required in a common law court; therefore the counter-plaintiff demands this court dismiss all charges for lack of personam jurisdiction.

CASE CANNOT PROCEED ONE STEP FURTHER & MUST BE DISMISSED

27. "When challenged, jurisdiction must be documented, shown, and proven, to lawfully exist before a cause may lawfully proceed in the courts. Hagan's v. Lavine, 415 U.S. 528 Other

¹⁷ **UNALIENABLE** Bouvier's Law, 1856 Edition Inalienable; incapable of being aliened, that is, sold and transferred; The state of a thing or right which cannot be sold; Things which are not in commerce, as public roads, are in their nature unalienable. Some things are unalienable, in consequence of particular provisions in the law forbidding their sale or transfer, as pensions granted by the government. The natural rights of life and liberty are unalienable.

¹⁸ **ADMIRALTY**. A court which has a very extensive jurisdiction of maritime causes, civil and criminal, controversies arising out of acts done upon or relating to the sea, and questions of prize. It is properly the successor of the consular courts, which were emphatically the courts of merchants and sea-going persons, established in the principal maritime cities on the revival of commerce after the fall of the Western Empire, to supply the want of tribunals that might decide causes arising out of maritime commerce. Also, the system of jurisprudence relating to and growing out of the jurisdiction and practice of the admiralty courts.

¹⁹ **COLOR OF LAW**. Black's Law 4th edition, 1891 -- The appearance or semblance, without the substance, of legal right. State v. Brechler, 185 Wis. 599, 202 N.W. 144, 148 Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state, is action taken under "color of state law." Atkins v. Lanning, 415 F. Supp. 186, 188

²⁰ **Declaration of Independence** - We hold these truths to be self-evident ... Governments are instituted among Men, deriving their just powers from the consent of the governed.

cases also such as McNutt v. G.M., 56 S. Ct. 789, 80 L. Ed. 1135, Griffin v. Mathews, 310 Supp. 341, 423 F. 2d 272, Basso v. U.P.L., 495 F 2d. 906, Thomson v. Gaskiel, 62 S. Ct. 673, 83 L. Ed. 111, and Albrecht v U.S., 273 U.S. 1,

28. "However late this objection has been made, or may be made in any case, in an inferior or appellate court of the United States, it must be considered and decided, before any court can move one further step in the cause; as any movement is necessarily the exercise of jurisdiction." Rhode Island v. Massachusetts, 37 U.S. 657, 718, 9L.Ed. 1233 (1838).
29. "Where the court is without jurisdiction, it has no authority to do anything other than to dismiss the case." Fontenot v. State, 932 S.w.2d 185 "Judicial action without jurisdiction is void."-Id (1996)
30. To proceed, in any way without jurisdiction, would be an act of defiance to Supreme Court rulings and would cause the counter-plaintiff to file for a judicial review and a civil action.

IMMUNITY LOST, TO PROCEED WITHOUT JURISDICTION IS TREASON

31. "Any judge who does not comply with his oath to the Constitution of the United States wars against that Constitution and engages in acts in violation of the supreme law of the land. The judge is engaged in acts of treason". Cooper v. Aaron, 358 U.S. 1, 78 S. Ct. 1401 (1958)
32. "There is a general rule that a ministerial officer, who acts wrongfully, although in good faith, is nevertheless liable in a civil action and cannot claim the immunity of the sovereign". Cooper v. O'Conner, 99 F.2d 133
33. "The courts are not bound by an officer's interpretation of the law under which he presumes to act". Hoffsomer v. Hayes, 92 Okla. 32, 227 F. 417
34. "When a judge knows that he lacks jurisdiction, or acts in the face of clearly valid statutes expressly depriving him of jurisdiction, judicial immunity is lost." Rankin v. Howard, (1980) 633 F.2d 844, cert. den. Zeller v. Rankin, 101 S. Ct. 2020, 451 U.S. 939, 68 L.Ed 2d 326
35. "A judge must be acting within his jurisdiction as to subject matter and person, to be entitled to immunity from civil action for his acts." Davis v. Burris, 51 Ariz. 220, 75 P.2d 689 (1938)
36. "When a judicial officer acts entirely without jurisdiction or without compliance with jurisdiction requisites he may be held civilly liable for abuse of process even though his act

involved a decision made in good faith, that he had jurisdiction." Little v. U.S. Fidelity & Guaranty Co., 217 Miss. 576, 64 So. 2d 697

37. "No judicial process, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and an attempt to enforce it beyond these boundaries is nothing less than lawless violence." Ableman v. Booth, 21 Howard 506 (1859)

38. "We (judges) have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution." Cohen v. Virginia, (1821), 6 Wheat. 264 and U.S. v. Will, 449 U.S. 200

UNLAWFUL TOWN COURT PRACTICES & A WARNING TO PROSECUTORS

39. It is a common "unlawful practice" for town court magistrates and prosecutors to meet privately to plot^{21,22} an answer to a counter-plaintiff, in an attempt to unlawfully maintain jurisdiction²³, under color of law²⁴, in opposed to studying its contents.

40. Therefore the court should proceed with prudence, forewarned of the following:

41. It is not up to the prosecutor to prove jurisdiction, but the magistrate.

42. The prosecutor is not to write court rulings.

43. The magistrate is not to meet ex parte with the prosecutor "for any reason".

²¹ USC 18 §241; CONSPIRACY AGAINST RIGHTS: If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State in the free exercise or enjoyment of any right they shall be fined under this title or imprisoned not more than ten years, or both

²² USC 42 1985; CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS: If two or more persons in any State or Territory conspire for the purpose of depriving, either directly or indirectly any persons rights the party so injured or deprived may have an action for the recovery of damages against any one or more of the conspirators.

²³ USC 42 1983; CIVIL ACTION FOR DEPRIVATION OF RIGHTS: Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law.

²⁴ USC 18 §242; DEPRIVATION OF RIGHTS UNDER COLOR OF LAW: Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State the deprivation of any rights shall be fined under this title or imprisoned not more than one year, or both;

44. For the magistrate to discuss this case with the prosecutor without the counter plaintiff present would be nothing short of an entangling alliance, criminal, conspiracy against counter plaintiff's unalienable rights, causing the counter-plaintiff to file an action for conspiracy to commit malicious prosecution²⁵.
45. If the magistrate is not experienced in common law it would be wise to seek counsel from the appellate court; lawyers and trial court judges generally know statutes and not law.

CONCLUSION

46. In conclusion, this court is a nisi prius court, created by statutes, sanctioned by statutes, ruled by statutes and not constitutions. I am one of the people under the law of the land, aka common law, statutes are not law. This court has no jurisdiction over the counter-plaintiff nor can this court prove otherwise therefore; this court is barred from jurisdiction in this case.
47. For the officers of this court²⁶, who's constables are sent out on the highways²⁷ disguised under color of law²⁸ to kidnap²⁹ people, conspiring to maintain constructive custody³⁰, and thereby preventing counter-plaintiffs' free exercise of his unalienable rights, carries serious consequences. Should this court illegally proceed, such consequences shall be applied against all officers of this court, in a court of law.

²⁵ **MALICIOUS PROSECUTION**. One begun in malice without probable cause to believe the charges can be sustained. Eustace v. Dechter, 28 Cal. App. 2d 706, 83 P.2d 523, 525. Instituted with intention of injuring defendant and without probable cause, and which terminates in favor of the person prosecuted. For this injury an action on the case lies, called the "action of malicious prosecution." Hicks v. Brantley, 29 S.E. 459, 102 Ga. 264; Eggett v. Allen, 96 N.W. 803, 119 Wis. 625.

²⁶ **OFFICERS OF THE COURT** - judge, prosecutor, sheriff, constables (police), or bailiff.

²⁷ **HIGHWAY**. An easement acquired by the public in the use of a road or way for thoroughfare. Bolender v. Southern Michigan Telephone Co., 182 Mich. 646, 148 N.W. 697, 700.; It includes roads, streets, alleys, lanes, courts, places, trails, and bridges, laid out or erected as such by the public, or, if laid out and erected by others, dedicated or abandoned to the public, or made such in actions for the partition of real property. Patterson v. Munyan, 93 Cal. 128, 29 P. 250; "Street," "avenue," "road," "public road," "county road," and "public highway" are used indiscriminately in legislation and judicial decisions. "Street" or "avenue" commonly applies to a public highway in a village, town, or city and "road" to a suburban highway, but there may be "roads" in a city or town and "streets" and "avenues" in the country. City of Spokane v. Spokane County, 179 Wash. 130, 36 P.2d 311, 313.

²⁸ **Color of law** -- The appearance or semblance, without the substance, of legal right. Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state, is action taken under "color of state law." Atkins v. Lanning, 415 F. Supp. 186, 188.

²⁹ **KIDNAPPING**. the unlawful seizure and removal of person from own country or state against his will, State v. Olsen, 76 Utah 181, 289 P. 92, 93. In American law, the intent to send the victim out of the country does not constitute a necessary part of the offense. The term includes false imprisonment plus the removal of the person to some other place. 2 Bish. Crim. Law, § 671. See State v. Rollins, 8 N.H. 567; State v. Sutton, 116 Ind. 527, 19 N.E. 602; Samson v. State, 37 Ohio App. 79, 174 N.E. 162, 163; People v. Fick, 89 Cal. 144, 26 P. 759; Furlong v. German-American Press Ass'n, Mo. Sup., 189 S.W. 385, 389.

³⁰ **CUSTODY**. - Detention; charge; control; possession. The term is very elastic and may mean actual imprisonment or physical detention or mere power, legal or physical, of imprisoning or of taking manual possession. Jones v. State, 26 Ga. App. 635, 107 S.E. 166; J.O. Nessen Lumber Co. v. Ray H. Bennett Lumber Co., 223 Mich. 349, 193 N.W. 789, 790; State ex rel. Bricker v. Griffith, Ohio App., 36 N.E.2d 489, 491; Willoughby v. State, 87 Tex. Cr. R. 40, 219 S.W. 468, 470; Carpenter v. Lord, 88 Or. 128, 171 P. 577, 579, L.R.A.1918D, 674; Little v. State, 100 Tex. Cr. R. 167, 272 S.W. 456, 457; Randazzo v. U. S., C.C.A.Mo., 300 F. 794, 797.

48. **5 CFR 2635.101 - Basic obligation of public service, § 2635.101**, Basic obligation of public service.

(a) Public service is a public trust. Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each employee shall respect and adhere to the principles of ethical conduct set forth in this section, as well as the implementing standards contained in this part and in supplemental agency regulations.

(b) General principles. The following general principles apply to every employee and may form the basis for the standards contained in this part. Where a situation is not covered by the standards set forth in this part, employees shall apply the principles set forth in this section in determining whether their conduct is proper.

(1) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.

(2) Employees shall not hold financial interests that conflict with the conscientious performance of duty.

(3) **Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.** Why is Deputy Phillips involving himself in my private contract with The Du Page County Clerk?

4) An employee shall not, except as permitted by subpart B of this part, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.

(5) Employees shall put forth honest effort in the performance of their duties.

(6) Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.

(7) Employees shall not use public office for private gain.

(8) Employees shall act impartially and not give preferential treatment to any private organization or individual. On whose behalf partially is Deputy Phillips acting? Why is Deputy Phillips making a complaint on behalf of another party (Du Page County Clerk)? Whom is capable of making a complaint, on their own behalf. If they believe a crime has been committed and they have suffered any

loss, harm or injury, why are they not bringing forth this claim? This illustrates the bias, prejudice and retaliatory action of Deputy Phillips for the complaint made against him, in the foreclosure case.

(9) Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.

(10) Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities. Deputy Phillips went seeking to engage in an activity for his own personal revenge and vendetta, against a private woman.

(11) Employees shall disclose waste, fraud, abuse, and **corruption** to appropriate authorities.

(12) Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those—such as Federal, State, or local taxes—that are imposed by law.

(13) Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.

(14) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts. Based upon the treatment I endured at the hands and actions of the Du Page County Sheriff's Office while in their trusted custodial care. Seems this corruption stems a bit further than just Deputy Phillips.

(c) Related statutes. In addition to the standards of ethical conduct set forth in this part, there are conflict of interest statutes that prohibit certain conduct. Criminal conflict of interest statutes of general applicability to all employees, **18 U.S.C. 201, 203, 205, 208, and 209**, are summarized in the appropriate subparts of this part and must be taken into consideration in determining whether conduct is proper. Citations to other generally applicable statutes relating to employee conduct are set forth in subpart I and employees are further cautioned that there may be additional statutory and regulatory restrictions applicable to them generally or as employees of their specific agencies. Because an employee is considered to be on notice of the requirements of any statute, an employee should not rely upon any description or synopsis of a statutory restriction, but should refer to the statute itself and obtain the advice of an agency ethics official as needed.

WHEREFORE counter plaintiff moves this Court to enter an Order discharging this case for lack of personam jurisdiction, as is this courts constitutional duty.

Date _____, 2013

Valerie: Naif, counter-plaintiff, beneficiary

JURAT/NOTARY ACKNOWLEDGEMENT

Illinois }
County of _____ }

This document was presented and acknowledged before me, a Notary Public in and for the State of Illinois on this _____ day of the _____ month in the year of our Lord and Savior Jesus, Two Thousand Thirteen, A.D.

First Name: _____ Last Name: _____
Notary (Print) Notary (Print)

Notary Signature: _____ Seal:

My Commission Expires: _____ County of: _____

"E"-D

Exhibit E

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
COUNTY OF DU PAGE, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

OR

A MUNICIPAL CORPORATION

13CM1714

CASE NUMBER

Plaintiff

-VS-

VALERIE NAIF,

Defendant

AFFIDAVIT

Now comes: Valerie: Naif; the beneficiary on behalf of the above named defendant in the case before the court in front of presiding Judge Jane H. Mitton in court room 4007. To state the facts concerning the misdemeanor complaint filed before this court.

- 1) I have no priors or criminal history.
- 2) On or about April 15, 2013, I (Valerie: Naif) appeared in court room 2007 before the presiding Judge Bonnie Wheaton on a foreclosure, case number 2011CH4767 for a presentment and cause to vacate the foreclosure judgment and sheriff's sale of my private-property.

On April 15, 2013, after my hearing before Judge Bonnie Wheaton, I was accompanied with five witnesses and Lorie Cole (other homeowner), in court room 2007. These five witnesses, witnessed the sequestering of Lorie Cole and myself, where the detainment for custodial interrogation by Sheriff Deputy M. Phillips badge #661, occurred within the conference room, to the south-east, before court room 2007. See attached **Exhibit 1**.

On April 15, 2013 in response to the illegal custodial interrogation see **725 ILCS 5/103-2.1**, which occurred within a courthouse setting which is not one of the places defined as a place of detention for such interrogation, to occur.

- 3) On or about April 15, 2013 as evidenced by Exhibit 1 attached herein, a complaint letter went out to Sheriff John E. Zaruba to inform him of the action taken by his employee Deputy Phillips. To this date Sheriff Zaruba has never responded to the complaint made against Deputy Phillips for acting outside of his job description and the unlawful custodial interrogation inside a court room setting.
- 4) On or about May 14, 2013 a complaint was made by Deputy Phillips leading to the matter before the court today. The fact that Deputy Phillips is the party making the complaint, before the court on this matter; after a complaint was filed against him, on April 15, 2013, for an unlawful custodial interrogation. Demonstrates that Deputy Phillips misdemeanor complaint filed against me (Valerie: Naif) in this matter, is bias, shows prejudice and is retaliatory in nature.

This would be considered a conflict of interest and shows a tortious interference, as a third party (Deputy Phillips) is interfering with a private contract between me and a second party (Du Page County Collector). Deputy Phillips is not a party to the private contract between myself and the Du Page County Collector and is interfering with a private-contract.

- 5) Deputy Phillips only came to know me through the judicial proceedings on the foreclosure case 2011CH4767, in court room 1003 before presiding Judge Robert G. Gibson. Where Deputy Phillips sits as court room security or bailiff. That case involved a notice of felony for, Judge Gibson to take judicial notice on a lack of standing for the plaintiff's in that case to file suit. Sheriff John E. Zaruba was carbon copied on that notice of felony in conjunction with the notice sent to Judge Gibson.

To date both Judge Gibson and Sheriff Zaruba have failed to respond to the notice of felony. Judge Gibson was served with a notice of fault and opportunity to cure and notice of fault and still failed to act.

- 6) On or about May 31, 2013 all parties in the foreclosure case 2011CH4767 were served with a Quo Warranto Complaint, Lis Pendens, Tort Claim for Quiet Title on real property in dispute, filed now under: Corporation-Case-Federal-Registered-Mail-Number RE 581 698 597 US; with the Department of Justice tort branch, Eric Holder United States attorney general for prosecution and the Consumer Financial Protection Bureau.

- 7) This Quo Warranto Complaint made on Lorie's and my behalf by Federal Postal Judge: David-Wynn: Miller. This complaint claimed several state and federal violations by Deutsche Bank, their attorneys; Weltman, Weinberg and Reis Co. LPA, Judge Gibson and the Du Page County Sheriff's Office. Including a misprision of felony for failing to act on the notice of felony served on both Judge Gibson and Sheriff Zaruba. This Quo Warranto Complaint can also be found filed with the Du Page County Recorder under filed document number R2013-078104.
- 8) On June 13, 2013 approximately around 9:30 a.m., Sheriff Todd Badge #280 and Sheriff E. Moore Badge #90 showed up to my private-property address to inquire about the eviction scheduled to take place at 11:30 a.m. that day. Lorie and I had a conversation with the two sheriffs and informed them of the Quo Warranto complaint and the performance contract for the trespassing, on the private-property.

Both sheriff deputies were informed that we would not abandon our private-property and we understood that they were there to do their job and abide by a court order, that should have been vacated once served with the Quo Warranto Complaint. We informed them that we would be adding all parties who trespassed on the private-property to the Quo Warranto Complaint as co-conspirators and they would be subjected to the performance contract, for the trespassing on the private-property.

Approximately 11:30 a.m. these same two deputies returned to my private-property with Sheriff A. Mudge Badge #278, Sheriff Gradus Badge #337 and the party who purchased the real-property (in the Sheriff's auction sale); Renew Homes with two of his employees.

- 9) On this same day June 13, 2013 on or about 12:30 p.m. Sheriff J. Pfeifer Badge #901 showed up to the real-property claiming she had a warrant for my arrest. Deputy Pfeifer did not present or have any evidence of a warrant, as she did not physically possess any such warrant or paper-work in regards to the alleged arrest warrant for me.

I was not read any Miranda rights at the time of the arrest or at any time while in the custody of the Du Page County Sheriff's Office. Miranda Rights were created in 1966 as a result of the United States Supreme Court case of Miranda v. Arizona. The

Miranda warning is intended to protect all suspects' Fifth Amendment right to refuse to answer self-incriminating questions.

When Sheriff Pfeifer placed me in the car and began to drive off, she asked "would you like air conditioning". I only commented about the music and the station she was listening to, because it was a Christian station, I listen to and she said "that's how I deal with my job".

10) **725 ILCS 5/107-2, 2** Arrest by Peace Officer defines that whenever a peace officer arrest an individual, the officer shall question the arrestee as to whether he or she has any minor children. Deputy Pfeifer not only failed to question me if there were any such minors. She also failed to properly identify me as the person that she had the alleged arrest warrant for. As I had no identification on me at the time of the eviction, when they chose to act on such alleged warrant.

11) On or about 1:00 p.m. I arrived at the Du Page County Sheriff's jail for booking. Sheriff Pfeifer took me out of her squad car and walked me through sliding glass doors, in a small frisking area. She turned me over to a female booking deputy stating "This is Valerie Naif; I picked her up on an arrest warrant." The female booking deputy asked me why I was there and I replied "I did not know". I then asked her "how come you don't know"? She continued to ask me how tall I was, where did I live, what is your birth date, what was my weight, what color are my eyes. When she asked where I lived, I responded "you picked me up where I live". I then responded "why are you asking me all of these questions, when you picked me up on a warrant? You obviously believe you have the correct individual and you want me to identify the vessel. I reserve my rights and do not wish to contract."

The female booking officer, as she was frisking me, began to use profane language stating "I am here for the next 8 to 9 hours. I don't give a F***. What you don't say. You F***** B*****". She then continued to question me as to what drugs or prescription medication I was using and where was my track marks? As she proceeded to state she had been living on the streets for twenty years before she got this job. As she was taking my personal items, belt, ear-rings and hair tie, she stated "I don't want to be mean, but if you refuse to cooperate. You will leave us with no other choice, if you don't want to tell us who you are or why or you are here. You will be stripped of your clothing and placed in a psych ward".

As the female booking officer continued to question me, In reply I stated "I do not wish to contract". She stated if I did not give any information, they would be requesting a psych evaluation. So she then proceeded to move me to the farthest back wall, which was glass rooms, known as the intake area. I was in room number four (4).

- 12) Within or about one half hour into the intake process the psych doctor came in and asked me what drugs was I on, if I took any prescription medication, if I was depressed or had suicidal thoughts or had reason to live. He continued to ask how much did I weigh, how tall are you and why did I not want to speak. Which I replied "thank you doctor, but I choose not to contract". He then said "what do you mean you don't want to contract". I then said "I reserve all of my rights and do not wish to contract". After that reply he then stated "ok psych ward".

- 13) The intake female deputy with a second female deputy came in and took me over to where the finger-printing is done. A third female deputy operated the finger-printing scanner. She proceeded to spray my hand with water and spray the top of the glass. She took my left hand first and then my right. Repeating the process. I was then removed and escorted about 50' from the machine to a corridor with six (6) rooms.

I was then placed in room number six (6) and asked to remove all of my clothing. I asked "if this was necessary". They had already taken my shoes and any other personal items. The first female intake deputy stated "remove your clothing or we will remove it for you and we will not be nice about it". So I began to remove all of my clothing and the first female intake deputy, when she realized that I was not being belligerent, combative or verbally aggressive, she then chose to put up a blanket in front of me and stated "I would like to provide you with some dignity". I then looked at her and said "thank you", for putting the heavy moving blanket up while I stripped all of my clothing off.

While still naked I was then given the moving blanket and made to sit for hours. So I wrapped up in the blanket and lay down. Several hours had passed by and they had brought dinner, on about 4:00-5:00 p.m. I was feeling very sick and weak because the last time I had eaten had been over 24 hours. The food did not look appetizing and I could not bring myself to eat it, because I feeling sick and weak.

- 14) **725 ILCS 5/103-2**, defines the treatment one is entitled to while in custody. One of those rights defined in this statute is the right to remain silent. The stripping of the clothing was unnecessary force in an attempt to obtain a statement, admission or confession from me while in custody. Legal definition of humane or humanely 1) characterized by kindness, mercy or compassion; 2) marked by an emphasis on humanistic values and concerns.
- 15) After dinner was served and the trays were picked back up. I requested for my phone call. Which I could visibly see the phone, which was not being used. I was denied my phone call and told I would have to wait until after the shift change. The woman across the hall, requested phone privileges and I watched her make numerous calls. **725 ILCS 5/103-3** and **725 ILCS 5/103-4** defines the right to communicate with attorney and family, with a reasonable number of telephone calls. Such communication should be permitted within a reasonable time after arrival. I was never granted any phone privileges for the nine and one half hours (9 ½) I was incarcerated.
- 16) **725 ILCS 5/103-8** Mandatory duties of officers is defined in this statute, concerning the intentional prevention and exercise of an accused any right, conferred by the Code of criminal procedure article of 1963.
- 17) After my phone privileges were denied the deputies, brought in a yellow jumpsuit and shoes. Telling me to "get up and put the clothes on". When I did they brought me over to repeat the process in the glass room of identifying the vessel. I then stated "you had picked me up on a warrant and you have all the identifying information you need, because I am sitting here". I then stated further "I know you have my electronic driver's license in front of you on the computer". A female dressed in civilian clothing that appeared to be very young, stated "No I do not, have your information". I then stated "thank you, but no thank you I do not wish to contract".

Another female deputy came to get me and stated "If I wanted to continue playing this game. That you are just going back to the psych ward and your clothing will be taken again and I would have to wait". She then took me to the cell and asked me for my clothing, as I folded them and returned them to her. She closed the door and stated "You will be in there as long as you want to continue to playing this F***** game". I looked at her through the glass and stated "You think I am playing a game, I am not playing any game". She then removed the angered expression from her

face and walked away. A few moments after that I knocked on my cell door and stated "hello, hello, can I please have my phone call now". I could see the phone still across the hall, not in use.

- 18) Some time passes by and a different female deputy brings in the yellow jump suit and shoes and throws them on the floor and tells me "get dressed and that if I don't cooperate, I will not be getting out". So I got dressed and they took me down and repeated the process. Asking me to identify myself, by my height, my weight, color of my eyes, my address, date of birth, social security number. At which time I replied again, they had all the information they needed as they came on my private-property and arrested me. So they took me back out of the room and told me I was going back to the cell.

The female officer escorts me back to the cell and asked "what are you in for". I replied "I did not know". I then asked for the warrant and she stated "I don't know about that, I don't even know what your bail is". She then says "give me the cloths". So I wrapped the blanket around me, removed the jump suit and stepped out of the shoes and left them on the floor. She then picked them up and left the cell.

- 19) A little while passes a male deputy is talking to me from the hallway and knocking on the door. He is telling me that the judge, (referring to Judge Miller) Lorie and my sister and family want me out. I said "ok". He then disappeared for what seemed to be forty (40) minutes or so and then came back to the glass door, with a note, from my sister. Stating what he had told me prior that the judge, Lorie, my sister and family want me out. So I said "ok" again and then waited. As I was waiting I began to feel sicker than I had been feeling, when they had served dinner earlier. I realized that my sugar was low and I began to sweat cold sweats. I became overheated and attempted to wet my head with the sink water in the cell, as I am hyperglycemic

By this time a different female deputy comes to bring the yellow jump suit and shoes and throws them in the room and tells me "get dressed and that if I wanted to leave. I was going to cooperate". When I got dressed and proceeded to walk out of the room, they saw me wavering and asked me if I wanted to be held up and just as I began to say yes, I fell down on the floor. The female officer, who was offering to hold me up, let me fall and proceeded to act as though she wanted to help me. She then put her steel toe boot in the back at my right kidney and proceeded to kick me twice, with her steel toe boot and said "get up there is nothing wrong with you".

When I could speak all I could ask for is sugar. I asked "please give me sugar". They stated they did not have any sugar.

I repeated "please give me sugar, I am hyperglycemic, I need sugar, Please give me sugar". The three female deputies standing around me had called for a nurse who came over and stuck my ring finger on the left hand, to draw my blood. The nurse then proceeded to tell me that my blood sugar level was 120. I disagree with this as I know my body and not eating in over 24 hours would not leave my blood glucose at 120. Based upon my personal history it was more like around a 50 glucose level, which explains the cold sweats, the wavering and fall.

One of the female deputies gave me artificial orange drink. I drank it and then they picked me up and stood me over against the wall as seven (7) male officers walked through the hall and stood behind me. They began to taunt and say "there is nothing wrong with you, why don't you just let them take your picture. I asked them "why are you talking to me". One of the female officers stated that I just wouldn't cooperate and let them book me in. When she said that, one of the male sheriffs who was clean faced and balding, dressed in a uniform stated "I would not take that S*** I would get her naked and put her back in the cell". Six (6) other officers, four (4) of them were in street clothes with vest, stated "just get her naked and throw her back in the cell".

20) After seven (7) or eight (8) attempts to take my photo, they finally got a photo they were satisfied with, as I was still feeling sick. They then fingerprinted me again and I stated "didn't you do this already". They stated that it did not work, so they had to do it again. After the booking of the photo and the fingerprinting, two female deputies returned me to the psych cell and stated "sign the paperwork or you will not be released". Before I was finish writing, they pulled the paper away and told me to get dressed". The second female deputy then puts down my clothing and tells me "get dressed". They waited in the cell while I dressed and then grabbed me by the left arm and escorted me out to the sliding doors. At this time I had no paperwork or anything as I was being released.

21) As I was at the door leaving, the same male deputy that brought the note to my cell window, stated "mam your paperwork, mam your forgetting your paperwork". I

Proceeded to walk out of the building and my sister grabbed the paperwork from the deputy. As I knew I had to get out of building because I was sick and about to vomit. I vomited four times in the front of the building, as my sister helped me

because I did not have much strength to walk to where my family would be picking me up.

- 22) **Jersey City v Hague** “anyway the term is not restricted to technical or expressed trusts. It goes beyond those and also includes such offices or relations as those of an attorney at law, a guardian, an executor, a broker, a director of a corporation and public officer. All of them would be in a fiduciary capacity which is synonymous with a trust position, a position of trust whether the trust be in writing, referred to as expressed or constructive in nature because it arise by operation of law”.

Such trust has been broken by the conduct of the Du Page County Sheriff where they failed to act in a position of trust. Furthermore, the Illinois States Attorney’s office now stands in a position of trust to ensure that these criminal violations conducted by such Du Page County Sheriff Officers are prosecuted and held to the same Illinois Coded Statutes. That they bring claims against the people, within the several states, Illinois.

- 23) **Violation 18 USC Sec. 1346**; definition of scheme or artifice to defraud. A scheme or artifice to deprive another of that intangible right of an honest service. The Du Page County Sheriff’s Office deprived this beneficiary of an honest service to perform their fiduciary duties with the utmost integrity, professionalism and humanely treatment of a person entrusted in their custodial care.

- 24) On July 15, 2013 I made my first appearance in front of Judge Jane Milton for an arraignment. To date I have not entered in any plead and questioned whether or not these alleged instruments were in the court file records and if these documents were going to be entered in as evidence. As I did not understand the charge of attempt forgery.

- 25) I am asking for discovery demand of all disclosure documents that are being used in evidence, a list of all witnesses’ names, telling me what the witnesses are going to testify to. So that I may issue subpoenas and get their depositions and any evidence they have, where they claim I intended to defraud.

I further affirm that all statements are the truth to the best of my knowledge and God is my witness. Titus Chapter 1 verse 2 “In hope of eternal life, which God, that cannot lie, promised before the world began;”

Affiant says further not.

Date: _____

Valerie: Naif, Beneficiary

C/O 6 West Sunset Avenue
[Lombard, Illinois 60148]

CC: Du Page County State's Attorney's Office
Judicial Office Facility-Annex
Attn: Kasia Malkinska or Dan Fawell
503 North County Farm Rd.
Wheaton, Illinois 60187

Judge Jane H. Milton
Court Room 4007
503 North County Farm Rd.
Wheaton, Illinois 60187

UPU (Universal Postal Union)
International Bureau
Case Postale 312
3015 Berne
Switzerland
USPS Certified Mail #7013 0600 0001 4253 3852

Date: 11-29-13

AFFIDAVIT, STATEMENT OF FACTS

EXHIBIT F



Date: November 29, 2013

Affidavit of :Valerie: (Naif)

Case References: 13CM1714, 2011CH4767, 2-13-0450

Re: Date of Incident: September 19, 2013

Dates of Incarceration September 19-October 10, 2013

I affirm that the following facts are true and correct to the best of my knowledge and recollection of what transpired in courtroom 4007 on September 19, 2013; concerning case number 13CM1714. in front of the presiding Judge Jane H. Mitton and my time being incarcerated from September 19, 2013-October 10, 2013, in custody of the DuPage County Sheriff's Office.

- 1) I :Valerie: Naif went to the Eighteenth Judicial Circuit Court located in Wheaton, Illinois on September 19, 2013 for a court appearance before Presiding Judge Jane H. Mitton on the charges/complaint (13CM1714) filed by Deputy Phillips #661 the bailiff from foreclosure case 2011CH4767 in courtroom 1003 under, presiding Judge Robert G. Gibson. Deputy Phillips is the party that we filed a complaint against in our foreclosure case, for an unlawful custodial interrogation. On that same foreclosure case :Lorie: (Cole) and I filed a "Notice of Felony" for Judge Robert Gibson concerning mail fraud and many other Title 18 violations by Deutsche Bank's attorneys Weltman, Weinberg & Reis Co. LPA, CMS Carrington Mortgage Services, LLC and another third party attorney McGinnis & Wutscher. Sheriff John E. Zaruba was carbon copied on this Notice of Felony as well. To date Sheriff Zaruba nor Judge Gibson have bothered to inform us of any investigation concerning our notice of felony against the Plaintiffs in the foreclosure case.
- 2) I arrived at the Eighteenth Judicial Circuit Court around 8:00 a.m. so that I could file some documents in the case file. I arrived in courtroom 4007 on or about 8:30 a.m. where I was accompanied soon thereafter by my two sisters; Jennifer and Elizabeth and my nephew, Sergio.
- 3) At or about 10:00 a.m. Deputy Phillips #661 walked into the court room, laughing with a white piece of paper in his hand and a smirk on his face, taunting me. Officer Phillips proceeded to look down the row of seats where my family and I were sitting and says "Valerie Naif, Hi, Hi, How are you? Nice smile, nice teeth". Looking over to Jennifer, Sergio and Elizabeth; Phillips, says hello to all of us, while the court was in session, with a jovial nature, Phillips struts up to the clerk. Officer Phillips handed the clerk the white piece of paper.
- 4) The clerk; Karen Mrozek looked at the piece of paper, read it, passed it to Judge Mitton. Judge Mitton read the piece of paper, looked at Officer Phillips and said "hello" and then said "ok". Judge Mitton then lifted up the stack of files in front of her and put that piece paper on the bottom.

"E"-F

"E"-F



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- 5) As I sat there awaiting my case to be called up, I looked to my right and there was an officer coming out of a door in front of the bench area with a k-9. Another officer walks out from behind him and sat down in the "jury box".
- 6) The case just before mine was finishing up, as Phillips waited in the back public entrance way into the courtroom leaning against a wall, waiting for that case to end. While that case was ending, out walks another officer from behind the Judge's bench, from the Judge's chambers. As the other party to the case before mine, was leaving the court room, three other officers rushed through the double doors like a "swat team" into courtroom 4007.
- 7) My case is called up and as I enter the bar saying "I conditionally accept entering into the bar, I/AM/One who shall be without name". The parties that were present during my case and the incidents that transpired are as follows; Judge Jane H. Mitton, Karen Mrozek (clerk), Chris Holland (public defender), Claudio Fantazzio & Dan Fawell (Assistant Prosecuting Attorneys), female bailiff Deputy Zamora, A #761, Deputy Phillips #661, Diebert, K #484, Feinstein, K #194, Hoffman, T. #370, Patchik, B. #946, Scalise, B. #340.
- 8) Judge Mitton began by asking me to state my name. I stated "I/Am/One who shall be without name". The Judge proceeded to ask 2-3 times, as I repeated the same thing each time asking for my name and I began to tell the Judge about the document filed that morning on the court record and proceeded to hand the Judge and Prosecution their copy. The Judge kept telling me to "shut up and stop" that she did not want to hear what I was saying. The short, stocky female bailiff about 200 lbs. proceeded behind me stating "Shut Up". Judge Mitton began telling me that I did not know what I was talking about and continued to tell me to stop and shut up.
- 9) The female bailiff is now directly behind me and grabbing for her hand cuffs, as I try to communicate my defense with the Judge. The female bailiff says "We're going to get you!"
- 10) Judge Mitton continues to try to get me to state my NAME, being the joinder for the case and I ask Judge Mitton if it was her intent to aid and abet me into committing fraud using a legal fiction name which does not belong to me and that I had returned that NAME to the crown? Judge Mitton ignores me and states "I don't think you heard me, I am ordering you a psych evaluation by Dr. Murray." "I don't believe you are fit to stand trial." I responded by stating "I object and do not consent to that psych evaluation and this case should be dismissed as a great fraud has been revealed."

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- 11) Judge Mitton continued to ask if I would comply with the psych evaluation by Dr. Murray and I tried to assert my defense that this case should be dismissed and I wanted it over and that I did not consent to this evaluation. As I attempted to explain why I did not consent to Dr. Murray conducting the evaluation. As I felt that Dr. Murray conducting the evaluation could be deemed bias, prejudice and a conflict of interest as a complaint was filed by my family against Dr. Murray with the American Psychologist Association on another matter before the Eighteenth Judicial Circuit Court, in front of presiding Judge William I. Ferguson in courtroom 4005, for my nephews road-side safety check incident.

Judge Mitton began to state that she would hold me in contempt of court, if I did not comply with her order. The female bailiff grabbed me by the arm and put it up behind my back up to my shoulders, while three other officers charged up to grab me, all of this before Judge Mitton orders them to remove me, they all knew what was to take place before it was stated to take place.

I was still trying to talk to Judge Mitton and she exclaimed "STOP, STOP, STOP did you hear me?" "I don't want to hear you, I am ordering you a psych evaluation here and I don't think you will get your own way." I tried to state "I am still talking; I have not had a chance to speak". Judge Mitton said "I said STOP, STOP; I don't want to hear anything. Did you hear me Miss Naif, Miss Naif, you are not representing yourself. Do you want me to, I said STOP. I will take you in for contempt of court."

- 12) A male deputy grabbed me at the back of my neck and pushed my face down into the files on the shelf in front of the Judge's bench. My face went right into the box of files that were sitting there. This is where I lost my first tooth that I swallowed, while the female bailiff Deputy Zamora, had my arm and a handful of my hair at the nape of my neck, all of the other officers had charged up on me and began to push and pull me towards the left of the courtroom, grabbing my hair and dragging me to the hall area for intake.

There were seven or eight officers that had grabbed me, pushing and pulling me as they tried to take me in the intake hall. The officers were struggling to get me in the hall as there were too many of them in the doorway and one officer slams my head into the wall just before doorway. The female bailiff Deputy Zamora then slammed my head to the wall and door and then Zamora proceeded to start to choke me, to the point where I began to cough gasping for air. This incident of the slamming my head into the wall and the bench caused me to get bruises on my right eye and on my eyebrow and lower cheek bone. This is the point where I could hear my sister :Elizabeth: stand up to tell them all to "Stop". Deputy Zamora then removed one of her hands off of me and began to grope my breast and snapped my bra and then grabbed my genital area. See photo evidence of the swelling in the right eye on the eyebrow and outside of the eye and cheek bone.

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The male officer pulled my hair and head back as the female bailiff did this and said to me "shut up". I was saying "Stop, you don't need to treat me like this". As the officers were saying "STOP talking, shut the F*** up. Shut up you F***** B*****".

- 13) I could hear my sister :Elizabeth: standing to my defense and saying something about "Stop treating her like that, stop beating her, stop abusing her like that, let her go, she is not being combative and we are sitting right here."
- 14) Judge Mitton said to get me into the hallway and to close the door to the courtroom, so that my family could not see what they were doing to me. Judge Mitton then tells one of the officers; "Grab her and bring her up here", referring to my sister :Elizabeth:. Judge Mitton said again "bring her in front of me".
- 15) Now I am in the hall intake area, where Deputy Zamora continues to cuff both my hands behind my back with these oblong cuffs, which were intentionally placed on me incorrectly the opposite way, cutting off the circulation to my wrist and hands that were turning purple and welting.
- 16) Deputy Zamora hands me over to Deputy Patchik who questions Zamora as to why the handcuffs are placed behind me and Deputy Patchik asks Zamora if she wanted to place the handcuffs in the front? Zamora replies "I don't trust her, she is dangerous, so no leave her cuffed in the back, until she gets where she is going."
- 17) Deputy Patchik asks me if I can make it down the stairs and I did not respond to Deputy Patchik's question but just asked her if she could loosen up the cuffs and put them on the right way. She replied "No and you heard what Zamora said."
- 18) After walking through a maze of halls and then placed into an elevator, I realized we were going down into the jail house. Patchik then hands me over to the processing officer's (two of them); the first thing the processing officer's do is take me to the psych ward.
- 19) Now I am in the Psych ward and I sat down on the bench, four to five female officers follow the two processing officers' into the psych ward hall. Two officers are in the room, one has a blanket standing next to the other one, three other officers are standing, one at the door, inside the room and two outside the psych ward door.
- 20) The female deputy holding the blanket stated "Remove your clothing." I replied "Your kidding me, you are going to do this again? I have chosen to represent and defend myself and you are going to violate my rights again? I choose not to remove my clothing, if you are going to keep me here, that's one thing, but I choose to keep my

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clothing.” With that the female deputy holding the blanket, asked me “Why are you doing this?” Referring to what she considered non-compliance.

21) I replied “I know you know who I am and I know why you are doing this.” The female deputy holding the blanket said “Why are we doing this?” I replied “Because of the case that has been filed against Judge Gibson, Deputy Phillips, Sheriff Zaruba and the DuPage County Sheriff’s Department.” They claimed they did not know what I was talking about and asked if I was famous. Which I responded “I am not famous; I just know what my rights are if you all want to continue to violate my rights, I will make you famous.”

22) As I finished this statement the three deputies standing at the doorway, parted and Deputy Barns came charging in and stated “If you don’t remove your clothes, I will cut them off of you.”, with scissors in her hand. I looked at her and stated “You’re kidding me, right!” With that the other deputies came into the room, they all grabbed me and slammed me down into the mattress that was on a concrete slab, that was not completely on the slab of concrete, as a portion of concrete was exposed. This is where I now lose my second tooth and others are loosened/weakened, as one deputy grabs my head to hold me down, two other deputies grab a leg each and begin to remove my shoes, socks, pants and underwear, Deputy Barns jumps and sits on my back while she takes the scissors and cuts off my shirt and cuts the straps to my bra, while she then unfastens the bra snaps. While I lay there hearing the scissors rip through my shirt.

The name/s of the officers involved in the stripping were; Gillis, Murphy, Diaz, Barns and two other unidentified females.

23) After all of the officers had jumped me, stripped me and cut off my shirt and bra, they throw the blanket on me and they back out of the room and leave me there, in isolation with no clothes. As they were leaving I asked for my phone calls and on numerous times throughout that day I asked to use the phone to contact family and counsel and Deputy Barns stated the phone was out of order initially and then she stated she did not care what I wanted and that I was not going to get any phone calls and she then called me a F***** C*** B**** and laughed and then I could hear her laughing with the men down the hallway.

Over the next three days when I saw Deputy Barns again and other officers, I stated “You are in violation of your oath that you took and this is not how people are to be treated and I have a right to my phone calls. Do you not take any pride in your job?” I informed them that my mother and long-time friend have health problems and I had been caring for them and none of them (my family) knew how or in what condition I was in and that I was a primary care-giver. Many of the officers either ignored me or commented and stated “The phone is not here, maybe I can call later, ask the next shift,

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don't ask me again." I informed each one as I requested my phone calls that I had rights and they were violating them.

On September 20, 2013 on or about 2:00 or 3:00 a.m. I was woken up by a deputy who hit the door, telling me to get up and when I looked at the door/window, she told me she would be coming back to book me in and for me to wake up. She came back what seemed to be 3-4 hours later with a jumpsuit and told me to get dressed. I got dressed she came back to get me and I proceeded to be taken to be booked.

I informed them you already have my prints from when you arrested me on the day you evicted me from my home. As they were insistent they did not have this I gave them a verbal performance contract that to take my prints will be with fees as follows; I do not consent to any of their contracts; for the kidnapping or any other contracts they wish to force upon me; I made a verbal contract that it was \$50,000 per finger print, \$100,000 for the palm and \$500,000 for the side of my hands.

The deputy informed me that the process would not hurt and she then proceeded to ask me if I was famous when I gave her my fees for contract. She then looked at me and said "You are very smart." I stated "Thank you, no I just know my rights! Unlike you where you are violating my rights." While she was performing the taking of the prints, she then asked me how I came up with my fees. I replied that is the cost of doing business with me and that I was very expensive to do business with." I then informed her that she could stop at any time to avoid the fees. The deputy just looked at me with a blank expression and stated "This is just my job!" I replied "It's not just a job and a paycheck. It's a responsibility to know what you are doing and if you don't know what you are doing, then you should not be doing it." The deputy ignored my comments and accepted my performance-contract and proceeded with the taking of my prints.

- 24) From the stripping incident I had a red abrasion mark on my back, about 3" up from my buttock area that went up to my shoulder blade and another abrasion mark on my left shoulder from the scissors that Deputy Barns used to cut off my shirt and bra. I had numerous bruising on my torso, chest, back, waist, arms and legs from all of this. I counted about nineteen bruises on my right arm, about sixteen bruises on my left arm, seven bruises on my face, seven bruises on my torso (shoulder, stomach, chest and waist area), I could not count the bruises on my back, but I had pain & swelling in my shoulder blades. I counted five bruises on my right leg and seven bruises on the left leg, my wrist and hands were swollen and all bruised up.
- 25) I also requested to speak with a commander and was denied, during this three days of isolation in the psych ward, where I was left to be naked while in the psych ward. They brought no-one of "authority" for my complaints on the inhumane treatment. They refused to document any of this and refused to take photos when I requested. When I returned back from being booked on September 20, 2013, the deputy told me to give her their clothes back. So I was made to strip again after booking and sat there until Saturday September 21, 2013.

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- 26) After three days in isolation I am being moved and am now given bedding, clothes and shoes and the officers take me upstairs, where I am thinking I am going to court but realize that they are just moving me up to the fourth floor, in 3G.
- 27) When I first get up to 3G I asked several officers again why I had not seen a Judge, as I could not understand why I was still being held for "contempt of court" No officers would answer my question and I then asked Deputy Jovanovich this same question, Deputy Jovanovich yells at me at the top of her lungs and says "You have already seen a Judge! Maybe you just don't know it in your delusional or medicated state." I stated "I have not seen a Judge or even been permitted to have a phone call and I am not on any medication." Deputy Jovanovich then stated "I don't give a F***** S***, you saw a Judge and unless you think your F***** Jesus who walked on water, you saw a Judge. Everybody who comes through here, sees a Judge before they come up here to this floor and If you don't shut the F*** up I will lock you up in your cell and I don't want to hear another F***** word about it."
- 28) I then overheard Deputy Jovanovich talking with the Deputies at the desk about 10' away from the entrance of the door; where one officer stated "No she did not see a Judge, I don't know why they have denied her!" Deputy Jovanovich then came back in on her rounds and stated "I don't know why you have not seen a Judge, I have never heard of this before and why you are being denied seeing a Judge." I responded I need to make a phone call." Deputy Jovanovich stated "The information is in your paperwork on how to make a phone call." I stated "I don't have any paperwork; I never received any paperwork or even one piece of paper." With that she through her arms up and said "I don't know!" and walked out.
- 29) The other inmate Samantha "Sam" Williams then proceeded to tell me how to use the phone. Sam also witnessed all of the bruising that I had as she questioned me why I was there and what I did. This was visiting day Saturday September 21, 2013 where my sister :Elizabeth: and my nephew :Sergio: came to visit me. Both :Elizabeth: and :Sergio: saw all of the bruises that I could show to them, within reason. My sister :Elizabeth: began to well up as she started to cry and I said "Please don't cry, I can't take it! We are not going to visit like that and this will all be over very shortly. They can't keep me in here for this long for contempt of court, it's unheard of."
- 30) September 25, 2013 (Wednesday Night, Thursday Morning), I had awaken on that Thursday morning September 26, 2013 to find my pants completely removed from my body, my underwear below my knees, with one leg out of them and completely exposed without the blanket to cover me. In humiliation, embarrassment, anger and frustration I immediately jumped to my feet to cloth myself. I felt "dirty and ashamed" and went to take a shower; I discovered these red abrasion chemical burns on my face, on the tip of my nose and my cheek area near my mouth, I felt sore and angry as my vagina and anus was sore. I did not know how I became to be in this position and do not recall anything

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that happened to get me in that position, nor do I remember how I got the chemical burns on my face.

- 31) On Friday September 27, 2013 I did a three way call with my sister :Elizabeth: and :Lorie: to try to tell them of the incident. Because I knew the phone call was being recorded I was trying to be subtle about it, dropping hints that I felt "dirty". They did not pick up on what I was saying.
- 32) On Saturday morning September 28, 2013 I was able to expound and tell them what occurred and they were both appalled at the news and said they would document it and inform others of the incident. My sister :Elizabeth: told me she was calling the FBI as the Sheriff's Department appeared to be in cahoots with the Court in this retaliation. :Lorie: informed me she would let other family and friends know about it as well and document it too.
- 33) On Saturday my sister :Elizabeth: & :Jennifer: were able to sneak a camera/cell phone into the jail to document and photograph the condition I had reported to them concerning the incident of September 25, 2013. Because of the bruising :Elizabeth: and :Sergio: witnessed on September 21, 2013 and the Sheriff's refusal to document, my family knew they had to preserve evidence. My sister :Elizabeth: was able to get two snap shots showing the chemical burns, the swelling in the face, the right eye and the teeth that were knocked out and the other tooth that was loosened. Due to the safety tours taking place and the Deputies on watch they were not able to get anymore that two photo shots off.

Right after my visit with my two sister's :Jennifer: and :Elizabeth on Saturday late morning, September 28, 2013 I was escorted by two female deputies to a room, which appeared to be like a locker or storage room where to my right was a desk, pushed away from the desk is where Sergeant Wulff sat and another officer to his left. Officer Wulff sat leaned back in the chair with the heels of his shoes on the base of the chair, with his legs spread wide open, with his left hand slid inside his vest and his right hand holding a Dunkin Donuts coffee cup.

- 34) Deputy Wulff went on to tell me that my family and friends were very concerned about me and did I know Tamela and Linda (friends) who had called to report what I had told my family about the incident. Deputy Wulff asked me about the incident that had occurred on the 25th of September. Initially he had mistaken and said the incident that occurred on Saturday according to my sister's. But that was incorrect on his part, as that was the day I tried to communicate with my sister :Elizabeth: and :Lorie: about what had happened. I was so disgusted at Deputy Wulff's posture and disrespect asserting forcefulness in his tone. I told him that I did not feel comfortable discussing this with him and that I would not discuss it with him, but that I would discuss it with a female or

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higher ranking female officer. Deputy Wulff stated if I was not going to give him any information on the matter, he could not help me and nothing else would be done about it.

At this point I stood up and he told me sit down and I then said "I was ready to leave and that maybe something would not be done about it by this establishment but that something would be done and I would notify the proper parties about the matter." I then reiterated that I was willing to speak with a female officer or higher ranking authority figure about the incident. Deputy Wulff replied "If I did not tell him, nothing could be done to help me, as it stops with him as he had phone calls from the outside by Tamela and Linda (my friends) who reported the matter to him.

- 35) They took me back to the cell, where a three striped officer Hyde, peered in around the corner of the door to the psych ward, not entering into the door frame, but peering into the cell, bent over, speaking to me as though I were a child, after my visit with my two sister's :Jennifer: and :Elizabeth: stating that my sister's had made him aware of my dental issues that I allegedly have. The officer stated that he understood that I had some dental issues and asked if I was in pain. I stated "tremendous pain". He said "We don't want to see you like that, could we take you to the dentist? We have a dentist on the premises here." I looked at him and stated "Your department did this to me and now you want me to allow you or your department to do something additional? You see I don't trust you or anyone in here, with how I have been treated, beaten and abused and now you want me to trust you? As though you will take care of the problem that you created?"
- 36) Officer Hyde asked me further if he could get me some aspirin for the pain for the dental issues, which I replied "Yes, that would be fine, as long as I can see the package they come in, as I do not trust any of you to give me what you say you are giving me. I would need to see the packaging and would be grateful to receive something for the pain." I was never given any aspirin or anything medically while I was incarcerated for 22 days.
- 37) Sunday September 29, 2013 in the evening our beds get stripped, we are told to fold everything and return it the way it was given. So I stripped my bed, folded my stuff and took it to the hallway. I then got my fresh bedding.
- 38) On or about 6:00 a.m. Monday morning, September 30, 2013 I am awoken up by Deputy Simmons and told that I am going to be taken down for a Dr's appointment. When I get to where she takes me, it is on the first floor in the hallway with the individual psych rooms 1-10. Deputy Simmons puts me in a room, I believe room 7, and tells me to wait there. Deputy Simmons then gives me a new bra, new underwear and a fresh shirt and pants. I am then left in this room for 5 days in isolation. I asked for toilet paper, toothpaste, for essentials. As there was no toilet paper or anything in the room.

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The deputies on staff stated they had to wait for a psych Dr. I stated I would talk to any psych Dr. other than Dr. Murray. They stated Dr. Murray was not on staff and that I would be seen by Dr. Woods.

Dr. Woods saw me either later that night or the second night. Dr. Woods introduced himself to me and asked me my name and why I was there/jail? I stated it was for a contempt of court and I proceeded to tell him that I informed the Judge of some things that she did not like and I was being held on contempt. I then proceeded to tell Dr. Woods that I am not a sick or unhealthy individual that I don't and have never met with a psychiatrist or psychologist and I had no need to at that time. I knew what my rights were I was being retaliated against by the Sheriff and the Court.

Dr. Woods asked me what I meant and I told him this was all retaliation from a foreclosure case. I then proceeded to tell Woods that I tried to tell Judge Mitton that Dr. Murray's evaluation would be bias, prejudice and a conflict of interest as my family had filed a complaint with the A.P.A. (American Psychologist Association), against Dr. Murray. Dr. Woods then replied "Do I need to be afraid of you?" In response to my statement that a complaint was made against Dr. Murray to the A.P.A. I was a little taken by the statement at first, but soon thereafter realized that he was apparently seeing that there was nothing wrong with my mental state of mind, as I knew what I was talking about. Dr. Woods never brings up the incident that took place on September 25, 2013 and I had requested numerous times, to various officers, while in this five day isolation to speak with a high ranking female officer about the incident. Dr. Woods did tell the officers to give me whatever I needed and he stated he would see me again and I never saw Dr. Woods after that. The officers only brought me my personal hygiene essentials. Never any aspirin or pain medication.

39) I asked Deputy Simmons later that day September 30, 2013 why I was still in the psych room #7? She had told me it was for my protection and that she did not have any further information. This did not make any sense to me as no one ever bothered to take a report or my statement about the September 25, 2013 incident as I had requested numerous times to speak with a female officer of high ranking office about the matter.

40) On November 4, 2013 Deputy Simmons comes into my room to tell me she awaiting for transport to take me back up to the third/fourth floor. Deputy Rohous later comes in and changes my bracelet from a red one back to a blue one. Deputy Rohous cuts the bracelet too short and is determined to make it work. She puts on the bracelet and it is too tight as it was hurting the knots that were in my wrist from the handcuffs that had been put on wrong on the 19th.

When Deputy Simmons returns initially during her rounds, I asked Simmons about the bracelet that Rohous had put on me and that it was hurting me and cutting off my circulation, if she could please look at my hands they are different colors, as my hand with the bracelet was purple. Simmons said she would check with the Sergeant about the matter. Simmons came around again and stated she was still waiting for the ok to transport me and she tells me the Sergeant said "No he is not paying for it." I said "this

AFFIDAVIT, STATEMENT OF FACTS

is a matter of money? How much could this cost? I will pay for it. Take it out of my commissary." I told her that I was not going anywhere until I got this bracelet off. Simmons closed the door and left and ten minutes later came back with Rohous. Rohous had a complaint slip and threw it at me in the room and said either I leave now or I stay there and I can fill out the complaint.

I stated I was not going to leave until they cut the bracelet off it was too tight and was cutting off my circulation. When they refused to remove it, I stated I would remove it myself and Deputy Rohous stated "If you remove it then we will just leave you here."

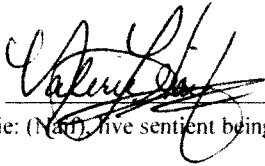
- 41) I was made to wear that bracelet for 48 hours longer.
- 42) When I had returned back to my cell, psych ward where "Sam" was, she had asked me what had happened to me. I told her "Sam" about the incident that had occurred to me on the 25th of September and Sam proceeded to tell me that the same thing happened to her on July 25th, 2013. Sam also went on to tell me that there was another female by the name of "Vickie" who had reported the same thing happening to her and talked about some German machine that was used on her. Sam said that "Vickie" was transferred to the mental institution in Elgin, Illinois.
- 43) During my incarceration I had mailed off legal documents to Judge Mitton, the clerk of the Eighteenth Judicial Circuit and the Assistant Prosecuting Attorneys to have my case motioned up for an emergency hearing. The Sheriff's intentionally did not mail off my letters, so I could get my day in court to purge my contempt of court. The Sheriff's department further delayed my legal mail that was incoming from my family that they prepared on my behalf so that I could sign and mail another motion to purge the contempt of court.
- 44) Judge Mitton also appointed Chris Holland the public defender on my case on or about September 26, 2013, whom I never consented to be represented by and nor did I discuss any details with him about my case. My sister :Elizabeth: called Chris Holland and spoke with him after I informed her about the appointment. :Elizabeth: told me that she told Chris Holland all of the abuse and treatment I had been receiving and that Chris said he would not do anything to help me, that as far as he was concerned I could sit there until I complied with the Judge's order and did the psych evaluation with Mr. Murray.
- 45) When Chris Holland did call me to tell me he had talked to my sister, I told him he was a public pretender and I did not give him any consent to discuss my case or me with anyone, not even my sister and as far as I was concerned he was not my attorney and he did not represent me or this case. Chris went on to say that because I appointed Judge Mitton the trustee in my case, she could order whatever she wanted as the trustee. I informed Chris that he was incorrect and that the trustee takes orders from me the beneficiary. As I was not claiming to be the Strawman trustee as I am the beneficiary.

AFFIDAVIT, STATEMENT OF FACTS

Affiant says further not.


I hereby declare and affirm that all of this is truthful and accurate to the best of knowledge, recollection and first-hand experience and knowledge. As God is my witness; Titus Ch. 1 vs. 2 "In hope of eternal life, which God, that cannot lie, promised before the world began;"

Date: November 29th 2013

Seal:  : Valerie -L. (Naif)
: Valerie: (Naif), live sentient being woman, made of flesh-and-blood



Jack T. Flynn
PRINT NAME: WITNESS 2

 Date: Nov 29, 2013
WITNESS 2 SIGNATURE

Address of Witness 2: 5639 N. Richmond Ave 2nd floor

City: Chicago State: Illinois Zip: 60659

"E"-f



In the
California State Assembly

Date: December 4, 2019

9th Circuit # 19-55013

On Appeal from the United States District Court
for the Central District of California,
No. 8:17-CV-01386-DOC
Hon. David O Carter

Billie Rene' Frances Lillian Powers
Appellant-Plaintiff, Pro Per

VS.

THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE,
ON BEHALF OF THE HOLDERS OF THE ALTERNATIVE LOAN TRUST 2007-
HY9;SELECT PORTFOLIO SERVICING,INC.;BANK OF AMERICA,N.A.;MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS, INC.;COMMONWEALTH LAND TITLE
INSURANCE COMPANY; JON SECRIST;NICHOLE CLAVADETSCHER;THOMAS
PEPPERS; and DOES 1 to 10, inclusive, or Defendants.
Appellee-Defendant.

**NOTICE of MASON'S EMERGENCY MOTION for
INVESTIGATION**

PART X: INVESTIGATIONS AND PUBLIC ORDER

CHAPTER 73: INVESTIGATIONS BY LEGISLATIVE BODIES

SEC. 795 Right of a Legislative Body to Make Investigations

In the 2010 Mason's Manual for Legislative Procedure Page 561, see also the actual book with
Case Law for support, in the Right of the Legislature to conduct Investigations.

1. The right of a legislative body to make investigations in order to assist it in
the preparation of wise and timely laws must exist as an indispensable
incident and auxiliary to the proper exercise of legislative power. This has
been recognized from the earliest times in the history of U.S. legislation,

both federal, state, and from even earlier epochs in the development of British Jurisprudence.

2. The legislature has the power to investigate any subject regarding which it may desire information in connection with the proper discharge of its function to enact, amend or repeal statutes or to perform any other act delegated to it by the constitution.
3. The power and duty reposed in the legislature and in each and every member of both houses thereof is that of preparing and proceeding to enact wise and well-formed and needful laws, and in the preparation of such laws, the necessity of investigations of some sort must exist as an indispensable incident.
4. Legislatures, in enacting laws, like courts in interpreting such laws when enacted, must have in mind the former law, if any; the wrong or defect requiring remedial action; and the nature and extent of the needed and appropriate remedy; and, in the application of this principle, the power of these coordinate branches of government.
5. The inherent and auxiliary power reposed in legislative bodies to conduct investigations in aid of prospective legislation carries with it the power in proper cases to compel the attendance of witnesses and the production of books and papers by means of legal process. Also, the legislature has the power to institute and carry to the extent of punishment, contempt proceedings in order to compel the attendance of such witnesses and the production of such documentary evidence as may be legally called for in the course of such proceedings, whether conducted by the legislative body or a branch thereof, directly or through its properly constituted committees.
6. The Legislature has power to investigate any subject where there is a legitimate use that the legislature can make of the information sought, and an ulterior purpose in the investigation or an improper use of the information cannot be imputed.

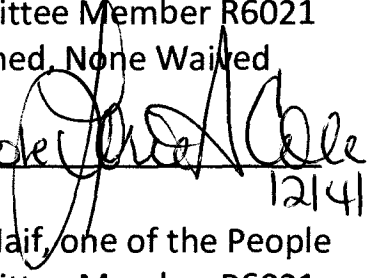
7. The legislature or a committee of the legislature cannot be enjoined from investigating a matter that is under litigation in the courts.
8. The ascertainment of pertinent facts as a basis for legislation is within the power of a legislative body.
9. A legislature, in conducting whatever inquiries the proper exercise of its proper functions requires, must be broad as the subject to which the inquiry properly entered upon has relation.
10. An investigation into the management of the various institutions of the state and the departments of the state government is at all times a legitimate function of the legislature.
11. The right to investigate any lawful matter is a right separate and distinct in each house and may be exercised through a committee.
12. Authority to obtain information for its determination concerning the exercise of power to make laws may be conferred on nonlegislative bodies.
13. In the exercise of its power to make investigations, a legislature may incur reasonable, necessary expenses payable out of the public funds.
14. The legislature and each house thereof has the inherent and implied power to appoint investigation committees and conduct investigations to obtain information concerning proposed or future legislation and to report its findings to the body that appointed it.

Our National Committee members in support of Miami Resolution 6021 want a full investigation in the Powers Vs BONYM case and all Interested Parties and their cases for Criminal Joinder, for sanctions, indictments and punishments for those Public Actors involved in the Deprivation of Rights, Emolument Violations and Domestic Violence.

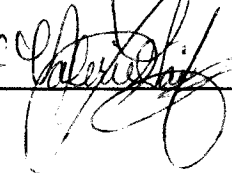
Further, we want relief for our Committee Members, all interested parties and all people, through actual compensable remedy and all stolen property returned to it's rightful owners. Banks can't own property, there is a long-standing precedence that supports this statement. Henceforth, our members demand legislation or some emergency executive order for a Moratorium on all foreclosures. As the Financial Crimes Against Humanity must come to an End. Delayed Justice, is Denied Justice.

In Love and Service,

:Lorie-Ann: Cole, one of the People
National Committee Member R6021
All Rights Retained, None Waived

:Lorie-Ann: Cole 
12/4/19

:Valerie-Lynn: Naif, one of the People
National Committee Member R6021
All Rights Retained, None Waived

:Valerie-Lynn: Naif 
12-4-2019



In The
One Hundred-Sixteenth Congress
For The
United States of America
Petition of Remonstrance

U.S. Constitutional Article 1, Section 9, Clause 8

Billie Rene' Frances Lillian Powers
Appellant-Plaintiff, Pro Per

VS **BONYM, THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE ALTERNATIVE LOAN TRUST 2007-HY9; SELECT PORTFOLIO SERVING, INC.; COMMONWEALTH LAND TITLE INSURANCE COMPANY; JON SECRIST; NICHOLE CLAVADETSCHER; THOMAS PEPPERS; and DOES 1-10, INCLUSIVE, or DEFENDANTS.**

Defendant-Appellee

Amendments: 13 & 14 to the Constitution of the United States

EMOLUMENTS VIOLATIONS

Pursuant to: 18 U.S.C. §§§ 241, 242, 643

EXECUTIVE ORDER: 13818, ON HUMAN TRAFFICKING

Public Law 114-328 section 212 (f)

3 U.S.C. section 301

Reus excipiendo fit actor,

Judici officium suum excedenti non paretur, Judex damnatur cum nocens absolvitor

Praetextu liciti non debet admitti illicitum, Praetextu legis injustia agens duplo puniendus

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

PREFACE

This Remonstrance/Brief is prepared as a Redress of Grievance, Affirmative Claims for Damages and Relief by and through Compensable Remedy, for Financial Crimes Against Humanity. While this Remonstrance will not have claims for monetary damages included at this time, as there are multiple parties and jurisdictions involved in this Petition. This does not imply by any means that we waive our rights to compensable damages. Our intent is for the return of all stolen homes/property and compensable damages under the Penal Code and as whistle-blowers.

It is with a certain sense of historical irony that of all the “Words” or “Phrases” recognized by this Congress, and the People just so happens to be among the reason/s/ cause/s for the Declared Independence from FOREIGN POWERS that contradict the very foundations of these united States for America.

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

It is the reason the Founders possessed the wisdom and experience, to insert in **Article 1, Section 9, Clause 8 & the Original 13th Amendment** into our Constitution as follows, to allow us (the People) to defend against Foreign Ideologies, that proceed on principles unrecognizable to us as Americans as follows;

Article 1, Section 9, Clause 8,

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince or foreign State.

Amendment 13 to the Constitution of the United States

If any citizen of the United States shall accept, claim, receive, or retain, any title of nobility or honor, or shall, office or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

Our Style and form of Government is based on 3 Pillars of Law with only 2 Lawful Jurisdictions. Land (Civil Defense) and Water (Contract Law, or Commerce). The questions to be answered in this by the Congress are predicated on the Lawful Process as we proceed through the Due Process Clause of the subsequent **14th amendment**.

No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws; Miranda v Arizona, 384 US 436, 491 (1966).

- *Justitia est libertate prior.* Justice comes before Liberty.
 - *Justitia nemini neganda est.* Justice is to be denied to no one.
 - *Jus et frauu nunquam cohabitant.* Right and fraud never abide together.
- 1) How is the depriving the American People, like Billie Rene' Frances Lillian Powers and all the Interested Parties that came forth in her case any less than **TREASON**? To deprive one of Property, for public use through Public Sheriff's Auctions, when the American People are the Holders in Due Course and the Creditors that back this 50 Nation States for America?
 - 2) Just what is "subject-matter jurisdiction? It is not found within the only 2 Lawful jurisdictions, outlined in the Constitution. Land (Civil Defense) or Water (Contract Law or Commerce).
 - 3) How does the Congress reconcile (hold accountable) the Bad Actors in using *The Declaration of Independence's* declared acts of tyranny like a "Check List" of things "To Do" in these cases to perpetuate litigation, and those actions **not** constitute **TREASON** on the Citizens of California and in the several States?
 - 4) How is Title 4 et al of the Social Security Act (unlawful **Emolument/s**) anything but practicing **Barratry** and **Extortion** under the Color of Law; knowing unlawful assault and battery, deprivation of rights or incarceration, for defending one's property anything but "Obstruction of Justice Law"?
 - A) Treatise on Law Malicious Prosecution/s
 - B) Treatise on False Arrest & Imprisonment/s
 - 5) Pursuant to Judge David O. Carter's order establishing the Emoluments of the United States District Court for the Central District of California, No: 8:17:CV-01386-DOC, in being deficient of "**NOT**" providing for required Constitutional Protections; Cause for Oversight Action to correct this deficiency grants Standing to the Oversight Power/s of Congress to correct this error. In accordance with the Mason's Manual item 10 of that Process; Page 39 Chapter 7 Principles of Parliamentary Law in the 2010 Mason's Manual for Legislative Procedure? If the order was in Law, where is the Constitutional provisions within the order?

GRIEVANCES OF REDRESS/CAUSE/S OF ACTION/S

Ubi jus, ibi remedium, Where there is a Right, there is remedy.

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

I Resolutions Providing Equal Protections to these Petitioner/s with Expedited Safe Return of Stolen Homes, Property and Allodial Title to said Land with Future Protections in Place.

II Impeachment of Kamala Harris and Maxine Waters of California, for failing to perform their duties according to their job descriptions, when several of the People came forth with their complaints and evidence of Financial Crimes Against Humanity.

III Criminal Indictments and Accountability of Bad Actors Connected to Fraudulent Documents, Fraudulent Assignments, Notes, Robo-Signed, Counterfeit Securities and Forged Documents that are misleading and a Fraud upon the Judiciary Machine. Fictions cannot grant, sell, transfer or do anything for that matter, without a living wo/man behind it, utilizing such as a conduit to 'act' on behalf of. This is where the "corporate veil" these "bad actors" are hiding under, must be dissolved, to be in compliance with the Law.

IV Void Every Action, Hearing and Order of David O. Carter for Case NO: 8:17:CV-01386-DOC

V Void Every Action, Hearing and Order in every case of Every Court, Every Judge that ruled in any of the Interested Parties cases for Criminal Joinder into this case.

VI Unconstitutional Statutes Granting Unlawful Emoluments, Providing False Immunities, and Usurping Rights are Immediately **VOID in the State of California and reviewed by the U.S. Congress of all (50) Nation States, for acts or laws that are Repugnant to our Constitutional Republic.**

VII Accountability Associated with the Multiple U.S. Constitutional Violations that Denied Petitioners Interests in their Property Rights & Unalienable Rights, covering up the Financial Crimes Against Humanity, Trespassing Birth Certificate Technology, Human Trafficking on Paper & Involuntary Servitude.

VIII Honorable Oversight Regarding the Overdue Due Process of ending the Perpetual State of War, under the 1933 State of Emergency and declaring the People "within" instead of "without" the United States; "Enemies" under The Trading with the Enemies Act.

IX Review of all (50) states Legislative Process, Emphasizing the Guaranteed Right of "We the People" to Redress Grievances and not Excluding the Petition of Remonstrance Process.

UNITED STATES CONSTITUTIONAL AMENDMENTS

Amendment I

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment IX

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

Amendment XI

The Eleventh Amendment does not protect state officials from claims for prospective relief when it is alleged that state officials acted in violation of federal law, nor does it usurp the *Fourteenth Amendment Rights* retained by the People. *Tolman v. Finneran, 171 F. Supp. 2d 31 (D. Mass 2001)*

Amendment XIV

The 14th Amendment to the Constitution was ratified on July 9, 1868, and granted citizenship to all persons born or naturalized in the United States, which included former slaves recently freed. In addition, it forbids states from denying any person “life, liberty or property, without due process of law” or to “deny to any person within jurisdiction the equal protection of the laws.”

UNITED STATES CONSTITUTIONAL ARTICLES/CLAUSES

Article four (4), Section four (4)

Article one (1), Section nine (9), Clause eight (8)

Declaration of Independence

IN CONGRESS, July 4, 1776

The unanimous Declaration of the thirteen united States of America,

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature’s God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness ¶ That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, ¶ That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or abolish it, and to institute new Government, laying it’s foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will

Billie Rene’ Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

dictate that Governments long established should not be changed for light and transient causes; and accordingly, all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. ¶ Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representatives Houses repeatedly, for opposing with manly firmness his invasions on the right of the people.

He has refused for a long time, after such dissolutions, to cause other to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our Legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation: For Quartering large bodies of armed troops among us: For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world: For imposing Taxes on us without our Consent: For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us. He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our own people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy of the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every state of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only to repeated injury. A Prince whose character is

thus marked by every act at which may define a Tyrant, is unfit to be the ruler of a free people. Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right out to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right to do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other over Lives, our Fortunes and our sacred Honor.

[The 56 signatures on the Declaration were arranged in six columns:]

[column 1]

Georgia: Button Gwinnett Lyman Hall George Walton

[column 2]

North Carolina: William Hooper Joseph Hewes John Penn

South Carolina: Edward Rutledge Thomas Heyward, Jr Thomas Lynch, Jr. Arther Middleton

[column 3]

Massachusetts: John Hancock **Maryland:** Samuel Chase William Paca Thomas Stone Charles Carroll of Carrollton

Virginia: George Wythe Richard Henry Lee Thomas Jefferson Benjamin Harrison Thomas Nelson, Jr. Francis Lightfoot Lee Carter Braxton

[column 4]

Pennsylvania: Robert Morris Benjamin Rush Benjamin Franklin John Morton George Clymer James Smith George Taylor James Wilson George Ross

Delaware: Caesar Rodney George Read Thomas McKean

[column 5]

New York: William Floyd Philip Livingston Francis Lewis Lewis Morris

New Jersey: Richard Stockton John Witherspoon Francis Hopkinson John Hart Abraham Clark

[column 6]

New Hampshire: Josiah Bartlett William Whipple

Massachusetts: Samuel Adams John Adams Robert Treat Paine Elbridge Gerry

Rhode Island: Stephen Hopkins William Ellery

Connecticut: Roger Sherman Samuel Huntington William Williams Oliver Wolcott

New Hampshire: Matthew Thornton

THE FACTS OF THESE CASE/S AS THE COURT DOCKETS REFLECT by Billie Rene' Frances Lillian Powers and all INTERESTED PARTIES, who sent in documentation for CRIMINAL JOINDER.

(Initial Frauds-Breach of Contract, Aggravated Identity Theft & Law of Voids)

- 1) Appellant filed her verified Complaint in the lower court matter on August 11, 2017 under 28.1330 BREACH Of CONTRACT/190 Contract: Other, with Jury demanded. This original Complaint was never issued a summons by the Court and forced to be amended during the time recused Judge Selna was still presiding.
- 2) The case was assigned to Judge James V. Selna. Discovery referred to Magistrate Judge Karen E. Scott. Appellant gave great detail and merits to the facts evidenced to the near 10 years of her attempts to settle this matter outside of the Court, exhausting every remedy she could find outside a lawsuit to end the false claims against her by the Appellees.
- 3) Appellant did not get a summons upon filing as she filed for Forma Pauperis, which created a delay for the summons, subsequently the court appears to have erred when not issuing a summons on Appellants filing August 11, 2017, in lieu issuing a summons for the FIRST AMENDED COMPLAINT as the fee was paid. Appellant caused a Request to proceed In Forma Pauperis to be filed on 8/11/17.
- 4) Appellant caused a Certificate/Notice of Interested Parties to be filed on 8/11/17. This is showing her 5 Heirs in Succession, her children as interested parties.
- 5) Appellant Filed a Notice to Parties of Court -Directed ADR Program (ADR-8) on 8/11/17 Appellant believed the parties could settle the matter without delayed Justice through ADR.
- 6) Report and Recommendation by the Magistrate Scott to Judge Selna was filed on 8/16/17.
- 7) Order by Judge Selna Denying Appellants Forma Pauperis with leave to amend INF and Appellants complaint. This Minute Order was filed 8/17/19.

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

- 8) Minute Order in Chambers by Magistrate Judge Karen E. Scott: re: IMF and Complaint amend by 9/18/17.
- 9) Order to Reassign Case. Judge Selna self-recused pursuant to General Order 16005. Case transferred to Judge David O. Carter 9/7/17.
- 10) Appellant filed for an extension of time to file her "first" amended complaint on 9/18/17. Extension was approved on 9/19/17 and extended until 10/18/17.
- 11) Appellant paid the court fee of \$400 on 9/20/17 filing FIRST AMENDED COMPLAINT against COUNTRYWIDE HOME LOANS, INC.; COUNTRYWIDE BANK, FSB; COMMONWEALTH LAND TITLE INSURANCE COMPANY; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. "MERS"; BANK OF AMERICA, N.A.; RECONTRUST COMPANY, N.A.; BAC HOME LOANS SERVICING, LP; QUALITY LOAN SERVICING CORPORATION; SELECT PORTFOLIO SERVICING, INC.; THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE ALTERNATIVE LOAN TRUST 2007-HY9, MORTGAGEPASS-THROUGH CERTIFICATES SERIES 2007-HY9; Jon Secrist; AND DOES 1 TO 100.
- 12) Appellants causes of action on her FIRST AMENDED Complaint held many declaratory actions, a demand for Jury and Rescission of Deed of Trust;
 - INJUNCTIVE RELIEF
 - CONSPIRACY
 - UNJUST ENRICHMENT
 - RICO VIOLATIONS OF RESPA
 - RICO VIOLATIONS
 - MATERIAL MISREPRESENTATIONS
 - WRONGFUL FORECLOSURE
 - FRAUD, DECEPTION, CONCEALMENT
 - BREACH OF SECURITY INSTRUMENT
 - DECLARATORY JUDGMENT
 - BREACH OF DUTY OF GOOD FAITH
 - VIOLATIONS OF MODIFICATION
 - SLANDER OF TITLE
 - CONVERSION
 - DECLARATORY RELIEF
 - VIOLATION OF 15 U.S.C. § 1692
 - JUDICIAL ESTOPPLE
 - FRAUDULENT CONVEYANCE

13) 21-day Summons issued re FIRST AMENDED Complaint 9/20/2017 and on

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

10/16/2017. Service of Summons and Complaint returned executed on all parties was filed. Original Complaint Summons never issued by court.

- 14) Request by Appellant to Substitute in Attorney Richard Snyder on 10/18/17 and granted by Judge Carter on 10/20/17.
- 15) Multiple filings by Attorney Steven Daily, for Bank of New York Mellon as Trustee, MERS, SPS, filed between October 10/16/2017.
- 16) Appellant filed Opposition and Memorandum of points and authorities in support thereof re: NOTICE OF MOTION AND MOTION to dismiss the case filed by Appellee Bank of New York Mellon as Trustee, MERS, SPS. on 10/30/17.
- 17) The Court caused a Stipulation Extending Time to Answer (30 days or less) to the parties represented by Steven Britt, for Countrywide, BofA, Recontrust et al. regarding the FIRST AMENDED COMPLAINT. (where did Britt ask for it?).
- 18) Appellant files a Temporary Restraining Order (TRO) on 10/30/17 against Defendants/Appellees COUNTRYWIDE HOME LOANS, INC.; COUNTRYWIDE BANK, FSB; COMMONWEALTH LAND TITLE INSURANCE COMPANY; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. "MERS"; BANK OF AMERICA, N.A.; RECONTRUST COMPANY, N.A.; BAC HOME LOANS SERVICING, LP; QUALITY LOAN SERVICING CORPORATION; SELECT PORTFOLIO SERVICING, INC.; THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE ALTERNATIVE LOAN TRUST 2007-HY9, MORTGAGEPASS-THROUGH CERTIFICATES SERIES 2007-HY9; Jon Secrist; AND DOES 1 TO 100. TRO brought by Appellant to return possession of property back to Appellant and restrain Appellees from any action to transfer or sell Appellants property and to return Appellants family personal and private belongings.
- 19) Appellee attorney Steven Dailey, for BONYM as Trustee, SPS, MERS filed an Objection/Opposition and request for judicial notice re: Appellants TRO filing 11/1/17. (no opposition from other party's counsel, just Dailey).
- 20) TRO HEARING 11/2/17 Judge Carter calls the Case **compensable** saying it is a case money could settle and promises to be the Sledgehammer recommending indictments to the United States Attorney General if Appellant can give him proof of document fraud. Not all Defendants of record were present. [See ROA Exhibit "C". page 10 line 1-3 "**This seems to be compensable, quite frankly. This seems**

to be something that could be recovered, especially in terms of fraud." page 11 line 10, 19, 20 "Sledgehammer", if it does have merit.. proceed forward" Page 12 lines 14-17 "But let me repeat: If these are fraudulent documents, watch out. Because this will go far beyond a civil matter. I'll refer it over to the U.S. Attorney's office. Okay?"

- 21) 11/2/17 hearing: Judge orders Attorney Steven Dailey and Appellants Attorney Snyder to meet outside the court to see if the **compensable** matter may be settled. Dailey offers Appellant \$5,000.00 to settle the matter against his 3 clients, BONYM, SPS, MERS. Appellants counsel denies the offer. (Dailey later admits he has no authority to negotiate)
- 22) MINUTES OF 11/2/17 HEARING Filed 11/2/17 Judge Carter denied TRO seeing no emergency, when in fact evidence showed contrary to that opinion. Appellant was given leave to file a second amended complaint by 12/14/17 saying the FIRST AMENDED was poorly plead, "compensable?". Pending motion to dismiss the case is withdrawn without prejudice. 11/20/17 hearing date vacated.
- 23) Appellant ordered a transcript of the TRO hearing and the Notice of filing of Transcript of TRO Hearing 11/2/17 was docketed by court recorder Debbie Gale on 11/2/17. This transcript where Judge Carter names himself "The Sledgehammer" and promises to listen to fraud claims with recommending indictments if she does.
- 24) Appellants Attorney Richard Snyder files his SECOND AMENDED Complaint 12/14/17. Appellant disagreed with Attorney Snyder's tactics showing his inexperience regarding Breach of Contract Cases and that she did not get to review the document before his electronic filing for errors, leading to a breakdown of attorney-client relationship. Parties listed: BANK OF AMERICA, N.A. ; THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE ALTERNATIVE LOAN TRUST 2007-HY9, MORTGAGEPASS-THROUGH CERTIFICATES SERIES 2007-HY9; ROGER DELONG
 - ADVERSE POSSESSION
 - CANCELLATION OF INSTRUMENTS
 - WRONGFUL FORECLOSURE
- 25) Appellees represented by Stephen Britt and Steven Dailey filed numerous motions to dismiss the case and Dailey also filed to dismiss only portions of the Second Amended Complaint.

- 26) Appellant requested substitution of attorney for the removal of Attorney Richard Snyder on 1/5/18 and Judge Carter approved the request on 1/8/18.
- 27) Minute orders in chamber of Judge Carter's entered on 1/26/18 regarding ORDER SETTING SCHEDULING CONFERENCE for 3/26/18 and setting Hearings on Appellees Motions to Dismiss to 3/5/18. Scheduling Conference was continued to 6/4/18 by Judge Carter in the 3/5/18 Minute Orders. It was again rescheduled to 10/15/18, it was never held.
- 28) Appellant files Notice of scheduled meeting to be held with Appellees, Jury Demand, Request to Produce Christopher Warren on 2/2/18.
- 29) Motion to Dismiss filed by Appellant on 2/2/18. A 3/5/18 date was set for hearing. Then, Minute Orders from Judge Carter denying Appellants Motion to Dismiss was filed on 2/9/18.
- 30) Appellant filed Notice to Produce Paul Mangione on 2/14/18. Magistrate denies without prejudice on 2/21/18.
- 31) Appellant files Affidavit by Jane Doe-1 Asking her identity to be sealed for her safety. Appellant caused an additional Affidavit of Jane Doe-1, 35-year Federal Crimes Investigator and Employee of the FBI, to be filed on (NOT the Affidavit under seal as the court docket claims, just her identity) The Court never ruled upon this request. Appellant believes a jury would find Jane Doe-1 testimony satisfactory for a dismissal in Appellants favor.
- 32) Appellant files a request to do a THIRD AMENDED COMPLAINT and REPLY OPPOSING DEFENDANTS NOTICE OF MOTION AND MOTION TO DISMISS her Second Amended Complaint. 2/15/18.
- 33) Appellees file numerous motions to dismiss the case and portions of Appellants SECOND AMENDED COMPLAINT during the period of February 15 and 3/5/18 hearing. The only 3 named Defendants on the Second Amended were BONYM as trustee, Bank of America, N.A. and Roger Delong (Delong was never served) yet Stephen Britt and Steven Dailey filed oppositions to the Second Amended for MERS, SPS, BAC Home loans Servicing, LP, Bank of America, Countrywide Bank FSB, Countrywide Home Loans, Inc., Recontrust Company N.A., which is factually in relation to the FIRST AMENDED COMPLAINT already dismissed with leave to amend.

34) Motion hearing re: MOTION TO DISMISS [35]; MOTION TO STRIKE PORTIONS OF PLAINTIFFS SECOND AMENDED COMPLAINT [36]; MOTION TO DISMISS; [38]; held before Judge Carter on 3/5/18. During this hearing Steven Dailey gave False testimony regarding claims a third party purchased the Property, Thomas Peppers, in relation to this Breach of Contract case, the Transcripts show Dailey gave false statements to the court and he later calls a mistake in retraction. Court gives allowance for Appellant to file a THIRD AMENDED COMPLAINT, mooting the motions to dismiss and strike. must be filed no later than 3/19/18.

35) Attorney Angela Swan files Appellants THIRD AMENDED COMPLAINT on 3/19/18. (Does the court error as there is no substitution of attorney recorded until 4/11/18 that was subsequently approved by the court on 4/12/18?).

36) Third Amended Filed against; BANK OF AMERICA, N.A.; THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE ALTERNATIVE LOAN TRUST 2007-HY9, MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2007-HY9; SELECT PORTFOLIO SERVICING, INC.; QUALITY LOAN SERVICE CORPORATION; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; COMMONWEALTH LAND TITLE COMPANY; JON SECRIST; NICHOLE CLAVADETSCHER; and DOES 1 to 10,

Claims:

1. CONSPIRACY
2. VIOLATIONS OF HUD
3. VIOLATIONS OF HOME OWNERS BILL OF RIGHTS (HBOR)
4. VIOLATIONS OF TRUTH IN LENDING (TILA) 1641
5. 6 YEAR STATUTE OF LIMITATIONS EXPIRED TO FORECLOSE
6. PROMISSORY ESTOPPEL
7. WRONGFUL FORECLOSURE
8. BREACH OF CONTRACT
9. FRAUD AND DECEIT
11. DECLATORY RELIEF
12. QUIET TITLE
13. DEFAMATION OF CHARACTER
14. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
15. NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
16. UNFAIR COMPETITION

37) Court SUMMONS ISSUED on April 11, 2018

38) Lis-Pendens Notice filed by Attorney Swan for Appellant 3/20/18.

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

- 39) Motion of FIRST REQUEST to Substitute Attorney Angela Swan filed 4/11/18 and approved by the court on 4/12/18. (court inserts FIRST REQUEST verbiage, but Swan filed documents beginning 3/20/18)
- 40) Commonwealth puts in for a notice of deficiency because they have not been served due claiming name is incorrect summons sent by Attorney Swan. "and" was included between land "and" title in the name which is not their name.
- 41) Appellant has claimed in all filings that the Bank of New York as Trustee name on her title is fraud upon her title due to the name does not exist and is a variance of the name used on the assignment recorded against her home that Appellant won Jon Secrist's notary bond claim on for fraud.
- 42) Judge Carter schedules and reschedules the hearing regarding Motions to Dismiss ending with an 8/27/18 date.
- 43) Appellees file numerous Motions to Strike, Dismiss, objections and Requests for Judicial Notice between 3/19/18 and the dismissal of this case reflected on docket.
- 44) Appellant files oppositions to Appellees numerous motions and objections between 3/19/18 and up to CIVIL JOINDER OF CRIMINAL ACTIONS FILING on 5/20/18.
- 45) Appellant files Motion for CIVIL JOINDER OF CRIMINAL ACTIONS 5/22/18. A motion intended for Judge Carter to make good on his promise of recommending indictments to the US Attorney General. Filed with intent for the AG to take this case in as a qui tam for Appellant and all parties affected by these crimes.
- 46) Parties: BANK OF AMERICA, N.A.; THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE ALTERNATIVE LOAN TRUST 2007-HY9, MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2007-HY9; SELECT PORTFOLIO SERVICING, INC.; QUALITY LOAN SERVICE CORPORATION; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; COMMONWEALTH LAND TITLE COMPANY; JON SECRIST; NICHOLE CLAVADTSCHER; and DOES 1 to 10;

Claims:

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

- 1) NOTICE OF PLAINTIFF'S MOTION AND PLAINTIFF'S MOTION FOR JOINDER OF BANKING FRAUD VIOLATIONS OF 18 U.S. CODE §1005,
- 2) BANK ENTRIES, REPORTS AND TRANSACTIONS; 18 U.S. CODE §1006, FEDERAL CREDIT INSTITUTION ENTRIES, REPORTS AND TRANSACTIONS; 18 U.S. CODE § 1341, FRAUDS AND SWINDLES;
- 3) 18 U.S. CODE § 880, RECEIVING THE PROCEEDS OF EXTORTION;
- 4) 18 U.S. CODE § 1957, ENGAGING IN MONETARY TRANSACTIONS IN PROPERTY DERIVED FROM SPECIFIED UNLAWFUL ACTIVITY, RICO;

47) Dozens of Financial Crime victims send interest into the case outcome of the CIVIL JOINDER OF CRIMINAL ACTIONS. Interested Party forms are used and the docket reflects the receipt of these victims, whistle blowers, witness documents. These documents were served concurrently by the interested parties upon counsel for all parties.

48) 7/27/18 Appellant and Attorney Swan have irreconcilable differences, Swan quit because she said **"if she goes against the banks, she will lose her license"**. So this must be the "attitude" and reason, we the people get our property, which is our rights attorned over. For this "industry fear" of losing a license, going up against TOO BIG TO FAIL BANKS. The BAR LICENSE, does not appear to be within our form and character of a GUARANTEED REPUBLIC. The practice of Law CAN NOT be licensed by any state/State. (*Schware v. Board of Examiners, 353 U.S. 238, 239*). The practice of Law is AN OCCUPATION OF COMMON RIGHT! (*Sims v. Aherns, 271 S.W. 720 (1925)*).

49) 7/30/18 hearing regarding CIVIL JOINDER OF CRIMINAL ACTIONS. Judge Carter tells stories and parodies regarding other cases he has litigated; Lehman Brothers, Standards and Poor (McGraw Hill) Golden Eagle investment. Judge Carter talks about fraud and people losing homes to crimes and the banks dirty deeds. over 60 "interested parties" attended. Judge Carter allows Appellant to speak without counsel and interact with opposing counsel.

50) Appellant did not know Attorney Swan filed electronically at 10:20 p.m. the night before on 7/29/18 to Amend the Third Amended Complaint, matter was not to be heard until August 27, 2018. 7/30/18 court hearing was a STAND-ALONE MOTION for Civil Joinder of Criminal Actions brought with intent to show Judge Carter the fraud he asked proof of. Appellant did not plan on the THIRD AMENDED COMPLAINT being heard on the same day as to create what could be a hybrid case in the hearing. In fact, Appellant "Moved" the court to find in her favor on the record during the hearing and the court did not answer. Judge Carter can be heard on the record saying he is delaying this "nonsense", also he is heard

Billie Rene' Frances Lillian Powers

P.O. Box 1501 Newport Beach, California 92659

powersbillie@yahoo.com

discussing a file of the case that he does not want out as it does not yet exist yet (yet?). See ROA Exhibit "D" on the appellant case.

- 51) Appellant files remove/substitute Attorney Angela Swan out on 8/23/28 as Swan had quit 7/30/18 delaying Appellant in limbo. Swan went back and forth with hostility, confusing Appellant and creating irreconcilable differences. The removal was set to be heard 9/24/18.
- 52) MINUTES for Motion for CIVIL JOINDER OF CRIMINAL ACTIONS denied 7/31/18. FOURTH AMENDED COMPLAINT approved with court demanding Appellant add Thomas Peppers to the complaint or it will not be accepted.
- 53) On 9/14/18 Appellant files a NOTICE OF MOTION AND MOTION for hearing for preliminary injunctive relief halting any marketing or sale of property/and to return possession of private residential real property and belongings to plaintiff; Memorandum of points and authorities; declaration of Billie Rene' Frances Lillian Powers in support of preliminary injunctive relief order; proposed order. Appellees file numerous motions against this motion.
- 54) Appellant also files: SECOND REQUEST TO SUBSTITUTE Attorney Angela Swan approved on 9/19/18, first request was 8/23/18, yet Swan QUIT on July 30, 2018. This left Appellant delayed;
- 55) Appellant files for extension to file FOURTH AMENDED COMPLAINT 9/27/18, approved in chambers and due October 12, 2018.
- 56) NOTICE OF PLAINTIFF'S REMINDER TO THE COURT OF DOCUMENTS PLAINTIFF HAS ATTEMPTED TO FILE AND EXHIBITS ON CD RECEIVED BY THE COURT AND NOT FILED OR DOCKETED : Filed by Appellant 10/2/18. Regarding the following;
- 57) Documents stamped received on August 10, 2018 and not yet showing on the docket;
 - A) NOTICE OF MOTION AND PLAINTIFF'S MOTION FOR RECONSIDERATION OF PLAINTIFFS'S MOTION FOR JOINDER OF BANKING FRAUD VIOLATIONS; DECLARATION OF Billie Rene' Frances Lillian Powers IN SUPPORT THEREOF.
 - B) [Proposed] ORDER GRANTING PLAINTIFF'S MOTION FOR RECONSIDERATION OF PLAINTIFF'S MOTION FOR JOINDER OF BANKING FRAUD VIOLATIONS.
 - C) DECLARATION OF Billie Rene' Frances Lillian Powers IN SUPPORT OF PLAINTIFFS NOTICE OF MOTION AND

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

PLAINTIFFS MOTION FOR RECONSIDERATION OF
PLAINTIFFS MOTION FOR JOINDER OF BANKING FRAUD
VIOLATIONS.

D) Plaintiff also reminds the court received documents she brought for filing titled; NOTICE OF REAKDOWN OF ATTORNEY CLIENT RELATIONSHIP CAUSING PLAINTIFF TO BE UNABLE TO ADEQUATELY REPRESENT HER CASE. AND PLAINTIFF Billie Rene' Frances Lillian Powers DECLARATION IN SUPPORT THEREOF. Both were filed and docketed 13 days later on 8/23/18 but attorney was not removed until 9/19/18.

58) Documents received by the court on 9/14/18 and not filed.

- A) MOTION FOR HEARING FOR PRELIMINARY INJUNCTIVE RELIEF HALTING ANY MARKETING OR SALE OF PROPERTY; AND TO RETURN POSSESSION OF PRIVATE RESIDENTIAL REAL PROPERTY AND BELONGINGS TO PLAINTIFF; MEMORANDUM OF POINTS AND AUTHORITIES;DECLARATION OF Billie Rene' Frances Lillian Powers IN SUPPORT OF PRELIMINARY INJUNCTIVE RELIEF ORDER; PROPOSED ORDER.
- B) [PROPOSED] ORDER APPROVING PLAINTIFFS MOTION FOR HEARING FOR PRELIMINARY INJUNCTIVE RELIEF HALTING ANY MARKETING OR SALE OF PROPERTY; AND TO RETURN POSSESSION OF PRIVATE RESIDENTIAL REAL PROPERTY AND BELONGINGS TO PLAINTIFF.
- C) DECLARATION OF Billie Rene' Frances Lillian Powers IN SUPPORT OF PLAINTIFFS MOTION FOR HEARING FOR PRELIMINARY INJUNCTIVE RELIEF HALTING ANY MARKETING OR SALE OF PROPERTY; AND TO RETURN POSSESSION OF PRIVATE RESIDENTIAL REAL PROPERTY AND BELONGINGS TO PLAINTIFF; MEMORANDUM OF POINTS AND AUTHORITIES;DECLARATION OF Billie Rene' Frances Lillian Powers IN SUPPORT OF PRELIMINARY INJUNCTIVE RELIEF ORDER; PROPOSED ORDER.
- D) NOTICE OF REQUEST BY PLAINTIFF TO SEEK MEDIATIONN THROUGH ADR SERVICES, INC.
- E) DECLARATION OF Billie Rene' Frances Lillian Powers IN SUPPORT OF NOTICE OF ATTORNEY ANGELA SWAN REQUEST OR WITHDRAWAL OF COUNSEL.
- F) NOTICE OF ATTORNEY ANGELA SWAN REQUEST OR WITHDRAWAL OF COUNSEL; DECLARATION OF Billie Rene' Frances Lillian Powers IN SUPPORT OF NOTICE.

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

G) NOTICE OF PLAINTIFFS FIRST REQUEST FOR ADMISSIONS
H) NOTICE OF PROOF OF SERVICE OF NOTICE OF PLAINTIFFS
FIRST INTERROGATORIES AND REQUESTS FOR
PRODUCTION. and, CD OF EXHIBITS RECEIVED JANUARY
2018 BY THE COURT BUT NOT DOCKETED.

- 59) Appellant files FOURTH AMENDED COMPLAINT 10/12/18 against THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE ALTERNATIVE LOAN TRUST 2007-HY9, MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2007-HY9; SELECT PORTFOLIO SERVICING, INC.; BANK OF AMERICA, N.A.; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; COMMONWEALTH LAND TITLE COMPANY; JON SECRIST; NICHOLE CLAVADETSCHER; THOMAS PEPPERS; and DOES 1 to 10
- 60) Appellant filed Motion for Subrogation on 10/19/18. On 11/19/18 Judge Carter took it under submission in chambers: The court found the matter appropriate for decision without oral argument. A ruling was never entered.
- 61) Plaintiff files 11/1/18: NEW EVIDENCE against MERS and Bank of America, N.A. Appellant also filed: Plaintiffs reply/OPPOSITION to Defendants NOTICE OF MOTION AND MOTION TO DISMISS Plaintiff's FOURTH AMENDED COMPLAINT; Plaintiffs reply to Defendants motions to strike; Plaintiffs reply to Defendants Opposition to Plaintiffs motion for verification of subrogation; Memorandum and Points Thereof: Meet and Confer Outcome: Plaintiffs Declaration in support; Plaintiffs Notice of MERS milestone and additional new facts [242], [249], [250].
- 62) Appellant files REQUEST FOR JUDICIAL NOTICE of Exhibits KK-XX in reply to [242], [249], [250] on 11/1/18.
- 63) Appellees file substantial numbers of motions against Appellant throughout the final months of the case. Commonwealth filed papers after dismissal 11/26/18.
- 64) 11/15/18 Appellant filed a prepared statement for the court
- 65) In chamber MINUTES DISMISSING THE CASE on 11/26/18. See ROA Exhibit "A" in the Appellant's case.
- 66) Appellant files Notice of Appeal on 12/27/18.

Furthermore, the Court assumes to know the case and yet opinions, rules and orders contrary to the evidence in facts. Appellant is legal title holder on 8/8/16 on the day Appellees allege a Trustee auction against a Deed of Trust. Evidence provided showing this fact on the record in Appellants Original filing and subsequently, but the court extended false narrative of Appellees in the final order that Appellant was not on title. See ROA Exhibit "A" on the appeals record.

Appellee BONYM VP Gavin Tsang verifies BONYM doesn't own Appellants property or a loan on it. Evidence was provided to court.

Appellant maintained possession and title of the property known as APN 125-120- from 2/2/07 until the extreme force lock out by Sheriffs on 9/21/17.

Appellant possesses 7/2015 recorded notice of default (NOD) against Appellees for breach of contract for \$15,300,00.00. Appellant and Appellees (SPS/BONYM) were in settlement at the time of alleged foreclosure said to be against Appellants Deed of Trust.

Alleged mortgage is active with Select Portfolio Servicing Inc., the account has incurred in excess of \$250,000.00 more in fees since 8/8/16 alleged foreclosure action, amount is tolling up. Evidence of this fact on the record.

The Court forced Appellant to add Thomas Peppers, she did not want him as a Defendant. Appellant gave evidence of the 2/2012 Court Judgment between Appellant and Thomas Peppers, due to his October 2009 fraudulent foreclosure action against her property, and Appellant agreed not to litigate him further in exchange of return of her stolen title with prejudice, title was returned. Fraud eviscerates Peppers title; hence Appellant has always been title holder and in possession of since 2007.

Attorney Dailey, purports to represent The Bank of New York Mellon F/K/A the Bank of New York, as Trustee, on **Behalf of the Holders of the Alternative** Loan Trust 2007-HY9, Mortgage Pass-Through Certificates Series 2007-HY9; Select Portfolio Servicing, Inc.; and, Mortgage Electronic Registration Systems, Inc. Dailey made claims during the 3/5/18 hearing, on the record, that Thomas Peppers was the bonafide third party purchaser, Dailey was admonished by the court the court demanded proof of Peppers as a third-party purchaser and a break was taken. Dailey returned admitting his "mistake" on the record. Thomas Peppers was not on Title and there was nothing more than an alleged credit bid. Appellant was on title 8/8/2016.

Appellant gave proof the alleged title holder, The Bank of New York Mellon F/K/A the Bank of New York, as Trustee, on **Behalf of the Holders** of the Alternative Loan Trust 2007-HY9, does not exist and is only a close representation of the Trust noted on the void assignment signed by known robo-signer Nichole Clavendetsher and notarized by Jon Secrist. The Assignment alleged to be a Corporate Assignment of Mortgage from MERS to The Bank of New York Mellon FKA the Bank of New York, As Trustee, **For The Certificate Holders, Cwalt Inc.**, Alternative Loan Trust 2007-HY9 Mortgage Pass Through Certificates, Series 2007-HY9. When one compares the two names, they do not match and are not the same entity.

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

Judge Carter promised Appellant he'd recommend indictments against Appellees if Appellant could show him evidence of fraud in any documents. Judge Carter directed Appellant to prove the fraud and she brought a standalone CIVIL JOINDER OF CRIMINAL ACTIONS with proof of crimes to comply further. Judge Carter affirmed knowing Banking crimes during the proceedings. Appellants intent was to have the recommendation to US AG and having US AG take the case moving it up into a qui tam.

In an unprecedented response to the filing, and Judge Carters promises of indictments, dozens of victims came forward to stand as interested parties in the outcome of the Action. The Court recognized the attendees at 7/30/28 hearing. Judge Carter told spectators, parties to the case and the court stories of other cases he litigated. He said these cases proved harm upon homeowners, damages and fraud, such as Lehman Brothers, Standard & Poors (McGraw Hill), Golden Eagle Investments. The entire room can be heard gasping as the Court then ordered their documents destroyed and nothing returned. These parties came forward as whistle blowers, witnesses and victims of Financial Crimes Against Humanity believing Judge Carter would honor his word. Destruction of Evidence of crimes. Is Judge Carter above the Law?

The Court denied knowledge of Appellants private right of action in this FIRST IMPRESSION case for the civil joinder of criminal actions and the court surprisingly included the Third Amended Complaint that was not to be held until 8/27/18, which caused Appellant confusion. "Following reflection of the proceedings Appellant feels she was a puppet as the court proceeded in a fashion appearing to have already determined his decision, giving a parody for a fourth amended complaint that is stripped of most causes to proceed and is led into full destruction by 12 b actions"

Appellant and Interested Parties for Criminal Joinder has received no Due Process of a meaningful opportunity to be heard and to present factual evidence and facts. Contrary to evidence and facts presented by the Appellant, the court took away her causes of action and delayed her justice. 12b assisted in destruction of the case. Delayed justice, is denied justice.

There are three Elements that do not have statute of limitations.

1. Murder.
2. Kidnapping.
3. And fraud. Especially when fraud is extrinsic fraud upon the court by court officer.

Appellants cause of action to bring this appeal stands on the fact that there is no Due Process in this case. There has been no Freedom of Speech [which implies the freedom to hear the case and additionally to be able to rehear the case in the form of official audiotapes], freedom of the press? Per the Unlawful Detainer Courts own rules as of 2015, section G. Tenant Defenses (8) When Title is at issue.....*Mehr v Superior Court (1983) 139CA3d 1044, 1049, 189 CR 138.*

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

When litigation is between a plaintiff-lender and a defendant-homeowner, because of summary nature of unlawful detainer proceedings, it is un-suitable forum to try complicated ownership issues; *Asuncion v Superior Court (1980) 108 CA3d 141, 145-146, 166 CR 306.*

Eviction of home-owners following foreclosure raises due process issues and must be heard in Superior Court. Meaning the Unlawful Detainer Courts are in VIOLATION of the 5th and 14th amendments to the U.S. Constitution, lacking jurisdiction for ANY of the following A-Z including but not limited to. (A) Insufficient Pleadings (B) Improper Summons issuances (C) Denial of Due Process (D) Improper Service (E) Non perfected Service (F) Incompetent Witness (G) Lack of Injured Party (H) Lack of direct Knowledge (I) No competent Facts (J) Lacked Subject Matter Jurisdiction (K) Hearsay within HEARSAY (L) Defective Petition filed; *see Brown v VanKeuren, 340 Ill. 118, 122 (1930)* (M) Fraud committed in the procurement of jurisdiction; *see Fredman Brothers Furniture v Dept. of Revenue, 109 Ill. 2d 202, 486 N.E. 2d 893 (1985)* (N) Fraud upon the court, *see Village of Willowbrook, 37 Ill. App. 3d 393 (1962)* (O) Failure to follow statutory procedure; *Armstrong v Obucino, 300 Ill 140, 143 (1921)* (P) Unlawful activity of a judge; *see Code of Judicial Conduct.* (Q) Violation of due process; *see Johnson v Zerbst, 304 U.S. 458, 58 S. Ct. 1019; Pure Oil Co. v City of Northlake, 10 Ill. 2d 241, 245, 140 N.E. 2d 289 (1956); Hallberg v Goldblatt Bros., 363 Ill 25 (1936)* (R) If the court exceeded it's statutory authority; *see Rosenstiel v Rosenstiel, 278 F. Supp. 794 (S.D.N.Y. 1967).* (S) *Any acts in violation of 11 U.S.C. 362(a), In Re: Garcia, 109 B.R. 335 (N.D.> Illinois, 1989).* (T) Where no justiciable issue is presented to the court through proper pleadings; *see Ligon v Williams, 264 Ill. App 3d 701, 637 N.E. 2d 633 (1st Dist. 1994).* (U) Where a complaint states no cognizable cause of action against that party; *see Charles v Gore, 248 Ill. App. 3d 441, 618, N.E. 2d 554 (1st district 1993).* (V) Where any litigant was represented before a court by a person/law firm that is prohibited by law to practice law in that jurisdiction. (W) When the judge is involved in a scheme of bribery; *see the Alemann cases, Bracey v Warden, U.S. Supreme Court No. 96-6133 (June 9, 1997).* (X) Where services of process was not made pursuant to statute and Supreme Court Rules; *see Janove v Bacon, 6 Ill. 2d 245, 249, 218 N.E. 2d 706, 708 (1953).* (Y) When the local rules of the special court are not complied with; one where a judge does not act impartially and/or rules from the bench; *see Bracey v Warden, U.S. Supreme Court No. 96-6133 (June 9, 1997).* (Z) Where an order/judgment is based on a void order/judgment; *see Austin v Smith, 312 F 2d 337, 343 (1962); see English v English, 72 Ill. App. 3d 736, 393 N.E. 2d 18 (1st dist. 1979); see also Wahl v Round Valley Bank 38 Ariz, 411, 300 P. 955 (1931), Tube City mining & Milling Co. v Otterson, 16 Ariz. 305, 146p 203 (1914); and Millken v Meyer, 311 U.S. 456, 61 S. CT. 339, 85 L. Ed. 2d 278 (1940).*

Please take under advisement these questions while considering your decision making;

1. Does the court error in omitting Appellants numerous audits and affidavits of facts in the orders while bolstering claims of the attorneys for Appellees?
2. Does the court error in omitting Appellants evidence that the alleged foreclosure could not have happened as there is still an open account upon was incurring hundreds of thousands of dollars against the Appellants estate? Billing BILLIE RENE POWERS escrows and taxes? Barratry, selling justice for money?

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

3. Does Magistrate error when she opined in assumptions contrary to the evidence and facts presented by Appellant? Appellant presented the evidence of Powers, Billie Rene' Frances Lillian Powers as title holder on August 8, 2016, yet the Magistrate assumes to know the case and opinions in conflict to the evidence and facts saying Appellant was not on title at the time of the alleged foreclosure in what is called the Minute Order, Final Order from Chambers?
4. Does the Magistrate error in omitting Appellants proof in evidence that she was in settlement escrow negotiations with Appellees Select Portfolio Servicing inc. at the time of the alleged trustee auction?
5. Appellant would not have agreed to a decision by a Magistrate had she had a choice, did the court error in allowing minute order/decisions by the Magistrate without being transparent to the Appellant?
6. Does the Judge act in good faith? Bad Faith Denial=A denial made dishonestly, unreasonably or without grounds.
7. Does the judge give the appearance of Bias? Judge Carter clearly stated on the record "these were compensable damages". So why did he dismiss, 1, 2, 3, 4 amended complaints and each time diminished the causes by which I could amend my complaint? Barratry?
8. Does the judge use loophole litigation tactics on my claims before him? Obstruction of justice?
9. Does the judge abuse his discretion and forgo procedure by not recusing himself? How many of the Judges have MERS attached to their property? How many Judges, BAR MEMBERS and Congress members or State Legislators have invested in these MBS?
10. Does the assignment of a magistrate put Appellant in a compromising position under the Litigation Model?
11. Does the judge error in procedure ignoring so many of the Appellants claims?
12. Does the court error in procedure, even ethics, allowing Angela Swan to file documents before a substitution of attorney was on file? Would this be bias? Emolument Violations, using a benefit or advantage over another at a disadvantage?
13. Does the Judge error in not removing Angela Swan as attorney of record through Appellants FIRST REQUEST to remove Swan filed August 23, 2018?

14. Does the court error when promising the Appellant, he would recommend criminal indictments and then breach his word to do so when First Impression Evidence was presented to him?
15. Does the court error in this First Impression case by not finding a Private Right of Action for Appellant to bring her CIVIL JOINDER OF CRIMINAL ACTIONS when in fact he quoted other cases that not only discussed this right but created a hybrid of a civil to a criminal and join Civil and Criminal, and the Appellant gave law supporting it?
16. Does the judge error in leading Appellant to believe he was going to be the "Sledgehammer"?
17. Does the Judge error in destroying evidence submitted by those calling themselves Interested Parties, whistle blowers and witnesses in the Civil Joinder of Criminal Actions? How does that not violate Due Process or the Rights of those seeking to redress their grievances or be heard, according to the 1st amendment regarding free speech. Justice is to be blind, is it also deaf? where the People can be held in contempt for speaking TRUTH?
18. Does the court error in treating this BREACH OF CONTRACT case as a Wrongful Foreclosure case and not recognizing Appellants Business Tort claims?
19. Did the court error in overlooking issuing a summons for Appellants original filing?
20. Did the court error in procedure forcing Appellant to add Thomas Peppers to the case, against the desires of the Appellant, when the evidence proved Appellant and Peppers had a Judgment entered February 2012; that was entered by another court settling the matters between Appellant and Peppers due to Peppers illegal foreclosure against Appellants title, that Peppers had to return title to Appellant due to fraud? Did the Court error in Procedure? How is this not third party intervening into a private contract between two other parties, that already settled their dispute?
21. Does the court error in procedure by overlooking that no known parties, or parties with firsthand knowledge of Appellants documents, have come to the court to face Appellant as she asked?
22. Does the court error in procedure and facts by referring to the Appellant as Pro Se when in fact she is Pro Per? This would be INVOLUNTARY SERVITUDE to hold one of the People to Involuntary Servitude, when all of these debt obligations are those of the said UNITED STATES, INC.?
23. Does the court error in procedure or rules of the court allowing Appellees to create a narrative of slander of Appellant as a "Sovereign Citizen" (oxymoron), something she never claimed and adamantly is scared by, as it puts Appellant in danger and under bias as a

“domestic terrorist”, under the Trading with the Enemies Act? Rather, than a victim of Financial Crimes stealing her property estate? The Appellant sternly denies this bias and slander and does not appreciate being called names and harmed through the court. The fact Appellant knows the difference between Public and Private, that she is a Christian and speaks of God and the Constitution should not be used against her! Do we really need to revisit issues from 1812?

This is the CRUX of the INSANITY we are dealing with taking us back to 1812, regarding that word Sovereign..... but God left “man” Dominion over the land and that makes us Sovereign, which is why in the Masons Manual for Legislative Procedure Sec. 73 reads "The People of each state are vested with Sovereign authority, expressed by their elected representatives, serving in a legislature. Thus, legislative power is absolute and unlimited except as restrained by the Constitution". This alone was Billie Powers Private Right of Action to bring in the Criminal Joinder for other Interested Parties. Would one label Mason's an oxymoron term such as "Sovereign Citizens" tagging them as domestic terrorists? Is this why our President, who uses the terms Sovereign, Christian values, Constitution constantly, is being targeted? Appellants Journalistic work and reporting are also attacked by Appellees. To quote President Donald J. Trump “We were born FREE and we will STAY FREE”.

24. Does the court error in giving an appearance of bias against the Appellant whose beliefs are Christian when he gives a parody from the McGraw Hill case he sat on as a Ponzi scheme perpetuated by those pretending to be Christians? Appellant prays and believes in God!
25. Does the court error in procedure not recognizing Appellants ADA needs?
26. Does the court error in procedure or ethics when highlighting the Appellants alleged shortcomings without stating Appellants evidence in facts that are with merit while giving the hearsay information of Appellees' attorneys validity? Bias?
27. Does the court error when first determining on the record that Appellants case is compensable in hearing on November 2, 2017, then subsequently ignoring this fact and opinion by directing Appellant to file numerous briefs and documents to give merit to her compensable claims? See Appellant and District Court Docket ROA Exhibit "C".
28. Does the court error in procedure by ignoring Appellants statements of the Presidential Orders she aligns her case with? Such as his executive order of December 2017 dealing with Human Trafficking, which includes human trafficking on paper that Appellant has laid claims to throughout her briefs, affidavits and material facts?
29. Did the court error in procedure by not dismissing this case in Appellants favor when in fact the Appellees admitted they had nothing to do with the Origination of any loan and as such how could their clients have any real firsthand knowledge, biggest question is how can the

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

court let the Appellee Attorneys act as both witness and counsel and not produce proof of agency?

30. Did the court error ethically, morally and was there good faith as he did not recognize Commonwealth Land Title Company claims of having nothing to do with the origination of any contract was not true when in fact evidence proves the Title Policy is a requirement and part of the contract for alleged approval and inclusion of the purported loan contract?
31. Did the court act in good faith and error procedurally ignoring the verified and notarized proof Appellant gave regarding the false Corporate Assignment of Deed of Trust, 3 years late in creation and notarized by Jon Secrist, as found to be a bad instrument from which Appellant won the notary bond claim for?
32. Does the judge error in procedure and interpretation of the law when he opines not to know what private right of action would allow Appellant to have the Civil Joinder of Criminal Actions she sought after Judge "Sledgehammer" Carter promised recommendations of indictments if she proved a document of fraud and cases he litigated show otherwise? See ROA Exhibit "C" on the court docket.
33. Does the court error ethically, morally, procedurally or any other way known to the rules of the court on July 30, 2019 CIVIL JOINDER OF CRIMINAL ACTIONS when he admits he is delaying the case? See ROA Exhibit "D" on the court docket.
34. Does the judge error procedure, ethics, morals and interpretation of the law by ignoring Appellants rescission of deed of trust entered with evidence?

This case is nothing more than another "*Vexatious Silver Bullet Litigation*", based on what you will see as you review and investigate the Powers v. BONYM case and the Interested Parties that came forth in this case, for Criminal Joinder. As the Judiciary and the BAR have far usurped their authority and power, even corrupting the very law enforcement agencies, with "opinions" and "orders" that are all too familiar with Great Britain's King, where we Declared our Independence from such Tyrant's. These "officers" are wroughting our People's substance, with a "Force" that must be reigned in, if we have any hopes of keeping a Civilized Society amongst men.

The chain of events that happen from origination of a mortgage loan to an alleged "default", implying a tangled web of undecipherable falsehoods absolutely warrants further scrutiny and repealing of such legislation and acts, that has caused GREAT FINANCIAL HARM, LOSSES and INJURY to these Petitioners and Humanity at large. Our friends in Australia and the like are having their homes stolen too, by the same FOREIGN OCCUPATION we have here, in America.

A Trust can't have one party be all three; the Grantor, Trustee and Beneficiary without a life to benefit. The Corporate Veil/Corporate Sole SMU (Shit made up). When Faith Brashear

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

took our Qui Tam into the Federal Court of Claims to address this, instead of correcting these issues to “to give credit where credit was due”; as the People are the holder in due course is the NAMEsake Vessel our soul was placed in. BTW a soul holds its own, it was not issued to you (acting agents or agencies under corporate veils), we hold it, it is ours. One cannot consent to something he/she is completely unaware of. This would be usurpation of authority, where the consent of the governed, was not given.

This usurpation where ‘industry idiots’ nominated a Beneficiary in “UNIFORM” (cause we are all serving as PRIVATES as sureties of these indoctrinated benefits), by our signature removing all BENEFITS from our TRUST, in turn releasing us and turning a TRADEMARK UNIFORM MORTGAGE ELECTRONIC REGISTRATION, a debtor and its TU-MERS members the sureties thereto.

Contempt of Court is Article III; only parties to the Constitution can plea. A person held in abeyance in Ecclesiastic TRUST is a man or woman attached into trust by a contract of adhesion. In the “legal system” just like the TU-MERS trademark system you are processed through a process designed to DU-MB you down. Translation Direct Underwriting (DU) you into a MEMBER BANK (MB) process as a “DUMB” person through the courts, who have been used to dispossess you of your human rights. If you are in belief your NAME is a name, you are considered too dumb to be a party to your own civil liberties. This the epitome of CONTEMPT. It’s illegal to use a legal NAME!

Making graven images in the image of wo/man in their likeness, creating CREATURES of the STATE, PERSON’S. As in false impersonation, persona’s, fictions, entities. Aiding and Abetting mankind into FRAUD, by FORCING us to get Id/identification, that is FALSE and MISLEADING to the TRUTH.

When those placed in positions of the Public Trust, resort to attempting to draw blood from a turnip, when there is no money and there has been no loan given, based upon Falsehoods; that resort to assault and battery and retaliatory actions by those who are to have honor and integrity for the Law, Tyranny exist. Treason must be dealt with swiftly and justly for the sake of Justice for our People and the Pursuit of Life, Liberty and Happiness.

THE “NEGATIVE NEXUS”

*Negatio destruit negationem, et ambae faciunt affirmationem
Negatio duplex est affirmatio*

*Article IV (4), Section IV (4), 29 U.S. Code § 1109
Article I (1), Section IX (9), Clause VIII (8), 28 U.S. Code § 1927,
Kapco Mfg. Co., v. C & O Enterprises, 886 F.2d 1485, 1491 (7th Cir. 1989).*

The Following is what transpired in the U.S. Federal District Court for the Central District of California and within the Interested Parties cases for Criminal Joinder in this case; Through these “Defective Practices” which establish this “Negative Nexus”.

Billie Rene’ Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

[Negative Nexus] [(-1 x -1)=1]

What the parties see=What the court sees

The first step is to identify each factor in context of the current practice/s for closer examination.

- a) The first value of (-1) is evidence presented (or exculpatory evidence intentionally obscured from the eyes of the court) under the premise of being used against the “Targeted Debtor” in Foreclosure, or prosecutorial presumption of counsel unbeknownst to the court. As the court accepts these presentations in “Good Faith” as it has since the 1700’s.
- b) The “Multiplication Sign (X)” establishes the elapsed time meaning the first factor of (-1) can not change. It is now a “Mathematical Constant” in context from now on. [you can’t be a little bit pregnant]
 - i) False allegations of a default or failure to pay for something that was fully funded by the Credit Asset/Promissory Note.
 - ii) Failure to discharge the debt created, by a double book entry, when the People gave their Signature of Credit, now clearly established as fraud. **28 U.S. Code § 1927**
- c) Which brings us to the second factor of (-1) being the conduct of the practitioner at the time of the presentation. This value is “NOT” a mathematical constant in context as we can clearly factor out the negative (-) leaving the value of positive (1); or the practitioner as a mathematical constant factoring out only his/her conduct.

The Breach of Contract at the time of “origination” of the loan, that never had 100% cash collateral from the get go. The converting of the asset/credit of the “member banks” we the people are the “member banks” funding our own loans with our signatures as the Creditors. Just as Congressman McFadden laid out in his 1932 Speech. The American People are the Creditors that backs these (50) Nation States.

Do we need to point out the SMU ACT, presented to Congress, by Chris Hallett of E-Clause, LLC, concerning “word salad” and acts of a Statuable Plunder?

Has Congress caused these Crimes against humanity, because of their dereliction of duty? U.S. Article 1, Section 7 “The Congress shall have the power to coin money, regulate the value thereof, and of foreign Coin, and fix the Standard of Weights and Measures; To provide for the Punishment of counterfeiting Securities and current Coin of the United States”? Just who are these Central Bankers? Foreign Emoluments?

In the transcripts on the Powers V BONYM case from the lower District Court; Judge David O. Carter went on the record to state “Yeah, see what happened, for the edification of Counsel, is then the government turned around and forced some of these, let’s say less than solvent, decrepit banks, that’s not appropriate. Some of these potentially insolvent banks on the larger banks. Because they wanted the economy to flow, the government must have made a

Billie Rene’ Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

conscious decision that individuals were going to get harmed. I can't figure that out, but they wanted to keep the full faith and liquidity of the country intact. So, a lot of these banks were forced to assume a lot of loans that were deficient.”

What is full faith, if the People have blind faith, as the Creditors of this nation? How can one consent or acquiesce to some of these things that have transpired in a very intentional, calculated, strategic, MANipulating and usurpation of the RULE OF LAW?

History, shows us that former President Woodrow Wilson, admitted on his deathbed that he betrayed his country, when he signed the Federal Reserve Act into Law. The Peoples rights began to GREATLY to erode from there. 1915 The Internal Revenue Service was created, the clearing house for the ‘central banking’ “Money Magic”. The roaring 20’s of industrialization, where the people began to see the gold and silver they were depositing into the banks was, substituted to gold and silver certificates.

In turn caused the BANK RUNS, leading up to the 1929 Great Depression. Which brought about the 1933 Bankruptcy and State of Emergency, that still today converts allodial titles for real property into certificates of title. Which strips the American Sovereign People of the Fruits of their Labor. Which is Slavery, no matter how you “color” the “word salad”, Slavery or Involuntary Servitude is Repugnant to Life, Liberty and the Pursuit of Happiness.

Unjust enrichment is an equitable doctrine that provides a remedy where another party knowingly received something of value to which he/she was not entitled, and the circumstances are such that it would be unjust for that person to retain the benefit. **32 CFR § 536.52** *Schumacher v. Schumacher*, 627 N.W. 2d 725, 729 (Minn. Ct. App. 2001). A Claim in unjust enrichment lies where the defendant’s conduct is morally wrong. *Id.*; *see also, Service Master of St. Cloud Iv. GAB Business Servs., Inc.*, 544 N.W. 2d 302, 3026 (Minn. 1996) “To Establish an unjust enrichment claim, the claimant must show that the defendant has knowingly received or obtained something of value for which the defendant ‘in equity and good conscience’ should pay”.

To articulate what constitutes this “Conduct” as “Bad Conduct”, as we have now established the “Factors” of the “Equation”; we can now use principles of higher mathematics / calculus to begin breaking down any and all of the negative conduct as it relates to the practice / presentation in / equity courts so the new equation looks more like:

Affectus punitur licet non sequitur effectus
Qui destruit medium destruit finem, Lex punit mendaciam

[Negative Nexus] $[(-1 \times 1)] = -1$

What the parties see = **What the court sees**

[Non est arctus vinculum inter homines quam jusjurandum]
[nec curia deficeret in Justitia exhibenda]

Billie Rene’ Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

*[Malitiis hominum est obviandum]
[Lex non novit patrem, nec matrem: solam veritatem]*

If we follow Federal Rules of Civil Procedure 14 and 37; this Remonstrance can be explained mathematically as follows;

[Negative Nexus] (-1) [(-1 x -1) = 1]

What the parties see = **What the court sees**

Upon reflection of the action/s taken at the State and the Federal Court levels, in the Powers v BONYM case and Interested Parties cases; it's easy for us to articulate why Congressional Oversight is justified, and appropriate.

[Negative Nexus] -1 ≠ 1

On the "Equity Scale", the ability to thwart inequities is necessary.

Maxims of Law

- 1) Law is the science of what is good and just.
- 2) There is no closer (or firmer) link among men than an oath.
- 3) The malicious designs of men must be thwarted.
- 4) No expectation can allure a good man to evil.
- 5) A person is considered a possessor who has ceased possession through fraud or injury.
- 6) Truth is the mother of Justice.
- 7) Truth Fears nothing but to be hidden.
- 8) One who does not speak the truth freely is a traitor to the truth.
- 9) Time rule events.
- 10) No prescription or statutory limit runs against a Right by blood.
- 11) Right cannot die.
- 12) Everyone is the manager and disposer of his own matters.
- 13) Use is a fiduciary ownership.
- 14) A repugnant act can not be brought into being, that is cannot be made effectual.
- 15) It is a cursed construction that corrupts the text.
- 16) Great fault (or gross negligence) is the equivalent to fraud.

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

- 17) The torture (or twisting) of Laws is the worst kind of torture.
- 18) In order to rightly to comprehend a thing, it is necessary first to inquire into the names, for a right knowledge of things depends on the names.
- 19) We should follow our own rather than a foreign law.
- 20) When the words of an ordinance can be made true in their true signification, they out not be warped to a foreign meaning.
- 21) Common opinion is double: that proceeding from the grave and discreet men, which has much truth in it, and that proceeding from foolish vulgar men, without any semblance of truth in it.
- 22) If I conquer your conqueror, by so much more do I conquer you.
- 23) Reason in Law is the perfect equity.
- 24) Equity wishes the Plundered, the deceived, and the ruined, above all, to have restitution.
- 25) A concealed intention is an evil one.
- 26) Justice comes before Liberty.
- 27) Justice is to be denied to no one.
- 28) A person is guilty of barratry who sells Justice for money.
- 29) Too much subtlety in Law is condemned.
- 30) Right and Fraud never abide together.
- 31) The Law speaks to all with one mouth.
- 32) The Law helps those being deceived, not those deceiving.
- 33) The Law punishes falsehood.
- 34) An unjust Law is not a Law.
- 35) What is illegal out not be entered under the pretext of legality.
- 36) A special Law detracts from the general Law.
- 37) A precedent accomplishes nothing if it settles one dispute by raising another.
- 38) What I cannot do in person, I also cannot do through the agency of another.
- 39) What is proved by the record ought not be denied.
- 40) The Law does not command useless things, because useless labor is foolish.
- 41) The Law does not compel to impossible ends.
- 42) A judge is appointed for the peace of the People.
- 43) The remedy of the Law lies open to all within (or subject to) the realm who ask for it.
- 44) The process of Law is a heavy hardship; the execution of the Law crowns (rewards) the work.
- 45) A judge who exceeds his office (or jurisdiction) is not obeyed.

- 46) Transactions between others can benefit, but should not injure, anyone who is not party to them.
- 47) He who acts under the Cloak of the Law, who acts unjustly, should bare double punishment.
- 48) The will and the purpose distinguish crimes.
- 49) The crime of treason exceeds all other crimes in punishment.

Conclusion

Jones v. Temmer, 89 F. Supp 1226: “The privileges and immunities clause of the 14th Amendment protects very few rights because it neither incorporates the Bill of Rights, nor protects all rights of individual citizens”.

State v. Manuel, argued before the North Carolina Supreme Court in 1838, was the first case to decide that a free black person was a citizen of the state. The case was initiated in **Sampson County**, where **manumitted** slave **William Manuel** was convicted of assaulting a white man and fined \$20.

US vs. Valentine 288 F. Supp. 957: “The only absolute and unqualified right of a United States citizen is to residence within the territorial boundaries of the United States.”

Penhallow v. Doane’s Administraters (3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54), Supreme Court of the United States 1795, “Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that no government, as well as any law, agency, aspect, court, etc. can concern itself with anything other than corporate, artificial persons and the contracts between them.” *S.C.R. 1795, (3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54)*.

Nothing that is created, with respects to contracts or acts of commerce amongst men, can exist without, the factual substance known to be the real and tangible flesh and blood living man, whom creates such artificial persons, as in the image of man, which mocks the Living God/Creator. Clearly, this petition brings the matter of Slavery/Involuntary Servitude, issues forward as the Legal Name Is "ID THEFT" by lawyers & Judges by UNDISCLOSED CONVERSION by use of PATENTS & TRADEMARKS.

Since our mothers and fathers were made in God’s image and their mothers and fathers, made in God’s image. The Names they gave and assigned to us; (their children) at our day of arrival of being born on Earth, is our God-Given Names and no other man can legislate away, that which clearly belongs to another.

The Credit River Decision, is a prime example of what the Petitioner's that came forth in this Remonstrance/Protest are dealing with in the Judicial Branch. It has been a long-standing precedent that clearly shows that the Federal Reserve Act is UNCONSTITUTIONAL and must be REPEALED. Since the bank did not "put up anything of value (other than the ink from the pen) for Mr. Daly's home mortgage, there was no consideration, therefore the mortgage was null and void. The banks had no "skin" in the game they predicated on the American People and the likes of all People on this planet, like our Aussie friends.

In the Credit River Decision, Justice Martin V. Mahoney ruled against the bank and denied the foreclosure. As he reasoned with a conscience, that the National Banking Act is unconstitutional and VOID. The mortgage acquired by the First National Bank of Montgomery, Minnesota in the regular course of its business, along with the foreclosure and the sheriff's sale, to be VOID. The "Law of Consideration" meaning, essentially, that a contract was null and void if both parties are not exchanging something of inherent value.

Another case that has been kept hidden, (see Maxims of Law #7 pg. 28 of 34) is the Pigsford Case or what is known as the Farmers Claim Case in the 1980's. A group of Midwest Farmers were losing their farms and homes to the same Judicial Machinery, that is depriving we the People of our homes, today. Many "star" studded music artists such as Willie Nelson help to raise Legal Aid for the Farmers through music concerts. This case went all the way to the Supreme Court and brought about N.E.S.A.R.A., the National Economic Security and Reformation Act, that was signed by former President William J. Clinton. Just as this N.E.S.A.R.A. Law was to be implemented and announced by Alan Greenspan on September 12, 2001, we had internal insurrection/domestic violence and foreign terrorism, that did an unthinkable act in New York. 9/11 that taking down of the Twin Towers and Building 7.

It's clear that we have a FOREIGN OCCUPATION going on in our (50) Nation States by BAR members that have attorned over our Rights being our Property, all because of Bad Legislation, that has wroughted out the substance of our People. The HIGHLIGHT of the issues we are dealing with are clearly illustrated on page 16 of 34; As Attorney Angela Swan clearly stated to her client Billie Powers, she quit because in her own words, "If I go up against the banks, I will lose my license".

All homes must be returned, as STOLEN property is always returned to it's rightful owners. All of these foreclosures fall under VOID AB INITIO; null from the beginning (origination), as from the first moment when a contract is entered into. A contract is void ab initio if it seriously offends law or public policy in contrast to a contract that is merely voidable at the election of one party to the contract.

I will highlight the Maxim of Law #35 (page 29 of 34) within this Remonstrance, as clearly there is BIG DIFFERENCE between that which is Lawful and that which is Legal. We want the Rule of Law, as we are GUARANTEED a Republic form of Government. We demand, the implementation Miami Florida Resolution 6021, across the (50) several States, until you SANCTION every BAR member & the Banks, filing false, misleading, forged, fraudulent

Billie Rene' Frances Lillian Powers
P.O. Box 1501 Newport Beach, California 92659
powersbillie@yahoo.com

documents into these courts out of business and abolish the Federal Reserve Act in its entirety and implement N.E.S.A.R.A. NOW!

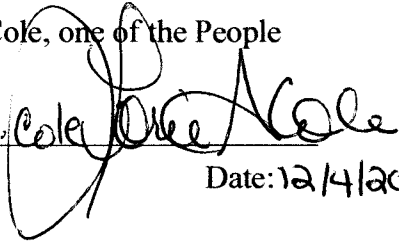
Citing; Noting the absence of a Quorum

We declare under the Laws of God and Nature that our words are the truth the whole truth, nothing but the truth, so help us God. As God is our Witness, to our Full Faith and Credit in that God first Loved us, before we knew how to love.

In Love and Service on behalf of Committee Members R6021,

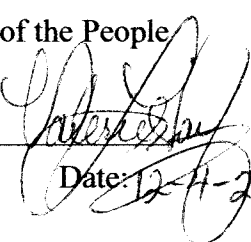
All Rights Retained, None Waived

:Lorie-Ann: Cole, one of the People

:Lorie-Ann: Cole 
Autograph: Date: 12/4/2019

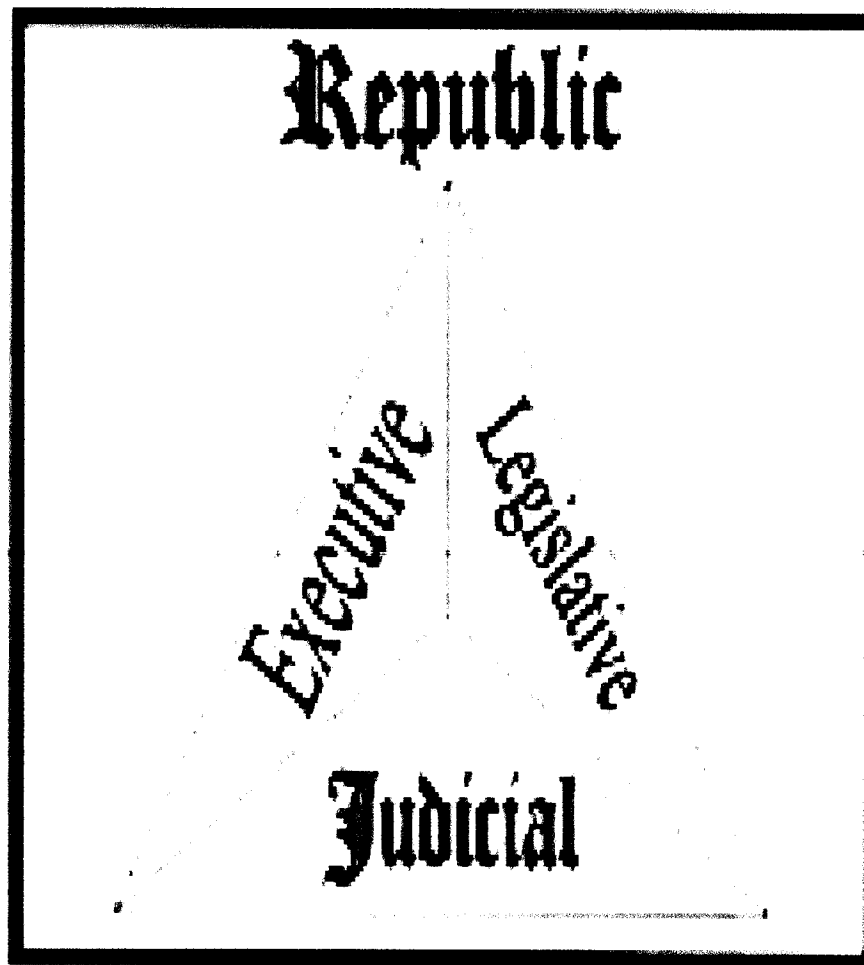
All Rights Retained, None Waived

:Valerie-Lynn: Naif, one of the People

:Valerie-Lynn: Naif 
Autograph: Date: 12-11-2019

Article 4, Section 4, Republican Government

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.



Republic

republic n 1 . a government having a chief of state who is not a monarch and is usually a president, also a nation or other political unit having such a government 2 . a government in which supreme power is held by the citizens entitled to vote and is exercised by elected officers and representatives governing according to law, also a nation or other political unit having such a form of government Source: NMM

(Capitalism) **Republican** Emoluments

emolument (n.) mid-15c., "the profit arising from office or employment, that which is given as compensation for services," from Old French *émolument* "advantage, gain, benefit; income, revenue" (13c.) and directly from Latin *emolumentum* "profit, gain, advantage, benefit," perhaps originally "payment to a miller for grinding corn," from *emolere* "grind out," from assimilated form of *ex* "out" (see *ex-*) + *molere* "to grind" (from PIE root **mele-* "to crush, grind"). Formerly also "profit, advantage, gain in general, that which promotes the good of any person or thing" (1630s).

emolument, n, (15c) Any advantage, profit, or gain recieved as a result of one's employment or one's holding of office.

ADVANTAGE

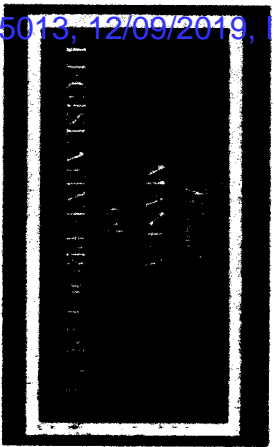
PROFIT

GAIN

(Capitalism) ~~Republicanism~~ Emoluments

SUBSIDIES
PRIVATE SECTOR
GOVERNMENT
CONTRACTORS
COMPETITION

MARGIN



PROFIT

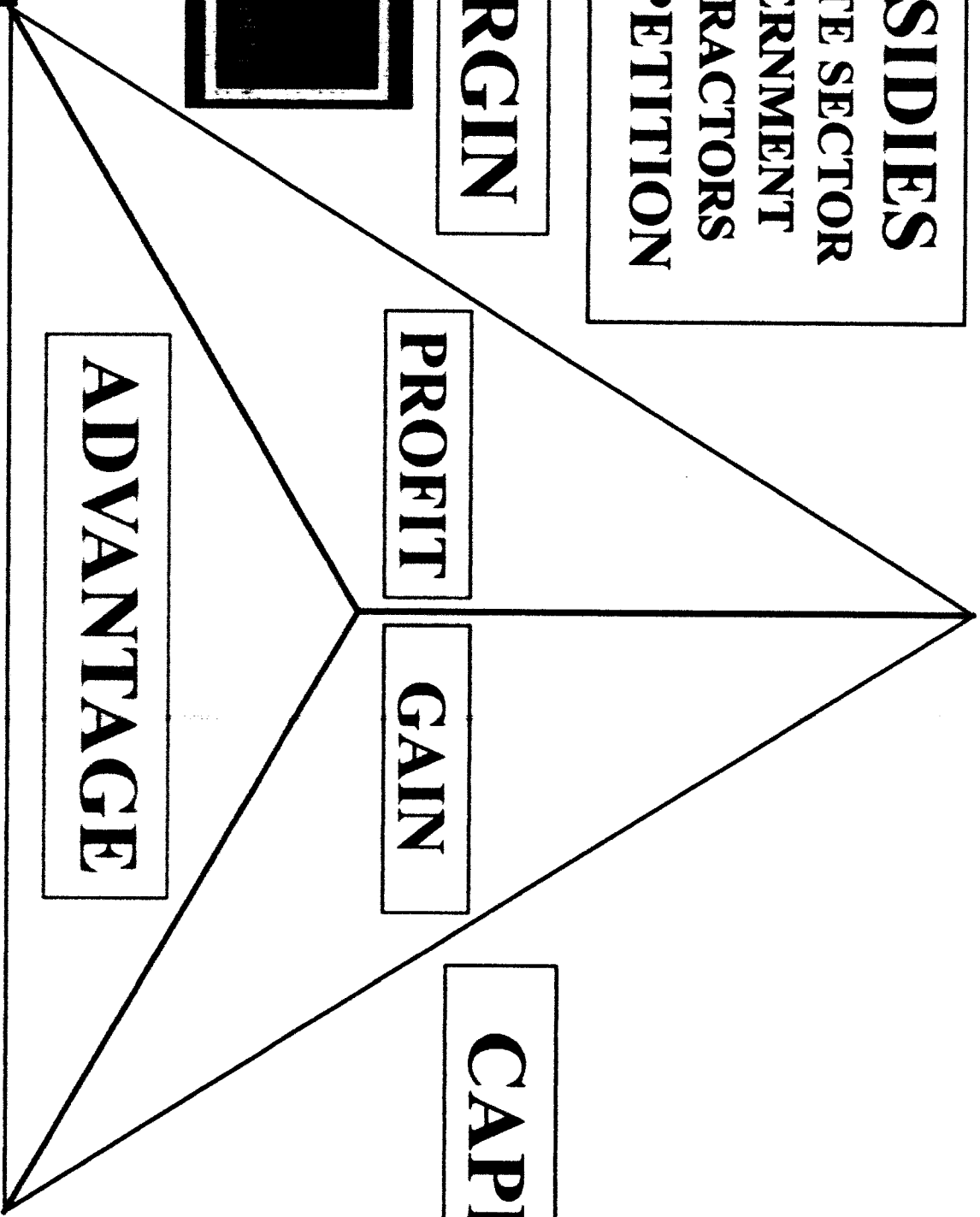
GAIN

CAPITAL

ADVANTAGE

MARKET

3rd Clause.



Bar / Monarchy **Democrats** (Latin usage)
(emolumentum)

Representative Democracy

ENTITLEMENT PROGRAMS

BENEFIT

Bar

GAIN

PROFIT

ADVANTAGE

STIPENDS
PUBLIC SECTOR
GOVERNMENT
CONTRACTORS
MONOPOLIES

CAPITAL

Snake

Bill

Salesman

Confidence Man

Don't be

Been

Scammed

By The

MARGIN

Useful

Bar

Idiots

Confidence Game / Trickery

MARKET

SOCIALISTS

Melodius respicient quare corruptisq' accipit. It is a sacred convention that overrings the rest.

Comps. hanc numerum ante respic' ostendunt. The process of a human being can have no price per se it

TITLE 4
SOCIAL SECURITY ACT
EMPLOYERS
S.A.M.

SPECIAL PROJECT
JUDGES DIVORCE
STATUTES
CODES
RULES
REGULATIONS
PROTOCOLS
(Pleadings & Word Salads)

3- Clause
SOCIAL SECURITY ACT
S.M. - See Statute 1

A	B	C	D	E
CONSTITUTION Article 4 Section 4 Political Argument	G	R	A	F
ADVANTAGE	G	A	I	G
NEGATIVE ACCESS (-1 X -1) = 11 Kangaroo Court	I	R	A	G
CONSTITUTION Article 4 Section 4 Political Argument	G	R	A	F
ADVANTAGE	G	A	I	G
NEGATIVE ACCESS (-1 X -1) = 11 Kangaroo Court	I	R	A	G

EXECUTIVE **JUDICIAL**

LEGISLATIVE **JUDICIAL**

EXECUTIVE **JUDICIAL**

LEGISLATIVE **JUDICIAL**

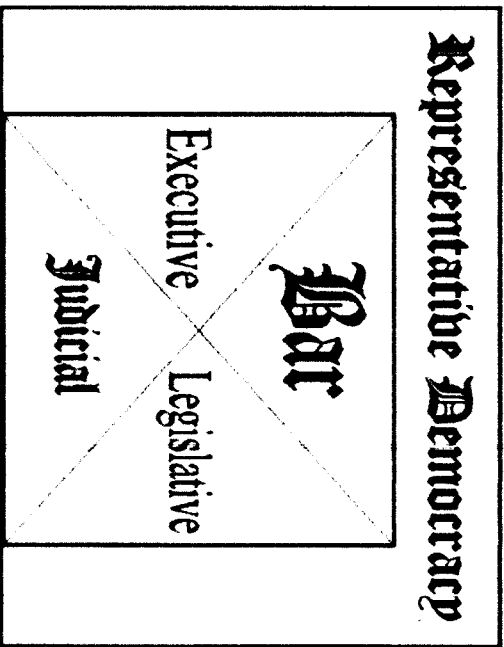
STIPENDS
PUBLIC SECTOR
GOVERNMENT
CONTRACTORS
MONOPOLIES

Five Pillars of Islam

Declaration of faith Obligatory prayer Compulsory giving Fasting in the month of Ramadan Pilgrimage to Mecca

1948 1952 1954 1956 1958

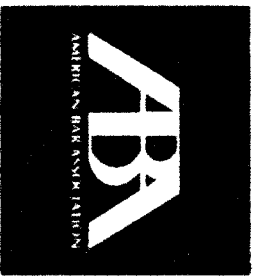
DEMOCRATS



ADVANTAGE

PROFIT

GAIN



REPUBLICANS

Republic

Executive **Legislative**

Judicial

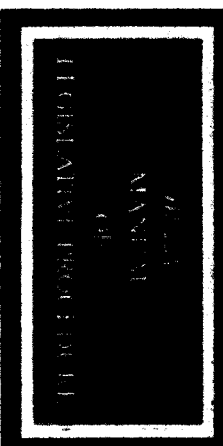
MARKET

MARGIN

CAPITAL

LOSS PREVENTION

3- Clause.



Maladicta expositio quae corruptit textum. It is a cursed construction that corrupts the text

Corpus humanum non recipit aestimationem. The person of a human being can have no price put on it

"A Stipend attached to some Office"
(Bill Barr's answer to my Par. Inq.)

TITLE 4

SOCIAL SECURITY ACT

EMOLUMENTS

SCAM

SPECIAL PROJECT
JUDGES DIVORCE

STATUTES

CODES

RULES

REGULATIONS

PROTOCOLS

(Pleadings & Word Salad)



(SMIT) = Shit Made Up

A B C D E P

CONSTITUTION
Article 4
Section 4
Political
Argument

Negative Nexus
Corruptio optimi pessima
I(-1 X -1) = 11
Kangaroo Court

G G I I G P R O F I T
G I I G

A D V A N T A G E S

Fake Juris diction is the baseline being forced (SMIT) M Fees

I O I S S I A O A T T O R N E Y
N E L N C N I U M R E Y
S E S O U S N E N E Y
BOND BOND BOND BOND BOND
C I C E C E S T U I Q U E T R U S T B O N D S

Praetextu liciti non debet admitti illicitum What is illegal ought not be entered under the pretext of legality

Quadratic Litmus Test in context of "Business Impact Assessments"

Method commonly used in calculating certain "Factors" or "Variables" when measuring "Positives" and "Negatives"

(Capitalism) **Republican** (In)fluents

SUBSIDIES
PRIVATE SECTOR
GOVERNMENT
CONTRACTORS
COMPETITION

STIPENDS
PUBLIC SECTOR
GOVERNMENT
CONTRACTORS
MONOPOLIES

MARGIN

CAPITAL

MARKET

Stipend

(Capitalism) **Republican** (In)fluents

I am Here

Subsidy

MARGIN

CAPITAL

MARKET

Subsidy

(Capitalism) **Republican** (In)fluents

Stipend

Subsidy

MARGIN

CAPITAL

Stipend

(Capitalism) **Republican** (In)fluents

Stipend

Subsidy

MARGIN

CAPITAL

Subsidy

0 X 0

$[(1 \times -1) = -1]$

Subsidy

$[(1 \times 1) = 1]$

Subsidy

$[(-1 \times -1) = 1]$

Stipend

$[(-1 \times 1) = -1]$

Stipend

ADVANTAGE

ENTITLEMENT PROGRAMS

MARGIN

CAPITAL

Stipend

Stipend

Subsidy

(Capitalism) Republican Emoluments

Ratio in jure aequitas integra
Reason in Law is the perfect equity

Scire et scire debere aequiparantur in jure,
To know a thing, and to be bound to know it, are regarded in Law as equivalent

Juri sanguinis nunquam praescribitur,
No prescription or statutory limit runs against a Right by blood

Veritatem qui non libere pronunciat, proditor est veritatis,
One who does not speak the truth freely is a traitor to the truth

Intentio mea imponit nomen operi meo,
My intent gives a name to my act

Malignis hominum est obviandum,
The Malicious designs of men must be thwarted

Sapienter omnia agit cum consilio,
A wise man does everything advisedly

Veritas est justitiae mater,
Truth is the mother of Justice

Ubi jus, ibi remedium
Where there is a Right, there is a remedy

Veritas nihil veretur nisi abscondi,
Truth fears nothing but to be hidden

Uses est dominium fiduciarium
Use is a fiduciary ownership

Magna culpa dolus est
Great fault (or gross negligence) is the equivalent to fraud

Droit ne poet pas mourir
Right cannot die

Jus est ars boni et aequi, Law is the science of what is good and just

Vox populi vox Dei, The voice of the People is the voice of God

Corpus humanum non recipit aestimationem
The person of a human being can have no price put on it

Intentio caeca mala
A concealed intention is an evil one

Error juris nocet
An error of Law injures

Servile est expilatis crimen; sola innocenta libera
The crime of plundering (or looting) is slavish; innocence alone is free.

Aequitas vult spoliatos, vel deceptos, vel lapsos ante omnia restitui
Equity wishes the Plundered, the deceived, and the ruined, above all, to have restitution

Tortura legum pessima
The torture (or twisting) of Laws is the worst kind of torture

Sacramentum habet in se tres comites, veritatem justitiam et judicium; veritas habenda est in jurato; justitia et judicium in judice,
An oath has in it three components – truth, justice, and judgment: truth in the party swearing, justice and judgment in the judge (administering the oath).

Exhibit G
JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No. SA CV 17-1386-DOC (KESx)

Date: November 26, 2018

Title: BILLIE RENE FRANCES LILLIAN POWERS V. THE BANK OF NEW YORK
MELLON ET AL.

PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Deborah Lewman
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFF:
None Present

ATTORNEYS PRESENT FOR
DEFENDANT:
None Present

**PROCEEDINGS (IN CHAMBERS): ORDER GRANTING
DEFENDANTS' MOTIONS TO
DISMISS [244], [246], [249]**

Before the Court are Defendants Commonwealth Title Company's ("Commonwealth") Motion to Dismiss ("Commonwealth Mot.") (Dkt. 244); Bank of America, N.A. ("BOA"), Nichole Clavadetscher, and Jon Secrist's (collectively, "BOA Defendants") Motion to Dismiss ("BOA Mot.") (Dkt. 246); and Mortgage Electronic Registration System, Inc. ("MERS"), Select Portfolio Servicing, Inc. ("SPS"), and Bank of New York Mellon's ("BONY") (collectively, "MERS Defendants") Motion to Dismiss ("MERS Mot.") (Dkt. 249). The Court finds this matter suitable for decision without oral argument. Fed. R. Civ. P. 78; Local Rule 7-15. Having reviewed the moving papers and considered the parties' arguments, the Court GRANTS the motions to dismiss.

"E"-G

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SA CV 17-1386-DOC (KESx)

Date: November 26, 2018

Page 2

I. Background**A. Facts**

The Court assumes familiarity with the facts of this case. The following facts are taken from the Fourth Amended Complaint (“4AC”) (Dkt. 238) and judicially noticeable material. *See* September 19, 2018 Order (Dkt. 212) (granting Defendants’ requests for judicial notice of 52 documents).

As a preliminary matter, the Court notes that the 4AC remains difficult to follow. In April 2007, Plaintiff Billie Powers (“Plaintiff”) purchased the real property located at 40701 Ortega Highway, San Juan Capistrano, CA 92530 (“Property”) from Defendant Roger Lee Delong (“Delong”) for \$1,700,000. 4AC ¶¶ 19, 104. To purchase the Property, Plaintiff obtained a \$1,190,000 loan (“Loan”) from Countrywide Bank, FSB (“Countrywide”), secured by a Deed of Trust (“DOT”) recorded against the Property on July 2, 2007. *Id.* ¶¶ 30, 104, Ex. B. The beneficiary listed in the DOT was MERS, and the trustee was ReconTrust Company, N.A. (“ReconTrust”). *Id.* ¶ 132. Because Plaintiff did not independently qualify for this Loan, Louis J. Hanson and Jacqueline M. Hanson (collectively, “Co-Borrowers”) cosigned on her behalf. *Id.* ¶ 25. The Hansons remained on the Property’s title until they requested their names be removed on July 10, 2007. *Id.* ¶ 27. On this date, Powers and the Hansons transferred the Property to Rancho Sonata, LLC (a corporation Powers created) through a “Grant Deed.” *Id.* Powers took sole possession of and began living on the Property on July 2, 2007, until she was evicted on September 21, 2017. *Id.* ¶¶ 19, 75.

According to Powers, after she obtained the Loan to purchase the Property, the Grant Deed was forged by an unspecified party. *Id.* ¶ 26. The Grant Deed was altered to remove the Plaintiff’s name and to include the names Billie Rene Powers, Louise J. Hanson, and Jacqueline M. Hanson. *Id.*

Six months after taking residence at the Property, Plaintiff contacted Countrywide to seek mortgage assistance. *Id.* ¶ 32. But Countrywide’s employee would only speak with Powers if she was three months delinquent on her mortgage payments. *Id.* Thus, the Countrywide employee advised Powers to stop making her mortgage payment. *Id.* Plaintiff apparently has not made a mortgage payment since at least January 2010. *See* MERS RJN (Dkt. 76), Exs. D, H, L, M, N (showing amount in default on the Property continuing to rise). On May 19, 2010, MERS recorded an assignment of the DOT (“ADOT”), reflecting the assignment of the beneficial interest in the DOT to BONY.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SA CV 17-1386-DOC (KESx)

Date: November 26, 2018

Page 3

4AC ¶ 37. Plaintiff claims that the ADOT was “robo-signed” by Defendant Clavadetscher and improperly notarized by Defendant Secrist. *See* 4AC ¶¶ 17, 39.

On October 15, 2009, the Trustee’s Deed upon sale was recorded reflecting that the Property was sold to Thomas Peppers in a foreclosure sale. MERS RJN, Ex. NN. After the foreclosure, Peppers filed an unlawful detainer suit against Rancho Sonata, LLC, Powers’ company and the legal owner of the Property. *Id.*, Ex. II. During this time, Plaintiff was apparently in financial distress, as she had initiated personal chapter 7 bankruptcy proceedings. MERS RJN, Exs. Q, R, S, T, U, V, W, X, Y, Z, AA, BB, CC, DD, JJ, KK. Notices of defaults continued to be recorded against the Property. *See* MERS RJN, Exs. L, M, N.

In February 2014, Quality Loan Service Corporation (“QLS”) became the new trustee of record. 4AC ¶ 48. On September 25, 2014, QLS recorded a Notice of Default on behalf of BONY and SPS (the “Foreclosing Defendants”), reflecting that the Loan was approximately \$356,429.14 in arrears. *Id.* ¶ 50; MERS RJN, Ex. N. On September 30, 2015, QLS caused a Notice of Trustee’s Sale to be recorded against the Property, reflecting an unpaid balance of approximately \$1,719,511.24. MERS RJN, Ex. O; 4AC ¶ 54. On August 8, 2016, the Property was sold at a trustee’s sale, wherein it reverted to BONY. MERS RJN, Ex. P; 4AC ¶ 63. BONY recorded a Trustee’s Deed Upon Sale reflecting these results on August 16, 2016. *Id.*

B. Procedural History

Plaintiff filed this case on August 11, 2017. *See generally* Complaint (Dkt. 1). On September 20, 2017, Plaintiff filed her First Amended Complaint (Dkt. 12), and on December 14, 2017, Plaintiff filed her Second Amended Complaint (“SAC”) (Dkt. 32). The Court dismissed Plaintiff’s SAC on March 5, 2018, because Plaintiff failed to substantively oppose Defendants’ motions to dismiss the SAC. Order Dismissing SAC (Dkt. 67). In its Order Dismissing the SAC, the Court warned Plaintiff that it would give her an opportunity to file a Third Amended Complaint (“TAC”) and that failure to substantively oppose any motion to dismiss the TAC would lead to dismissal of her case with prejudice. *See* Order Dismissing SAC at 2. Plaintiff filed the TAC on March 19, 2018. The Court dismissed Plaintiff’s TAC on September 19, 2018, with leave to amend. Plaintiff filed the 4AC on October 12, 2018. Defendants moved to dismiss, and on November 1, 2018, Plaintiff filed the Opposition to Motion to Dismiss (“Opp’n”) (Dkt. 255).

"E"-G

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SA CV 17-1386-DOC (KESx)

Date: November 26, 2018

Page 4

Powers also filed a temporary restraining order to prevent the Defendants from taking possession or selling the Property on October 30, 2017. TRO (Dkt. 25). The Court denied the TRO. Order Denying TRO (Dkt. 29). Approximately two dozen people filed notices of interested parties between late June 2018 and July 2018 to join this matter. Interested Parties (Dkts. 123–71). After a hearing, the Court denied Plaintiff’s motion of joinder. Order Mot. for Joinder (Dkt. 198). On September 14, 2018, Plaintiff filed yet another motion for a preliminary injunction regarding any marketing or sale of the property and to return possession of the property to Plaintiff (Dkt. 216).

Plaintiff has also filed a series of subsequent notices, including the Notice of Plaintiff’s Reminder (Dkt. 229) and most recently the Notice of Plaintiff’s Affidavit of Prepared Statement (Dkt. 258), which are largely difficult to follow.

II. Legal Standard

Under Federal Rule of Civil Procedure 12(b)(6), a complaint must be dismissed when a plaintiff’s allegations fail to set forth a set of facts which, if true, would entitle the complainant to relief. *Ashcroft v. Iqbal*, 556 U.S. 662, 679 (2009); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007). The pleadings must raise the right to relief beyond the speculative level; a plaintiff must provide “more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do.” *Twombly*, 550 U.S. at 555 (citing *Papasan v. Allain*, 478 U.S. 265, 286 (1986)). On a motion to dismiss, courts accept as true a plaintiff’s well-pleaded factual allegations and construe all factual inferences in the light most favorable to the plaintiff. *See Manzarek v. St. Paul Fire & Marine Ins. Co.*, 519 F.3d 1025, 1031 (9th Cir. 2008). Courts are not required to accept as true legal conclusions couched as factual allegations. *Iqbal*, 556 U.S. at 678. In evaluating a Rule 12(b)(6) motion, review is ordinarily limited to the contents of the complaint and materials properly submitted with the complaint. *Van Buskirk v. Cable News Network, Inc.*, 284 F.3d 977, 980 (9th Cir. 2002); *Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1555 n.19 (9th Cir. 1990).

An allegation of “fraud or mistake must state with particularity the circumstances constituting fraud.” Fed. R. Civ. P. 9(b). The “circumstances” required by Rule 9(b) are the “who, what, when, where, and how” of the fraudulent activity. *Vess v. Ciba-Geigy Corp. USA*, 317 F.3d 1097, 1106 (9th Cir. 2003); *see also Neubronner v. Milken*, 6 F.3d 666, 672 (9th Cir. 1993) (“[Rule 9(b) requires] the times, dates, places, benefits received, and other details of the alleged fraudulent activity.”). In addition, the allegation “must set forth what is false or misleading about a statement, and why it is false.” *Vess*, 317 F.3d at 1106 (quoting *In re GlenFed, Inc. Sec. Litig.*, 42 F.3d 1541, 1548 (9th Cir. 1994)). This

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SA CV 17-1386-DOC (KESx)

Date: November 26, 2018

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heightened pleading standard ensures “allegations of fraud are specific enough to give defendants notice of the particular misconduct which is alleged to constitute the fraud charged so that they can defend against the charge and not just deny that they have done anything wrong.” *Semegen v. Weidner*, 780 F.2d 727, 731 (9th Cir. 1985).

III. Discussion

As a preliminary matter, the Court notes that it has afforded Plaintiff, acting pro se, four opportunities to amend her Complaint and has warned Plaintiff to cease frivolous pleadings. Most recently, in a forty-one-page order granting motions to dismiss without prejudice, the Court held that “Powers is straddling the line of filing a frivolous pleading” but denied a motion for sanctions. Dkt. 212 at 39. Despite this guidance, Plaintiff has continued to flood the Court with filings, some of which are difficult to follow and do not give rise to any claims. *See, e.g.*, Notice of Plaintiffs Affidavit of Prepared Statement for the Court (Dkt. 258). Although the federal pleadings standards are flexible, and especially so with respect to pro se pleadings, filings must still give fair notice to Defendants. *See Jones v. Cmty. Redevelopment Agency of City of Los Angeles*, 733 F.2d 646, 649 (9th Cir. 1984). In the forty-one-page opinion, the Court detailed at length the flaws in Plaintiff’s Third Amended Complaint. The fourth complaint fails to cure these defects. In the Opposition, Plaintiff focuses on the parties’ failure to reach a settlement during meet and confers. Opp’n at 4–11. Plaintiff then appears to state criminal claims against Defendants’ attorneys for “acting in dishonor bringing a groundless defense.” *Id.* at 12. The Court now turns to each claim asserted in the 4AC.

A. Promissory Estoppel Claim

The Court previously held that the statute of limitations has run on Plaintiff’s promissory estoppel claim against all Defendants. *See* September 19, 2018 Order at 28. Plaintiff has not cured this defect.

The elements for promissory estoppel in California are: (1) a clear and unambiguous promise in its terms; (2) reliance by the party to whom the promise is made; (3) reliance is reasonable and foreseeable; and (4) the party asserting estoppel must be injured by reliance. *Grandino v. Wells Fargo Bank, N.A.*, 236 Cal. App. 4th 411, 416 (2015). The statute of limitations for a promissory estoppel claim based on an oral promise is two years. *Newport Harbor Ventures, LLC v. Morris Cerullo World Evangelism*, 6 Cal. App. 5th 1207, 1224 (2016)).

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SA CV 17-1386-DOC (KESx)

Date: November 26, 2018

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Plaintiff does not allege that any Defendants made any promise to her after August 2015, two years before this suit was filed. Moreover, the 4AC fails to identify the nature of the alleged promise made to her, who made the promise, or what the terms of the promise were. *See* 4AC ¶¶ 137–47. With regards to Commonwealth, it appears to the Court that the promise at issue may have been made eleven years ago. *Id.* at ¶ 140 (“For the past eleven (11) years, Plaintiff has been in a fragmented state of mind . . . due to the on-going high level of stress in her life, inflicted by Commonwealth Land Title Insurance Companies failure to perform under the terms of the Title Insurance Contract owned by Plaintiff.”). Elsewhere in the Complaint, Plaintiff references title insurer claims dating back to 2012. *See id.* ¶ 41. With regards to the remaining Defendants, Plaintiff reiterates that for “eleven years” she has been affected by “Defendants failure to be transparent and not having a meeting of the minds.” *Id.* ¶ 146. Plaintiff has failed to cure the time-bar defects and fails to state a claim for promissory estoppel against any Defendant. Accordingly, the Court DISMISSES WITH PREJUDICE Plaintiff’s promissory estoppel claim.

B. UCL

The Court previously held that Plaintiff failed to allege any *specific* unlawful, unfair, or fraudulent conduct by Defendants. *See* September 19, 2018 Order at 36–37. “To bring a UCL claim, a plaintiff must show either an (1) ‘unlawful, unfair, or fraudulent business act or practice,’ or (2) ‘unfair, deceptive, untrue or misleading advertising.’” *Lippitt v. Raymond James Fin. Servs., Inc.*, 340 F.3d 1033 (9th Cir. 2003) (quoting Cal. Bus. & Prof. Code § 17200). “A plaintiff alleging unfair business practices under these statutes must state with reasonable particularity the facts supporting the statutory elements of the violation.” *Khoury v. Maly’s of Cal., Inc.*, 14 Cal. App. 4th 612, 619 (1993). Indeed, the viability of a UCL claim “depends on the viability of an underlying claim of unlawful conduct.” *Nool v. NoeQ Servicing*, 653 F. Supp. 2d 1047, 1056 (E.D. Cal. 2009). The statute of limitations for a UCL claim is four years. Cal. Bus. & Prof. Code § 17208.

Plaintiff has not cured the defects pointed out by the Court in its previous Order. Plaintiff claims that Defendants engaged in unlawful conduct by “uttering false claims and documents, recording documents with known forgeries, not removing falsely recorded documents all constitute an unfair business act or practice [sic].” 4AC ¶ 174. This is not sufficient notice to the Defendants and fails to allege any specific unlawful, unfair, or fraudulent conduct. Moreover, Plaintiff’s claim as pled is time-barred. Accordingly, the Court DISMISSES WITH PREJUDICE Plaintiff’s UCL claim.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SA CV 17-1386-DOC (KESx)

Date: November 26, 2018

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C. Homeowner Bill of Rights

The Court previously held that HBOR does not apply retroactively and Plaintiff must have been an active borrower on January 1, 2013 for HBOR's protections to cover her. September 19, 2018 Order at 23–26; see *Lucioni v. Bank of America, N.A.*, 3 Cal. App. 5th 150, 157 (2016).

California courts do not apply statutes retroactively unless there is an express retroactivity provision or it is very clear from extrinsic sources that the Legislature wanted a retroactive application. *Meyers v. Phillip Morris Cos., Inc.*, 28 Cal. 4th 828, 841 (2002). HBOR took effect on January 1, 2013. *Parker v. U.S. Bancorp*, No. ED CV 16–70–DMG (SPx), 2016 WL 7495824, at *4–5 (C.D. Cal. Sep. 13, 2016); *Sanchez v. Aurora Loan Servs., LLC*, No. CV 13–08846 MMM (RZx), 2014 WL 12589659, at *6 (C.D. Cal. Mar. 11, 2014). HBOR neither contains an express retroactivity provision nor is there well-documented extrinsic evidence that the Legislature wanted HBOR to apply retroactively. See *Parker*, 2016 WL 7495824, at *4–5.

Powers has not had title to the property since 2009. MERS RJN, Ex. NN (conveying deed on the Property to Peppers). Thus, she does not have standing to assert a HBOR claim against MERS for actions it took on the Property in 2015 because she did not have title to the Property at that time. Plaintiff has not alleged that title has actually transferred back to her through the recording of a new Grant Deed. Plaintiff has failed to cure the fatal defects regarding standing. Moreover, Plaintiff continues to fail to allege specific facts connected to the violations sufficient to state a claim or provide notice to Defendants. Accordingly, the Court DISMISSES WITH PREJUDICE Plaintiff's HBOR claim.

D. Breach of Contract

The Court previously dismissed the Breach of Contract claim, specifically directing to Plaintiff that any “amendment should include specific factual allegations about how the remaining Defendants breached its contract with Plaintiff and how Plaintiff performed.” September 19, 2018 Order at 32–31.

The elements for a common law breach of contract are: (1) the existence of a contract, (2) plaintiff's performance or excuse for nonperformance, (3) defendant's breach, and (4) the resulting damages to the plaintiff. *Oasis W. Realty, LLC v. Goldman*, 51 Cal. 4th 811, 821 (2011). The statute of limitations for a contract claim is four years.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SA CV 17-1386-DOC (KESx)

Date: November 26, 2018

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Cal. Civ. Proc. Code § 337; *Gilkyson v. Disney Enters., Inc.*, 244 Cal. App. 4th 1336, 1341 (2016).

Plaintiff's claim for breach of contract is particularly difficult to follow and is at times incoherent. Plaintiff has failed to cure the defects and has pled no allegations that she performed her obligations under the DOT, nor allegations about how Defendants breached their obligations. Plaintiff fails to satisfy any of the critical elements for a breach of contract claim. Accordingly, the Court **DISMISSES WITH PREJUDICE** Plaintiff's breach of contract claim.

E. Conspiracy

The Court previously held that civil conspiracy is not an independent tort. September 19, 2018 Order at 37 (citing *Kidron v. Movie Acquisition Corp.*, 40 Cal. App. 4th 1571, 1581 (1995)). Rather, it is a legal doctrine that imposes liability on a person who, although not committing the tort themselves, shares with the tortfeasor a common plan in perpetrating it. *Id.* Plaintiff's conspiracy claim must be dismissed because she has no remaining viable claims against Defendants. *See Kidron*, 40 Cal. App. 4th at 1581. Accordingly, the Court **DISMISSES WITH PREJUDICE** Plaintiff's conspiracy claim.

IV. Disposition

For the foregoing reasons, the Court **GRANTS** the motions to dismiss and **DISMISSES WITH PREJUDICE** the 4AC.

The Clerk shall serve the minute order on the parties.

MINUTES FORM 11
CIVIL-GEN

Initials of Deputy Clerk: djl

Exhibit H



**CAST OF CHARACTERS-CASTING AWAY THE INTEGRITY OF
THE LAND RECORDS FOR OBAMACARE ATM.
THE BIGGEST PONZI SCHEME IN HISTORY!**

by: RENE POWERS·THURSDAY, APRIL 6, 2017

“As the homeowners wake, if having slept at all, they feel light upon their eyes, the sudden jolt of reality awakens them, “could today be the day my home is stolen”...the thought holds steady in the mind as the homeowners seek answers to the unbelievable theater of the cast of characters stealing the land, estates, homes and lives of America.”

Today i write this to bring attention to the truth as i know it. The reality that Foreclosures and Obamacare have created a virtual world of lies, identity theft, counterfeiting and pirating of the American estates, and the truth must be heard. From local Land Records Offices to the Treasury, and all dark corners of local municipalities, the biggest RICO PONZI SCHEME plays out. Public Servants who continue to cover for the crimes, we are keeping a list. Steal a man’s home and destroy his family, remove the roof over their head and that man never forgets you.

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CJ Holmes, founder of homeowners for justice.

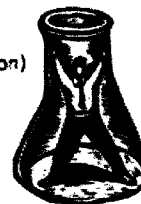
In 2012 CJ Holmes, founder of homeowners for justice, set out to stop foreclosures. CJ hosted a show out of her home in California and i assisted her in finding guests and seeking documents for her to use. CJ was the pioneer for homeowners many have forgotten about, but the few of us who knew her dedication can never forget her hard work. Her work should have shut down foreclosures, all of them. CJ has moved and gone private, but her work will always be remembered.

Listen Here: https://www.youtube.com/watch?v=x_QVd5aydNY SHE SAYS IT LIKE IT IS!!

<https://www.youtube.com/watch?v=Kd42AS45cRc> Many of us on the social media platforms today are ones who came together through CJ's show and through all of us the efforts to end foreclosure has been a war that we should not have had to fight. Today, after years of battles, lost homes lives and estates, evidence is finally showing that the entire foreclosure world was a ponzi scheme of the highest RICO. Today i bring this information to you, through the work of countless Whistle Blowers, victims and winners, in order that we may finally see the return of homes, estates, land and lives to America. #MAGA

Prosecution

- Title 18 Criminal Code Violations
 - mail fraud, 18 USC 1341
 - wire fraud, 18 USC 1343
 - false statements, 18 USC 1001
 - conspiracy to defraud, 18 USC 371
 - concealment of a felony, 18 USC 4 (misprision)
 - false claims, 18 USC 287
 - obstruction of justice, 18 USC 1505



MISPRISION OF A FELONY AND RICO OF THE HIGHEST ORDER

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HERE IS THE LINK TO THE EVIDENCE: <https://www.youtube.com/watch?v=h-HKN3tEW0Q> A year later, two of the homeowners involved, myself and Jed Davis, without knowing the other was reaching out to the Task Force, both sent messages off to the Deputy AG's involved asking how the "progress" was going. The answer shocked them both and set off a surge of effort to have that investigation once and for all, the answer they got, "No, we have not investigated and we find there is no fraud"...No investigation, but there is no fraud found? Well, if you don't look of course you won't find it, or is it more, "we know and won't be helping you, we have our orders to stand down." Misprision of a felony?

We could not let the work of so many, and the evidence of so many, crimes in the land records just burn, so from the ashes the California 18 was born. CJ founded The California 18, 18 cases sent to the "California Attorney Mortgage Fraud Task Force" in 2013 and in 2014 the homeowners bonded their desire to pursue the investigation efforts. As the Spring of 2014 rolled in William Wagoner, a reporter and television host of "on second thought" out of Santa Maria, worked with the California 18 to memorialize their findings publicly, and thank goodness they did. Today, this evidence may mean the investigation will move forward and the ugly ties of espionage, identity theft, pirating of the COLB accounts at the Fed Reserve window and the usurpation of all our estates will end.

LISTEN TO THIS INTRODUCTION OF THE CALIFORNIA 18: Jack Suttie, Expert Witness, Forensic Fraud Investigator, Former Police Officer, Private Investigator.



<https://www.youtube.com/watch?v=iUhwuk78xpA>

FOLLOW HERE AND LISTEN TO ALL THE CALIFORNIA 18 VIDEOS FROM THE IN STUDIO AND LIVE BROADCAST BY: William J. Wagoner. Also, after the airing of these videos Wagoner was retaliated against. He went from full studio access of 40 hours a week down to a couple of hours, think this evidence didn't matter, oh it MATTERS!!! Kamala Harris ignored her duty to shut down

the electronic recordation of fraud and fully investigate:

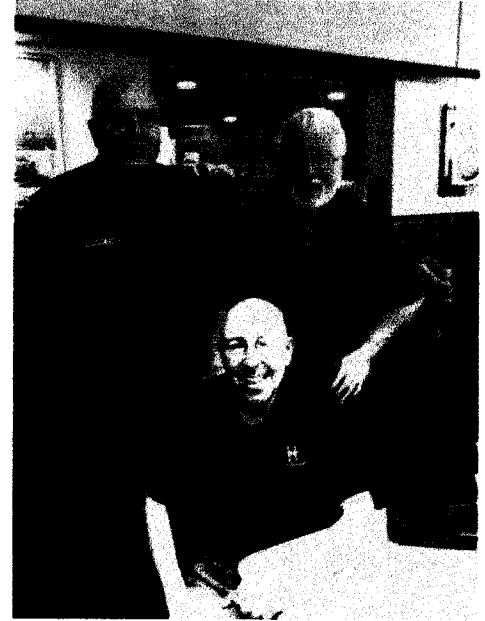
https://www.youtube.com/results?search_query=william+wagoner+california+18

As the years have passed the homeowners in the California 18 have lost homes, estates and yet have not lost the desire for Justice. The Homeowners have not lost the hope of getting their estates returned and damages paid for all victims of the Mortgage Meltdown, Securities Crimes and Usurpation of America right through the Treasury at the Federal Reserve Window. We have watched as the corrupt courts

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destroy homeownership with the bang of a gavel and without a care for the homeowners. Too many CAFR funds involved, too many retirement accounts, too many seeking unjust enrichment and banks believing they are too big to fail. (just ask them). The California 18 endorsed candidates for "County Recorder" in many offices across America. George Mantor ran in San Diego California back in 2014.

The San Diego groups of homeowners came out to support George, he was the man all knew would get into the office and make sure that the county recorders office was cleaned out! George did not win, the media came out and supported the opponent who won, bias? yes. Had George of gotten in the plan for Kamala Harris and the software/database owned by LA/San Diego/Riverside and San Diego would not have been able to continue the ponzi scheme. (pictured left/Jack Suttie, right/Charles Koppa and sitting/George Mantor)



Hear directly from George Mantor as to why he ran.

<https://www.youtube.com/watch?v=Yg4...>

As evidence mounted and as foreclosures continued the California 18 grew well beyond the 18, it had teams in San Diego and all across America sending in affidavits to Congressmen and women, to all the ABC Agencies of the US Inc. and then in March of 2014, shortly after the taping in Santa Maria, the Inspector General announced, "The Attorney Generals and FBI Mortgage Fraud Task Forces have not investigated ANY claims of mortgage fraud." The relationship of OBAMACARE AND AG KAMALA HARRIS is tightly wound with the crimescenes of America known as "The County Recorders" offices and the electronic database software systems being used as the conduit to steal.

The Electronic Recording Delivery System Act of 2003 is a good starting point for those interested in some education on how the ponzi scheme works. This set the stage for the creation of patented software and a complete database that would become the conduit of the pirating through the Recorders Offices aka: Crimescenes of America. [ftp://www.leginfo.ca.gov/pub/03-04/...](ftp://www.leginfo.ca.gov/pub/03-04/)

The Real Property Electronic Recording Act of 2004 followed: Are you following me? Are you starting to see the building of the Ponzi Scheme? Description: *The purpose of this act is to give county clerks and recorders the legal authority to prepare for electronic recording of real property instruments.*

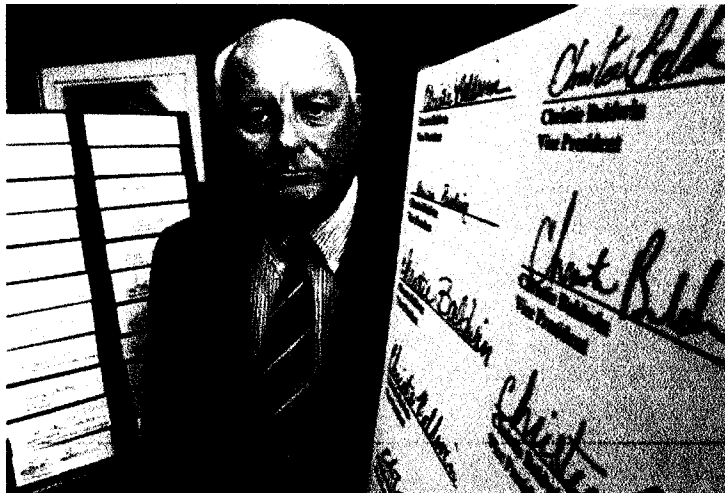
<http://www.uniformlaws.org/Act.aspx...>

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READ ABOUT SECURE HERE FOR SUBMITTER RULES AND ALL ARE CREATING VOID DOCUMENTS! LAW OF VOIDS FOLKS! :http://www.secure-recording.com/documents/submitter_mou.pdf

HERE IS SECURES FULL LINK: <http://secure-erds.com/history.html>

On August 19, 2008, under the Electronic Recordation Act of 2003, and The Real Property Electronic Recording Act of 2004, a multi county agreement between the Counties of Orange, Los Angeles, Riverside and San Diego California was entered into. And, the software/database system is housed in Orange County California in a huge room we do not get to see.



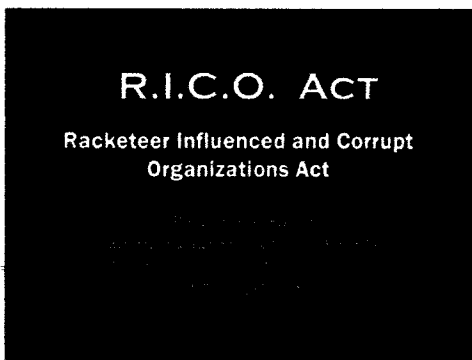
John O'Brien (pictured above with poster boards of evidence of robo-signers) of Essex County releases forensic Audit of his county land records. [https://shadowproof.com/2011/06/30/...](https://shadowproof.com/2011/06/30/) At the Annual Conference of The International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT), Register John O'Brien revealed the results of an independent audit of his registry. The audit, which is released as a legal affidavit was performed by McDonnell Property Analytics, examined assignments of mortgage recorded in the Essex Southern District Registry of Deeds issued to and from JPMorgan Chase Bank, Wells Fargo Bank, and Bank of America during 2010. In total, 565 assignments related to 473 unique mortgages were analyzed.

McDonnell's Report includes the following key findings: • Only 16% of assignments of mortgage are valid • 75% of assignments of mortgage are invalid. • 9% of assignments of mortgage are questionable • 27% of the invalid assignments are fraudulent, 35% are "robo-signed" and 10% violate the Massachusetts Mortgage Fraud Statute. • The identity of financial institutions that are current owners of the mortgages could only be determined for 287 out of 473 (60%) • There are 683 missing assignments for the 287 traced mortgages, representing approximately \$180,000 in lost recording fees per 1,000 mortgages whose current ownership can be traced.

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McDonnell told O'Brien... "What this means is that the degradation in standards of commerce by which the banks originated, sold and securitized these mortgages are so fatally flawed that the institutions, including many pension funds, that purchased these mortgages don't actually own them because the assignments of mortgage were never prepared, executed and delivered to them in the normal course of business at the time of the transaction. In a blatant attempt to engineer a 'fix' to the problem, the banks set up in-house document execution teams, or outsourced the preparation of their assignments to third parties who manufactured them out of thin air without researching who really owns the mortgage."

On November 17, of 2015, i went to the board of supervisors meeting in Orange county and accepted the oaths and bonds of the Board of Supervisors to fully investigate the recordation crimes. i did not know about the patented software database known as S.E.C.U.R.E that day, but started researching why the county, DA and all ABC agencies were allowing the crimes and letting the courts, banks and brokers, foreclosure mills, eviction mills and ATTORNEYS steal our land, estates, homes and lives with all the identity theft and fraudulent documents recorded. My research shocked me as the reality of what



appears to be the RICO of the highest order was coming to my view. Interesting enough, less than a month after going to that meeting this document was signed and this pdf was created: MUST OPEN AND READ http://rivcocob.org/agenda/2015/12_...

As the RICO platform of Recordation Control and the Ponzi Scheme of identity theft, counterfeiting and recording of fraudulent documents and pirating of American homeowners estates continued

the Administration also set out a propaganda campaign to give an appearance the administration was investigating Mortgage and Financial crimes.

The game of "let's make it look like we care" gave an appearance that something was really being done,



that foreclosures would end and criminals would be prosecuted. In March of 2010 the "crack down" on mortgage fraud known as "Stolen Dreams" announced Financial Fraud Enforcement Task Force Announces Results of Broadest Mortgage Fraud Sweep in History. (we now know it was just a rouse to aid in the ponzi scheme)

Are Obama, Holder and Donohue, three RICO conspirators?

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Read the full story here. Take notice that you will not see one big bank arrest or mention of the Federal Reserve window, especially the FACT that there were no mortgages, none...they knew:

<https://archives.fbi.gov/archives>



s/n...

FROM JET SETTER TO ORANGE JUMPSUIT! Lee Bentley Farkas is serving a 30-year term for masterminding a \$2.9 billion fraud that brought down his Ocala-based Taylor, Bean and Whitaker Mortgage Corp., one of the nation's largest mortgage lenders.

Read more of the story here: <https://www.queerty.com/the-disgust...>

Then, in 2011 we watched as Taylor Bean And Whitaker was involved in more crimes. (Wouldn't one think foreclosures would end already?) "Former Treasurer and President of Taylor, Bean & Whitaker Each Sentenced to Prison for Fraud Scheme <https://archives.fbi.gov/archives/news/pressrel/press-releases/financial-fraud-enforcement-task-force-announces-results-of-broadest-mortgage-fraud-sweep-in-history> The prosecution sent these all the while covering up the truth found during the prosecution, the CERTIFICATE OF LIVE BIRTH (COLB) ACCOUNT was accessed at the Federal Reserve Window and the homeowners were the real creditors of all the transactions. Principal Secured Creditors with the beneficial interest zeroing out any obligation. This was a fact found and hidden by the Inspector General of the United States and leaders of the Financial Departments. They knew and yet let it continue, without it continuing Obamas plan would not work.

Last year i attended a community meeting that was to support Kamala Harris for Senator, obviously i did not go in support. i was saddened to see people duped and continue to support her, there had to be foreclosure victims in the room, but they hoot and hollered as she entered through the back door and slid back out just as quickly as possible, avoiding communicating. i attended because we were told she was going to take comments about foreclosure fraud, i took a homemade sign. i waved it from the back of the room and know she saw it. She did not care, never did. Was the foreclosure platform Harris's platform to the Senate, help cover up the land record fraud and earn the seat?

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Harris put up a good front though, remember the Amicus Brief for Yvanova? Read it here if you like: <http://stopforeclosurefraud.com/2015/04/22/yvanova-v-new-century-mortgage-corporation-amicus-brief-of-california-attorney-general-kamala-harris-in-support-of-appellant/> After reading it you will have to see that the entire debacle of foreclosure was known. Harris put this brief out, in my opinion, as a carrot dangling to give an appearance she was doing something to help...Judges don't care!

Heck, from what we now know the judges have all been paid off too! Listen to this audio from the Foreclosure Hour with Gary Dubin: RETIRED BIG FIVE BANK EXECUTIVE LAUGHS AND TELLS ALL ABOUT THIS PONZIE SCHEME, he says that the banks won't ever go down, they are too well insulated...i don't believe that for one minute folks! <http://stopforeclosurefraud.com/2014/12/27/you-must-hear-these-admissions-exclusive-tell-all-interview-with-retired-big-five-bank-executive/>

And listen here to the audio from the WHISTLE BLOWER DYDZAK interviewed just last month by William Wagener. He tells all about how the STATE BAR/ABA IS CORRUPT AS THE DAY IS LONG: <https://youtu.be/DJ4T5K7TcAc>

And here is a link to the STATE BAR OF CALIFORNIA'S OWN WORDS: This is a confidential report that was leaked from deep inside the State Bar, it shows ore groups of lawyers abusing expense accounts, dealing in questionable real estate transactions, misleading state legislators and Supreme Court Judges . Most disturbing the report show that the State Bar has admitted that Judge positions in the state are available to the highest bidder, or the biggest crooks. <https://www.scribd.com/document/343684706/State-Bar-Jayne-Kim-Calls-for-Investigation-of-Bar-for-Improper-Activity-from-Bar-s-Chief-Trial-Counsel>

TREASURY CONFIRMS OBAMA STOLE MILLIONS (who is counting?) FROM FREDDIE AND FANNIE TO FUND OBAMACARE. Now do you see what Obama pushed to privatize them? Do you see how important it was to have one of his team members in the Attorney General Office in California to make sure the S.E.C.U.R.E recordation software/database was not shut down, or electronic recordation system for that matter?: (one guess what that private property is?) <https://www.infowars.com/treasury-report-obama-stole-from-fannie-freddie-investors-to-fund-obamacare/>

BEN CARSON UNCOVERS MASSIVE HUD FRAUD UNDER OBAMA ADMINISTRATION: <http://theblacksphere.net/2017/04/ben-carson-uncovers-massive-hud-fraud-under-obama/>

JOSH ROSNER ON TUCKER CARLSON: OBAMACARE FUNDED BY FREDDIE AND FANNIE!! Just a couple of nights ago Tucker Carlson had an interview with Josh Rosner, one many may have overlooked...i didn't...please go to the 36:44 mark on this video. <https://www.youtube.com/watch?v=74J...>

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Following this show i was so happy to hear it that a friend and i reached out to Josh. We had a wonderful discussion and can see that people are connecting the dots and it is only a matter of time for the redemption! Too many now see the facts and know that corruption at the highest level of the Obama Administration was not a conspiracy theory, but a reality.

MILLIONS SHOW UP IN OFFSHORE ACCOUNTS STOLEN FROM TAXPAYERS:

<http://uspoln.com/2017/03/12/breaking-obama-tax-audit-turns-millions-offshore-accounts-stolen-taxpayers/>

Orange County California is right now a legal mess of investigations, lawsuits and judges playing out cases under the color of law, hiding the real crimes and millions being made off of a software platform that ties them all into this RICO PONZI SCHEME! This is a facebook group i started after standing at the Board of Supervisors meeting in November 2015. Go to this link and read about the stories and events unfolding as the DA/Sheriff Hutchens/Todd Spitzer and many others in what are dressed as "public servants" costumes covering up the Ponzi Scheme for, what appears to be, their own unjust enrichment. STOP RECORDING FRAUD AND HOLD PUBLI SERVANTS ACCOUNTABLE!

<https://www.facebook.com/groups/1662725930673469/>

Doctor Christina Winsey and i hosted Whistle Blower Linda Almonte on September 12, 2016. The show got massive attention and you should listen. HERE IS THE CALL IN TO LISTEN TO THE CALL WITH US ON THE 12th DISCUSSING THAT THE CFPB & SEC CONCEALED AND HIJACKED EVIDENCE ALLOWING HOMES LAND AND LIVES TO BE STOLEN!! LISTEN BY PHONE AT 1-540-402-0043 and PIN 1244: further follow up info here: <https://www.facebook.com/notes/one-mom-on-a-borough/follow-up-information-for-the-call-hosted-by-rene-dr-chris-on-sept-12-2016-with-/1180572545354810>

Gary Dubin did this show following our broadcast, hear what he had to say about the CREDIT CARD ACCOUNTS paraded as fake Mortgages: LISTEN To The Foreclosure Hour with Dublin on the show from September 18, 2016 <http://www.foreclosurehour.com/past-broadcasts.html>

As the evidence of what i believe to be Racketeering through the Assistance of the American Bar Association and State Bar Associations, District Attorneys, Board of Supervisors, County Recorders, The US Financial Committee and Public Servants too many too name, i conclude and opine the following:

My research shows this RICO Ponzi Scheme to be the one that will take down the financial world. As the election was running and the nation watched candidates talk and blah blah blah their way from STATE to STATE and debates of utter craziness, one common thread was there, OBAMACARE. Since Obamacare was

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a disaster and there are few insurance companies actively participating i wondered, "what is it about this OBAMACARE that they know and we don't? Why force payments and fines upon families if they do not want it? Obviously it needs to be repealed, why would anyone not see that?"

The answers i have come to are that RICO of the HIGHEST ORDER has been perpetuated against our country. Without the Electronic Recordation System allowing all the fraudulent claims to steal the Titles of Americans Obama would not have found the private property to launder through the Treasury to fund what by all appearances, was a failing Health Care bill/system. In fact, i believe, this was not about healthcare at all, it was about setting up a system that would pay for the Ponzi Scheme with the private property of hard working Americans in order to give the ABC agencies and Obama Administration an endless ATM for it's unjust enrichment. Repeal OBAMACARE? How about repeal all electronic recordations, shut down the Crimescenes of America and give integrity back to our estates.

Return the stolen homes, pay damages to the homeowners and for those who are living in the stolen homes who have to move, "if you bought the house knowing the previous owners claimed fraudulent foreclosure i have zero pity for you, if you bought and did not know i say this....sorry! GIVE IT BACK! yes, just as you would have to return any other stolen property found in your possession. Sucks for those who bought the stolen property, but hey, we have to do it! Apparently, thank you Terance Healy for sharing this, there is a term for this folks "THE IBANEZ TIMEBOMB" and here is the article: <http://work2bdone.com/live/wp-content/uploads/2017/01/The-Ibanez-Timebomb.pdf>

Oh yeah, and "JAIL THE BANKERS, BROKERS, REAL ESTATE AGENTS, LLC's, STRAW COMPANY OWNERS, ATTORNEYS AND POLITICIANS, SPS EMPLOYEES/BONY/BOFA/MERS/RECONTRUST/QUALITY LOAN SERVICING/NATIONWIDE PUBLICATION AND POSTING (yes close to my heart), ALL OF THEM who participated in the largest PONZI SCHEME IN HISTORY!!

Thank you for reading and i hope this connects some dots. We must bring Justice back to the system. The fourth and highest branch of Government is "We the People", nothing above that but God. and so it is...

Follow the efforts of the Whistle Blowers and homeowners on Facebook at:

<https://www.facebook.com/groups/1662725930673469/>

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Exhibit I

Billie Rene Frances Lillian Powers
PO Box 1501 Newport Beach California 92659
Tel: (949) 374 4052

Mr Andrew Kogan
Department of Justice Criminal Division
Andrew.kogan@usdoj.gov

Cc pers@sperling-law.com
Cc dgreenberger@eblaw.com
Cc whistleblowers.wa@vfemail.net

Dear Sir

US v MasterCard's lawyer Ms Keila Ravelo: Victim Impact Statements?

Our group is very concerned with foreign-based rackets of criminal document fabrication rings that were trying to procure information about SEC Whistleblowers prior to the arrests of Ravelo and her criminal associates, - with the help of foreign officials for the sister-in-law of a criminal law trial attorney in Melbourne Australia called Mr Tehan QC.

The egregiously unethical conduct of Ms Ravelo resulted in what was described by Bloomberg News Service as a \$5.75 billion anti-trust trainwreck.

We do not believe that Ms Ravelo's crimes were a mere \$8 million in value.

American retailers were about to collect \$5.75b in damages that was negotiated by unethical lawyers who were subsequently sacked by Judges Garaufis Winter Jacobs and Leval when the crimes were confirmed because of the arrests. The judges tore up those damages. Her conduct (and she may not have acted alone) is mind blowingly massive for millions of small and large stores, restaurants and hotels. (15,000,000 stores we believe).

The international evidence from the Reserve Bank of Australia and from American Express and Visa's Australian operations played a large part in anti-trust civil litigation and in anti-trust litigation, and ended up in the US Supreme Court with nationwide consequences.

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We also believe that there was collusion among lawyers (and perhaps their instructing bank officials) during anti-collusion anti-trust litigation. Judges Garaufis Winter Jacobs and Leval expressed concerns that the lawyers may have been tempted by offers of legal fees of \$75 billion and \$545 million (that is not a typographical error) to get smaller retail stores to accept nothing much of value with the megastores sharing the spoils of around \$6 billion. Colluding during anti-trust litigation might itself be a violation of anti-trust and racketeering laws. Accordingly we suspect that the crimes carried out by Ms Ravelo should be looked at in terms of the nationwide consequences for users of credit cards across the USA, shops, restaurants and hotels and convenience stores, and mega department store chains.

We understand that the Department of Justice Anti-Trust Division in 2011 reached an agreement with MasterCard and Visa. Apparently clause 6 would enable the DOJ without warrants to go into MasterCard and Visa and find out if there was collusion within those companies with the lawyers they retained, or whether the lawyers came up with this brilliant plan between themselves to convince small restaurants and shops to accept no part of the \$6 billion agreed settlement. We think it would be useful if the DOJ could investigate if there was a racket going on among these massive international law firms either alone or with the backing of international bank officials. We also think that the Sentencing Judge should know whether Ms Ravelo assisted law enforcement officials to find out whether the collusion included trying to convince lawyers to go along with a scheme or artifice to do their own small clientele out of a proper share of the agreed damages.

We think Ms Ravelo's indirect victims should file Victim Impact Statements if you think that is appropriate. If you could put us in contact with a victim support service with the relevant court house for the upcoming sentencing hearing, that would be very much appreciated.

We would also like to explore with the DOJ the claims by whistleblowers in the Supportive Residents and Carers Action Group Inc that a bank round arbitration scheme known as the Financial Ombudsman Service purposely whitewashed widespread systemic mortgage fraud in Australia while banks packaged up sub-prime lending into toxic investments which was sold into the US housing market. You may be aware of the DOJ prosecution of Royal Bank Of Scotland where the bank actually joked that it's garbage loan products could destroy the US housing market, and with all the scandals coming out of a Royal Commission in Australia, we think it is extremely important that the Department of Justice investigates these Australian-based document falsification rackets that, along with bankers, profited handsomely while they launched these toxic time bombs into the USA housing market.

We would also like to discuss with the DOJ many other cases where we believe members in our group were subjected to criminal practices employed by global banks and their colleagues in valuations, real estate, foreclosure sales and unethical legal practices have caused untold grief.

Yours faithfully


Billie Rene Frances Lillian Powers

POWERS v. THE BANK OF NEW YORK MELLON et al

Attachment: Headline about the consequences:



Attachment: New York Supreme Court Disciplinary Committee disbars Ravelo:

Matter of Ravelo

Annotate this Case

Matter of Ravelo 2018 NY Slip Op 04857 Decided on June 28, 2018 Appellate Division, First Department Per Curiam Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject to revision before publication in the Official Reports.

Decided on June 28, 2018 SUPREME COURT, APPELLATE DIVISION First Judicial Department

John W. Sweeny, Jr., Justice Presiding,

Dianne T. Renwick

Angela M. Mazzairelli

Ellen Gesmer

Anil C. Singh, Justices.

M-1366

[*1] In the Matter of Keila D. Ravelo, an attorney and counselor-at-law: Attorney Grievance Committee for the First Judicial Department, Petitioner, Keila D. Ravelo, Respondent.

Disciplinary proceedings instituted by the Attorney Grievance Committee for the First Judicial Department. Respondent, Kaila D. Ravelo, was admitted to the Bar of the State of New York at a Term of the Appellate Division of the Supreme Court for the First Judicial Department on July 20, 1992.

Jorge Dopico, Chief Attorney,
Attorney Grievance Committee, New York
(Raymond Vallejo, of counsel), for petitioner.

Respondent pro se.

PER CURIAM

Respondent Keila D. Ravelo was admitted to the practice of law in the State of New York by the First Judicial Department on July 20, 1992. At all times relevant to this proceeding, respondent maintained an office for the practice of law within the First Department.

In 2017, respondent was convicted, upon her plea of guilty, in the United States District [*2]Court for the District of New Jersey, of conspiracy to commit wire fraud in violation of 18 USC §§ 1343 and 1349, and tax evasion in violation of 26 USC § 7201. Respondent is scheduled to be sentenced on June 28, 2018.

Respondent's conviction stemmed from her involvement in a conspiracy with her husband by which she defrauded two law firms (where she was employed as a partner) along with a client of approximately \$7.8 million by submitting false invoices for litigation support services purportedly rendered by two entities formed by respondent and her husband.

Now, the Attorney Grievance Committee (Committee) seeks an order striking respondent's name from the roll of attorneys, pursuant to Judiciary Law § 90(4)(a) and (b) and the Rules for Attorney Disciplinary Matters (22 NYCRR) § 1240.12(c)(1), on the grounds that she was convicted of a felony as defined by Judiciary Law § 90(4)(e), namely, conspiracy to commit wire fraud (18 USC §§ 1343 and 1349), and has therefore been automatically disbarred.

The Committee served respondent with its motion by mail, on consent, but she has not submitted a response.

The Committee's motion to strike respondent's name from the roll of attorneys should be granted.

Judiciary Law § 90(4)(a) authorizes automatic disbarment of an attorney convicted of a felony. Under this statute, a "felony" includes "any criminal offense classified as a felony under the laws of this state or any criminal offense committed in any other state, district, or territory of the United States and classified as a felony therein which if committed within this state, would constitute a felony in this state" (Judiciary Law § 90[4][e]). Thus, a federal felony conviction will result in automatic disbarment if an equivalent felony exists under New York law (Matter of Rosenthal, 64 AD3d 16, 18 [1st Dept 2009]).

For a determination that a federal felony has a New York analogy, the federal felony does not have to be a "mirror image" of a New York felony but must be "essentially similar" (Matter of Margiotta, 60 NY2d 147, 150 [1983]). Thus, we must compare the applicable federal and

state felony statutes, as well as look to our own precedent on this issue. If this initial analysis is inconclusive, "essential similarity" can be established by admissions made under oath during a plea allocution, read in conjunction with the indictment or information (see Matter of Adams, 114 AD3d 1, 2-3 [1st Dept 2013]; Matter of Lin, 110 AD3d 186, 187 [1st Dept 2013]; Matter of Sorin, 47 AD3d 1, 3 [1st Dept 2007]).

Automatic disbarment is warranted herein because respondent's federal conviction for conspiracy to commit wire fraud under 18 USC §§ 1343 and 1349, if committed in New York, would constitute the New York felony of scheme to defraud in the first degree (Penal Law § 190.65[1][b]). Although conspiracy to commit wire fraud has no direct felony analogue under New York law (see Matter of Merker, 140 AD3d 1, 4 [1st Dept 2016]; Matter of Sorin, 47 AD3d at 3), admissions made by respondent as part of her written plea agreement and plea allocution, read in conjunction with the indictment to which she pled guilty, satisfy the elements of scheme to defraud in the first degree, a class E felony (Penal Law § 190.65[1][b]).

The indictment to which respondent pled guilty alleged, in

in pertinent part:

" [v]endor 1' was a limited liability company formed by [respondent] and [her husband] in or about January 2008. From at least as early as in or about March 2008 through in or about October 2013, Vendor 1 purportedly provided millions of dollars in litigation support services to Law Firm 1 and Law Firm 2 for the benefit of Client 1 and received payments of more than \$5,000,000 from Law Firm 1 and Law Firm 2 for these alleged services. Law Firm 1 and Law Firm 2, believing that Vendor 1 had provided the litigation support services, in turn, billed and were reimbursed by Client 1 in connection with these purported services. In reality, however, Vendor 1 provided no services to Law Firm 1 and Law Firm 2 for the benefit of Client 1 or otherwise. Moreover, the vast majority of the money that went into Vendor 1's bank account from Law Firm 1 and Law Firm 2 was either: (i) used directly to pay for [respondent's] and [her husband's] personal expenses, or (ii) wire transferred into [a] Joint Bank Account and then used to pay for [respondent's] and [her husband's] personal expenses or investments. At no time, however, did [respondent] disclose to Law Firm 1 or Law Firm 2 that she and [her husband] had [*3]a direct financial interest in Vendor 1."

It is undisputed that respondent engaged in substantially similar behavior for "vendor 2," a limited liability company formed by respondent and her husband, that provided services to Law Firm 2 from July 2011 through July 2014. As part of the conspiracy, respondent authorized payments from Law Firm 1 and Law Firm 2 to both vendors 1 and 2 falsely representing that these vendors provided certain services.

The indictment also alleged that:

"It was further part of the conspiracy that when questioned by Law Firm 2 about Vendor 2 invoices, [respondent], in order to cover up and enable the conspiracy to continue, provided Law Firm 2 with documents that [respondent] claimed were produced by Vendor 2, but which in fact [respondent] knew were not produced by Vendor 2 as [respondent] had obtained many if not all of those documents from an attorney at another law firm."

Through this conspiracy, respondent and her husband "fraudulently obtained approximately \$7,800,000 from Law Firm 1, Law Firm 2, and Client 1." Respondent entered into a written plea agreement in which she admitted to conspiring to commit wire fraud and reaffirmed the admission during her plea allocution. Respondent's plea admissions, read in conjunction with the indictment to which she pled guilty, satisfy the elements of Penal Law § 190.65(1)(b) because respondent admitted that over a period of time she and her husband engaged in a systematic course of conduct by which they fraudulently obtained over \$7 million from her former law firms and a client thereof.

Respondent failed to notify the Committee or this Court of her conviction as required by Judiciary Law § 90(4)(c) and 22 NYCRR 1240.12(a).

Respondent's admitted conduct corresponds to the New York felony of scheme to defraud in the first degree (Penal Law § 190.65[1][b]); and, thus, is a proper predicate for automatic disbarment under Judiciary Law § 90(4)(b) and (e) and 22 NYCRR 1240.12(c)(1) (see e.g. Matter of Kuber, 151 AD3d 124 [1st Dept 2017]; Matter of Boden, 146 AD3d 69 [1st Dept 2017]; Matter of Feuer, 137 AD3d 78 [1st Dept 2016]).

The Committee's application is timely even though respondent has not yet been sentenced because she was automatically disbarred at the time of her guilty plea (see Matter of Lin, 110 AD3d at 188; Matter of Armenakis, 86 AD3d 205, 207 [1st Dept 2011]).

Accordingly, the Committee's motion should be granted and respondent's name is stricken from the roll of attorneys and counselors-at-law in the State of New York, effective nunc pro tunc to November 20, 2017.

All concur.

Order filed. June 28, 2018

Ordered that the petition is granted, and pursuant to Judiciary Law § 90(4)(b), respondent's name is stricken from the roll of attorneys and counselors-at-law in the State of New York, nunc pro tunc to November 20, 2017.

Exhibit J

National Committee for Resolution 6021

PO Box 1501 Newport Beach California

Inspector General Michael Horowitz

Department of Justice

Cc McCreeryj@sec.gov

Cc norbergj@sec.gov

Cc cunninghamk@austrac.gov.au

Dear Inspector General Michael Horowitz

Your comments on Whistleblower National Day about retaliations against SEC Whistleblowers:

Our National Committee For Resolution 6021 includes people who are whistleblowers in the SEC Office of the Whistleblower program and people who served with the US Air Force and intelligence agencies, worked with Californian Governor Arnold Schwarzenegger and in aerospace and in ranching and real estate and people contacted by the Secret Service et al and contacted even by the Australian Counterterrorism Agency Austrac (ref cunninghamk@austrac.gov.au).

Our committee members include those who raised Fraud on the Court in the DOJ prosecution of the lawyer for MasterCard International and the Mexican Banking Association, Ms Keila Ravelo, in an anti-trust proceeding and criminal prosecution by the Organized Crime Drug Enforcement Task Force which impacted upon 15 million US retailers and American Express MasterCard and VISA.

Our members also have proceedings which are being litigated with the assistance of a Lieutenant Colonel with a background in military trials.

Our members also spoke with the NYSD about Jeffrey Epstein.

Our members in Australia also looked into what on earth a FISA was in early 2015, and as you will be aware the Australian official on a Chinese IT company called Huawei is cited by the Trump campaign's Mr George Papadopoulos as being instrumental in matters that are being investigated relative to close colleagues of a national security prosecutor Ms Eileen Decker that our whistleblowers believe was being spied on by Australian officials during their investigations into the IT division of the Commonwealth Bank of Australia and into Prime Minister Razak's 1MDB Scandal.

11E"-J

We would like to bring a few concerns to your attention especially given your comments at the National Whistleblower Day Conference about retaliations on whistleblowers.

"Whistleblower Polly 1"

Enclosed is the redacted deposition of a whistleblower who worked for the law firm McCarthy Holthus.

Also enclosed is an alert issued by the mortgage law firm Wolf to their colleagues in the mortgage foreclosure industry.

Wolf admit that criminal rackets operate rings that falsify documents in foreclosure cases. Polly states that her employers recruited people to create those false documents for foreclosure cases. Please follow up the FBI investigations into the criminal rackets that Wolf mention. Please also follow-up investigations into Polly's employer. False documents for 8 to 10 foreclosure motions per day multiplied by all the employees in McCarthy Holthus could equal tens of thousands or even millions of fraudulently procured judgements that should be set aside for fraud on the Court. These crimes may also constitute economic attacks on the USA, and your attention is drawn to the prosecution of the Royal Bank Of Scotland where executives joked about destroying the US economy. It is deplorable that foreign banks for that destroying the US economy was a joke.

Patriots Act:

Please refer to the complaint by Mr Elliott Sgarretta and Mr Dennis Sgarretta where Mr Elliott Sgarretta refers to complaints to the National Australia Bank's Patriots Act Official Ms Alice Sevanah.

At the time there was a highly secretive investigations underway into Australian banks that were found by Austrac to be knowingly facilitating fund transfers for Al Qaeda, international criminal organisations and child exploitation rings.

The Australian Bank Royal Commission and Austrac found that the top level of the Australian banking regulator APRA and the bank audit firm KPMG and the Commonwealth Bank of Australia and its Director from the bank arbitration scheme "FOS" being Mr David Turner were aware that terrorists and organized crime and child exploitation criminals used the bank to instantly transfer criminal proceeds around the world. We understand that Mr Sgarretta was threatened in 2015 with prosecution by officials in the Victorian State Government legal ethics board coinciding with threats by his mortgagees at the NAB and that the Commonwealth Bank of Australia to foreclose on him unless his American purchasers signed a hush deed that would prevent them from assisting US investigations.

According to Mr Dennis Sgarretta, the so-called legal ethics board was aware of investigations by US law enforcement IC officials and it used pretences and threats to obtain information about SEC Whistleblowers and obtain information like the names of US law enforcement officials in the International Corruption unit of the FBI who were arranging to meet Mr Sgarretta's American purchasers when those purchasers returned to the USA. (We understand that the FBI went on to prosecute the Clinton's IT expert Mr Eric Pulier, a former VISA global IT executive Mr Keith Hunter and a Mr Jon Waldron with aerospace company DXC and Hewlett-Packard and Computer Science

Corporation having to notify the SEC and the stock market about the scandals in Mr David Turner's Commonwealth Bank of Australia.

We feel it is extremely serious when foreign officials use threats and pretences as the officials defy warnings to stop "spying" on investigations by counterterrorism prosecutors who went on to find 53,000 very real and non-imaginary violations of counterterrorism and anti-money laundering laws. Mr Sgarretta's mortgagee being the Commonwealth Bank of Australia was fined \$700 million and is presently being sued by US pension funds like CalSTRS for concealing its role in funding Al Qaeda et cetera from US investors.

The prosecutors at the top level of the counterterrorism agencies included Ms Eileen Decker, and it is reprehensible that foreign officials who were aware of investigations would intimidate and retaliate against whistleblowers while simultaneously demanding documents like SEC whistleblower reports.

We also feel it is extremely serious when whistleblowers like Mr Sgarretta are retaliated against with foreclosures for refusing to sign a hush deed that would hinder them from assisting counterterrorism and national security prosecutors. According to Mr Sgarretta, the hush deed materialised on the doorsteps of the Court through a law firm called Gadens whose major partner Mr Jon Denovan was a Director of a bank arbitration scheme that remarkably refused to investigate allegations about international rate rigging for which Mr Sgarretta's mortgagees was subsequently fined because the rate rigging was all true.

Please follow up the SEC's Whistleblower Reports and, given that the Whistleblower Reports all came true with subsequent prosecutions, whistleblowers would like to know where the whistleblower bounty is.

War Crimes Tribunal hearings about 911.

At Guantanamo Bay apparently the judge ruled that there were hostilities around the time that, in Australia, the Taliban's Mr Ali Ali had a flight manual in his prison cell. Fast forward to 2015 and the case of R v Ali Ali, and whistleblowers were very concerned with the Legal Services Board and Commission's official in the Australian Navy called James Unkle trying to get information on behalf of relatives of Ali Ali's defence QC Mr Patrick Tehan. We believe that bankers know that laws like the Trading with the Enemy Act could apply to Australian banks like the banks and the LSBC which threatened whistleblowers like Mr Sgarretta unless he got Americans with backgrounds in IT and military intelligence to sign a hush deed. Silencing people who complained to the Patriots Act executive in New York, Ms Alice Saveneh, looks unethical and possibly illegal. Spying on people who complained to the Patriots Act Official also looks unethical and possibly illegal. Doing so on behalf of a government board of officials from places that were aware that the Commonwealth Bank was being used by terrorists and organized crime and child traffickers also looks unethical and illegal.

And Mr James Unkle appears on Facebook alongside Julian Assange's QC, Sir Geoffrey Robertson.

And Mr James Unkle's CEO Mr Michael McGarvie was a colleague of the Vatican's Director of Finance Cardinal Pell whose Vatican is under investigations by victims of child abuse and by the DOJ for violating racketeering laws that were known to Mr Michael McGarvie from complaints filed with people like the Victorian Opposition Minister for Counterterrorism and Police Robert Clark MP.

Please investigate retaliations against SEC whistleblowers that Bank Reform Now informed Parliament and the SEC that looked like an extraordinary cover-up by a board of officials from the bank audit firm KPMG and the Australian banking regulator APRA.

heraldsun.com.au NEWS 13

No ban on evil crim

"flight manual"

Extremist free to return

"Taliban"

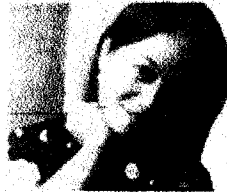
MARK BUTTLER AND SHANNON DEERY

AUTHORITIES are powerless to stop an ultra-violent Melbourne extremist linked to three deaths from re-entering Australia.

Feared Ali Ali — who has previously been investigated by the Australian Federal Police — is overseas after his release from a jail in Asia where he had been accused of a young girl's murder.

There was alarm in 2002 when, a year after the Twin Towers attack in New York — he was caught with an aircraft flight manual in his maximum security jail cell. The book was confiscated by prison security intelligence officials and the matter referred to the AFP's target development section.

The self-styled Muslim extremist also ran a prison gang called The Taliban, named



Murder victim Alona Alvarez

ing the attack as "brutal".

Ali is believed to have checked into the room two days earlier after arriving legally in the Philippines on his own passport on January 26.

Sources say the case was withdrawn after Ali paid a settlement to Alona's family.

Ali has been linked to two deaths in Victoria but never convicted of them.

In 1999, he attacked harmless fellow detainee Michael Tully at the Melbourne Custody Centre.

Anti-trust probe into Google and Facebook:

In the anti-trust case of US & 17 States v American Express MasterCard and VISA, the Organized Crime Drug Enforcement Task Force (reference Andrew Kogan of the DOJ) confirmed Fraud on the Court was perpetrated by transnational narcotics transporting criminals who operated phony litigation service companies under the Mexican Banking Association & MasterCard's international anti-trust lawyer Keila Ravelo.

The criminal racket doctored international economic evidence from the Reserve Bank of Australia's Payment Card Industry Committee under Australia's top banking official Mr Wayne Byers. Mr Byers is also one of Australia's bank regulators on APRA and his colleague on APRA at the Legal Services

11E"-J

Board and Commission Victoria, Ms Bennett, is said to have concocted pretences so that their government board would find out about covert operations that went on to raid Ms Ravelo. Foreign government officials should not intimidate retaliate and spy on whistleblowers during covert operations on Ms Ravelo's transnational narcotics transporting criminal associates such as her husband Mr Mel Feliz especially when customers of the legal services board and commission complained that it was passing information on to people tied to organized crime by politicians over the years like the Hon Kelvin Thompson and Senator Penny Wong and Victorian Premier Jeff Kennett.

Furthermore these foreign government officials were apparently also obtaining information for an accountant for the Trimbole Crime Family's Platinum Planet brothel, and for a Mr James Unkle (being a barrister, and Australian Naval official, and associate of Julian Assange's barrister Sir Geoffrey Robertson) on behalf of relatives of a criminal law defence QC called Patrick Tehan who was defending a Taliban prisoner, Mr Ali Ali (who had a aircraft flight manual in his prison cell around 9/11) and it was also defending A Reserve Bank of Australia official in a case Commonwealth Director of Public Prosecutions v Brady where Mr Byers' colleagues on the Reserve Bank of Australia were on charges for paying international bribes to the Vietnamese spy Colonel Luong and Malaysian Prime Minister Razak (who went on to be prosecuted by counterterrorism and national security prosecutor Ms Eileen Decker and Andrew McCabe and Loretta Lynch. Against this complex background, the DOJ anti-trust division did not call witnesses from the consumer side of the cash register with the result that ultimately the US Supreme Court ruled that the DOJ anti-trust division was unable to prove abuse of market power because of this technicality. It seems exceptionally serious when foreign officials intimidate lean on and spy on whistleblowers during covert operations into criminal rackets that falsify evidence for lawyers like Ms Keila Ravelo's cases. In addition to the anti-trust case affecting American retailers and consumers and corporations, the decision on rules of evidence by the US Supreme Court might flow through to impact on the anti-trust probes into Google and Facebook's role in US elections and in US commerce. Apparently the officials under Ms Bennett at the Legal Services Board and Commission (LSBC) claimed that they discussed the covert operations with a landlord called Mr Glenn Jones because he claimed he had been evicted by lawyers on the side of the US prosecutors. However everybody knows that landlords are not evicted, and Mr Glenn Jones apparently complained that he would sue the LSBC if they concocted a story that used his name in order to obtain information about the covert operations by the Organized Crime Drug Enforcement Task Force. According to an accountant Simon Woodford in his complaint to the Victorian Opposition Minister for Counterterrorism and Police the Hon Robert Clark MP, the LSBC was aware that American laws like RICO were being violated and were aware of the covert operations on criminals, and were aware of complaints that the LSBC was obtaining information for Australian government officials and for people of concern to organized crime police. Threatening SEC Whistleblowers also pointed whistleblowers in the direction of the skeletons that these officials and highly questionable characters wanted to remain hidden. Please investigate complaints filed with the SEC's Mr Jim Daly and Mr Jack McCreery and the DOJ Anti-Trust Division's Mr Craig Conrath about possible violations of laws like 18 USC 1513 by foreign government officials on people and to the criminal law QC in R v William Jordanou (whose victims included Australian relatives of friends of George W Bush) and in R v Ali Ali (who had a aircraft flight manual in his prison cell after 911) and in the Reserve Bank of Australia Bribery Case against the officials who paid bribes to Vietnamese Spy Colonel Luong and people connected to Malaysia's Prime Minister Razak and to Saddam Hussein. As

our colleagues at Bank Reform Now put to the Australian Parliamentary Inquiry, the cover-ups by officials in banking and mining and the LSBC were extraordinary. You can certainly see why when the laws of evidence in anti-trust cases will flow through into probes into whether Google and Facebook interfered in elections.

Associate Professor Dr Peter Doherty, Psychiatrist

The Victorian State Government Ombudsman informed the whistleblowers at dvsdeed@otelta.com that there was corrupt conduct in the Legal Services Board and Commission's leaked intentions to use their statutory powers to have a psychiatrist obtain information about SEC whistleblowers and the names of FBI and SEC officials and the cases they were working on. The Ombudsman also found that 20% of psychiatrists in Melbourne concocted reports to suit the outcomes desired by their psychiatrists instructors. It is egregious that foreign officials on a board of people from banking and auditing carry out threats to basically spy on bank customers in the SEC Whistleblowers during investigations that uncovered, for example, rate rigging by Australian banks (as alleged by Mr Sgarretta on Australia's premier business program The Business) and supporting terrorist organisations like Al Qaeda and child trafficking networks. Mr Michael McGarvie and his LSBC should be mentally assessed by qualified prosecutors with experience in assessing criminal intention and, as Bank Reform Now wrote in their complaint to the Parliamentary Inquiry into Engineered Loan Defaults, extraordinary coverups.

Conclusion:

We support the complaint by Bank Reform Now to the SEC's Mr Daly and Mr McCreery in September 2015 that foreign officials were retaliating against people to shut down international complaints to the SEC about international bank crimes that harmed the USA and assisted terrorist organisations, child trafficking networks and organized crime.

Please also investigate where the SEC whistleblower rewards are. Mr McCreery added letters to complaints so we hope the SEC's Jane Norberg actioned them as if they were on TCR forms.

We believe that Resolution 6021 is something you should consider as well.

Yours faithfully

Chair, National Committee for Resolution 6021

www.resolution6021.com

"E"-J

The Wolf Firm
USFN Member (CA)

Fraud has consistently been a silent sword used by borrowers and their agents to stall the foreclosure process and keep the non-paying borrower in the property.

Over the last 18 months, a grand scheme has been uncovered by both federal and state law enforcement in which the borrower is generally a non-participant. Rather, the perpetrating entity conducts a public or semi-private search for properties with loans in foreclosure — often properties that have been in foreclosure for some time (several months to multiple years), but with no record of a sale having occurred. The scheme has reached significant levels in California.

The process is this: once the property is identified, the perpetrating entity begins its fraudulent scheme by recording a bogus assignment. That same day, this entity substitutes in a subsidiary as the foreclosing trustee. Thereafter the "new" trustee immediately (often within 1-3 days) records a Trustee's Deed Upon Sale, transferring the property to the fraudulent beneficiary. With a recorded transfer in hand, the perpetrating entity sends out private invitations to known REO investors seeking bids for the purchase (at pennies on the dollar) of the subject property. This scheme is "grand" because it encompasses several hundred properties throughout California, with many more suspected — including properties throughout the West Coast and neighboring states, and eastward.

The problems are clear. With the fraudulent recordings occurring so quickly, it may be difficult for servicers and trustees to become aware of the fraudulent cloud on title until a bona fide purchaser is in the mix. Several title companies are now aware of this particular scheme. Further, at least one county has filed criminal charges against the perpetrating entities, with several more jurisdictions conducting in-depth investigations. The FBI is also investigating, and this scheme has gained the attention of numerous media outlets throughout the country.

This situation provides a serious reminder that servicers/trustees must stay vigilant in their due diligence as they begin the foreclosure process, and ensure that the title searches remain current throughout the process. Updating title reports at regular intervals during the process is recommended, especially when files are placed on hold, in order to confirm that title remains unaffected — not just from borrower conduct but also from possible third-party perpetrators.

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Winter USFN Report

It all came true

The Hush Deed materialised out of thin air
The Hush Deed was exactly as I was led to believe it would be
G. refused the changes
Soon after the deed was refused, there was pay-back. We left the we turned down an offer
you can't refuse

The Parliamentary Inquiry in the News every day Submission #2 is at the top of the
List.
The Parliamentary Inquiry into Engineered Defaults started
American Express lost billions (and I look forward to sharing the Reward).

The NAB Audit was in New York, Alice is looking at things.

The ANZ was on 60 Minutes
You should read the Submissions at the Foreign Broery Inquiry from Professors, the
International Bar Association, the Attorney General + Federal Police, and many others. They
want the same things.

The FBI wanted the Hush Deed
The SEC wanted information
MPs called

said MPs want the names of the LSGC officials exposed in Parliament
Every few months the FBI and SEC want something more.

I therefore object to the Legal Services Board & Commission (LSBC), using its powers to investigate
the data rights in the Jim Hush Deed. They owe my family for breaching their privacy laws too. I have
friends and colleagues calling me almost daily still troubled about their faith being destroyed after
seeing what occurred to me and my family by G. Financial Ombudsman, the Judiciary, G.
NAB and the Legal Services Board & Commission.

If the Senate Inquiry or the Parliamentary Joint Committee want me to testify at their hearings, I will



**"The NAB
lady in
New York
Alice...is
looking at
things"**

US Patriots Act

G. (General)

Foreign Bank hereby agrees to notify in writing each Covered Firm
which it maintains any Correspondent Account of any change in fi
circumstances reported in this Certification. Notification shall be
calendar days of such change.

Foreign Bank understands that each Covered Financial Institution
maintains a Correspondent Account may provide a copy of this Ce
Secretary of the Treasury and the Attorney General of the United
Bank further understands that the statements contained in this Cer
transmitted to one or more departments or agencies of the United
for the purpose of fulfilling such departments' and agencies' gove
I, Alice Saveneh, Head of Enterprise Financial Crime Risk, certify that I
understand this Certification, that the statements made in this Cer
complete and correct and that I am authorized to execute this Cer
of Foreign Bank.

Alice Saveneh
Alice Saveneh - Bank

(Name of Foreign Bank)

Alice Saveneh
Signature

(Signature)

(Printed Name)

Head of Financial Crime Risk
Title

Executed on this 17th day of April, 2015

"E"-5

To Whom It May Concern

I am in a group of Australian and American people who reported suspected crimes to the American Securities & Exchange Commission (SEC).

In 2014 on the ABC's business program called The Business my son outlined problems the financial Ombudsman Service Ltd and mortgagees, problems for self-represented litigants, and the need for Royal Commission into the entire banking sector and into the regulators like ASIC, and into the "10am rate rigging".

In 2015:

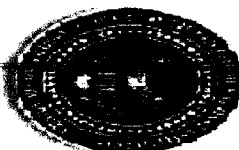
SEC scheme for

"protected disclosures" who were on their way to the USA to meet a FBI

Special Agent with an email address of "@ic.fbi.gov" to assist with

investigations into many matters like those that my son referred to in his signed statement in Submission 1 at the Senate Inquiry into Dispute Resolution in the Justice System and in Submissions 116 to the Engineered Default Inquiry, Submission 2 to the Foreign Bribery Inquiry and in other inquiries and the Royal Commission.

I believe that the Victorian Legal Services Board & Commission (LSBC) is a board that includes people in the banking sector and I concur with BankReformNow's complaint to the SEC in September 2015 about officials in the LSBC carrying out leaked plans to hinder the US investigations. Staff from the legal regulator sounded terrified about being part of those leaked plans to lean on people and to "spy" on what US law enforcement were investigating.



Office of the Director of National Intelligence

LEADING INTELLIGENCE INTEGRATION

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Members of the IC

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- Central Intelligence Agency
- Department of Homeland Security
- Federal Bureau of Investigation
- National Reconnaissance Agency
- Central Air Intelligence
- Department of State
- Virginia Corps Intelligence
- Naval Intelligence

11E11-5

Exhibit K

Billie Rene' Frances Lillian Powers
P.O. Box 1501
Newport Beach, California 92659
powersbillie@yahoo.com

*Under article 4 section 4 of the Constitution for the United States of America
I seek remedy of and for the people.*

Helen M Edwards
PO Box 510
RED CLIFFS
Victoria 3496 AUSTRALIA
Ph: +61 412 411 241
E: hmedwards111@gmail.com

November 17, 2019

Dear Helen;

It is a pleasure connecting with you across the miles in collaboration as Whistle Blowers who have bravely come forward with intent to see indictments by law enforcement for the high crimes and corruption we have evidenced. During our last call we discussed the internal document from the Securities and Exchange Commission that I am in receipt of. (See attached: letter to Curt Francisco of the U.S. Securities and Exchange Commission sent from the chief records officer of the US Records Department, Laurence Brewer) The document clearly shows claims that the U.S. Securities and Exchange Commission SEC staff has purposefully ignored WB tips. Under the Dodd Frank Act our rights as whistle blowers are to be preserved yet evidence of SEC staff mishandling, even losing, submitted documentation WB's have sent and appearing that claims are even been hijacked via bad State and Federal actors exist. Whistle Blowers in Australia and the U.S. have had the same issues regarding unpaid awards.

Let me explain with a personal example evidencing the concerns in the internal document from . For instance, In 2017 I followed up with SEC by sending in new information and seeking updates on my file (opened as early as 2012). The updated information connected Obamacare fraud to our land registries, proving our properties (...GSE's) were being stolen to fund Obamacare and that the Courts, Banks and Foreclosure Mills are tied in, as is MERS. (the US Treasury and HUD both came out publicly stating they found hundreds of billions of dollars were "lost", via GSE's tied to Obamacare with those funds (our identities and proprietary property funneled overseas and it all connects materially into the proof I submitted regarding the land records.)

This information connected title theft to a software program, used by Land Record departments across America, S.E.C.U.R.E. that is owned by four local municipalities and the provided evidence aligned with my original submission, BUT, the original submission did not attach. For hours my information was rejected, resubmitted and it mirrors what the internal document from Brewer concerned. Due to the problems submitting material evidence I cc'd Richard Delmar,

"E"-K

lead attorney for the U.S. OIG, and the OIG stepped in on my behalf and resent my information to the SEC's Jane Norberg's office.

Nikkia Wharten called me after the OIG submission and explained to me that they do not just call everyone who submits claims, they get 20 thousand claims a year and few will be contacted. She assured me both TCR's (claim numbers) were updated. Since that time there have been numerous correspondences with Nikkia Wharten, Jack McCreely, Jane Norberg and an agent Greene, but no award. (?) (See attached article I penned on the S.E.C.U.R.E./Obamacare connection involving corruption high up the U.S. chain of command)

Whistle Blowers across the globe have provided proprietary information. While homeowners are tasked with the duty to protect our land titles and report crimes, it is not our job to hand down indictments. Whistle Blowers deserve their awards for not only submitting evidence, but actually doing the investigation for law enforcement. As Billions are taken into the U.S. Inc as settlements against the criminal bankers we sit without awards.

In December 2017 our President Trump made an Executive Order regarding Financial Crimes Against Humanity, involving human trafficking. This order tasks Law Enforcement to hold those committing the crime of Human Trafficking accountable to include freezing of assets and indictments. (this also includes human trafficking on paper)

Your findings connect with what I [we] have found evidencing Identity theft as the conduit being pirated then turned into Counterfeit Securities and traded on both the domestic and international markets. These are international crimes of the highest order and connect us globally. From sea to shore, and onto the land, we all deserve justice.

Whistle Blowers submit crime reports and are forced into commercial intercourse through the purloined courts as our lives are subjected to further crimes and retaliation. We are left without protection as the purported law enforcers leave us vulnerable, in limbo, homeless, gang stalked and retaliated against rather than awarded for coming forth as the surviving victims we are. The Domestic Violence experienced at the hands of the Banks, Foreclosure Mills, Attorneys and Investment traffickers committing the Financial Crimes Against Humanity must end and thanks to Whistle Blowers like you and all across the globe we are making a difference. Keep up the good work and I look forward to speaking again soon.

With sincere appreciation,

Billie

Chairwoman of www.resolution6021.com
Founder of www.abolishthebankers.com

"E"-K

27th November 2019

Helen M Edwards
PO Box 510
RED CLIFFS
Victoria 3496 AUSTRALIA
Ph: +61 412 411 241
E: hmedwards111@gmail.com

Attention: Inspector General Michael E. Horowitz

U.S. Department of Justice
Office of the Inspector General
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Exhibit L

Re: Request for audit re my whistle-blower (WB) bounty claim – submission 2015

Additional evidence of documentation of Australian Regulators FAILURE – AUSTRAC & ASIC to start

Australia Post (AP) & Western Union (WU) failure since 2011 – advised 2015 – still ignore

Australian Financial Services Royal Commission (FSRC) – CBA / WU / AP - 2018

Dear Inspector General Horowitz,

Request for audit of my WB reward please re Western Union - my case submissions on which I provided in 2015 - SEC - Response HO: ~00629606~: HO FTC - Response to your complaint Ref No. 88394398 - SEC rewards 'overseas' whistle-blower - The FCPA Blog

I raised **money laundering, potential terrorist / war crime / arms financing, fraud counterfeiting etc** with so many in Australia and they have ignored since end 2014 of illegal transaction since 2011 in my case – all funds are going **via USA jurisdiction – therefore the USA are aiding & abetting international crime also for non-action.**

In Australia they still ignore - all have failed their Duty of Care etc and now complicit and culpable for aiding and abetting international crime from the former Governor General and current Governor General down.

Their rejection forced me to seek international intervention - hence I raised with USA UK Regulators in 2015 and World Bank, IMF, UN, UNODC - also ignored.

Except it seems the USA did charge Western Union after I raised with the SEC in 2015 - yet this been going on for decades as per the FBI IC3 site per below.

Now I see WB are being given rewards - is it not fair I too also receive something for my raising all this with you and not just regarding Western Union?

Australia is at failed state, run by **white collar criminals** – our current corrupt non leader Scott Morrison was sacked in 2006 - <https://www.thesaturdaypaper.com.au/news/politics/2018/11/10/exclusive-auditor-general-found-morrison-breaches/15417684007120>

<https://kangarocourtsofaustralia.com/2019/06/08/looks-like-pm-scott-morrison-was-sacked-as-managing-director-of-tourism-australia-in-2006-because-of-fraud-and-theft/>

"E"-L

THE IMPORTANCE OF 'PUBLIC VOICE' ON CORRUPTION

**There is Always an Audit Trail | The Truth will Not be Hidden | The Ability to Lie is a Liability
Western Union Charged on 2 counts – sets a global precedent:**

These Western Union charges apply globally to ALL financial institutions that have aided & abetted

COUNT ONE

(Wire Fraud, Aiding and Abetting) (18 U.S.C. §§ 1343 and 2)

COUNT TWO

(Wilful Failure to Maintain an Effective Anti-Money Laundering Program) (31 U.S.C. §§ 5318(h), 5322)

FOLLOW THE MONEY – via the COMMONWEALTH BANK, AUSTRALIA POST, WESTERN UNION

AUSTRALIAN / USA / UK / BRAZILIAN / AFRICAN Regulators have all failed in my case and tens of thousands of others.

From our **AUSTRAC** Corrupt Regulator Audit Trails FYI.

<p>ORDERING INSTITUTION</p>	<p>RECEIVING INSTITUTION</p>	<p>BENEFICIARY CUSTOMER</p>
<p>BREACH WIRE FRAUD, AIDING AND ABETTING</p>	<p>BREACH WIRE FRAUD, AIDING AND ABETTING</p>	<p>BREACH WIRE FRAUD, AIDING AND ABETTING</p>
<p>Role Details Ordering Institution/Branch (Party 1) COMMONWEALTH BANK SYDNEY</p>	<p>Role Details Receiving Institution (Party 6) BANK OF NEW YORK NEW YORK NY</p>	<p>Role Details Beneficiary Customer (Party 3) ACCOMPLICE LONDON UK</p>
<p>Role Details Ordering Customer (Party 2) SYDNEY</p>		<p>Role Details Account With Institution (Party 4) LOYDS TSB BANK PLC LONDON UK</p>
<p>Role Details Sending Institution/Branch (Party 5) COMMONWEALTH BANK SYDNEY</p>		<p>CBA Complaint references 2015 - 2016 2016 - 2017 NOT RESOLVED</p>

User Id: JEDWARDS

Sensitive

2016-10-25 15:01



Australian Government
AUSTRAC

Report Number : 228428010 Report Type : IFTI-Electronic

TRANSACTION DETAILS

Transaction Date : 21-JUN-2011
Transaction ref : 3765M20IMT006208
Designated Service: Electronic funds transfers
Transaction Type : YO-Outgoing IFTI

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Response by the SEC 2015:

On 23 Dec 2015, at 03:16, Help <help@sec.gov> <help@sec.gov> wrote:

Ms. Edwards:

We appreciate your follow-up. Our legal staff and staff in whistle-blower will further review your concerns to determine whether this matter falls within the federal securities law.

Thanks,
Karen R. Flemming-McDowell

----- Original Message -----
From: Helen M Edwards [hmedwards111@gmail.com]
Sent: 12/21/2015 11:54 PM
To: help@sec.gov
Subject: Re: SEC Response - File HO::~~00551719~::HO

Hi

I do not think you read or understood my concern - I have since lodged via your whistle-blower form and raised my complaint about 3 Australian companies. Australia Post / Western Union and Commonwealth Bank.

More

\$586m - FTC DOJ 2017:

“Western Union owes a responsibility to American consumers to guard against fraud, but instead the company looked the other way, and its system facilitated scammers and rip-offs,” said FTC Chairwoman Edith Ramirez. “The agreements we are announcing today

will ensure Western Union changes the way it conducts its business and provides more than a half billion dollars for refunds to consumers who were harmed by the company’s unlawful behaviour.”

https://www.ftc.gov/news-events/press-releases/2017/01/western-union-admits-anti-money-laundering-violations-settles?utm_source=govdelivery

**All this been going on since at least the year 2000 as per the FBI IC3 site

About <https://lnkd.in/gSiYxPH>

<http://westernunionremission.com/>

Western Union - still using delay tactics and have not refunded a cent to anyone to date.

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FCPA Blog:

WB: Awards can range from 10 percent to 30 percent of the money collected when penalties are more than \$1 million

The SEC has now made awards to at least four "overseas" whistle-blowers.

In 2014, an overseas whistle-blower collected \$30 million. At the time it was the largest award under the SEC's award program.

In 2017, a foreign national working outside the United States was **awarded** \$4.1 million for providing information about "a widespread, multi-year securities law violation."

Last year the SEC awarded an overseas whistle-blower \$4 million for "extensive assistance" that led to a successful enforcement action.

http://www.fcpablog.com/blog/2019/7/23/sec-rewards-overseas-whistleblower.html?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+fcablog%2FsLb+h+%28The+FCPA+Blog%29

Resolution #6021 - USA

I am associated with other whistle blowers globally. In the **United States** you have a committee urging to hold financial criminals accountable. Please respond to **Billie Rene' Frances Lillian Powers** and her committee of American whistle blowers who have massive evidence of **global financial crimes against humanity** and brought forward evidence of award suppression as well as destruction of evidence.

Billie's committee continues to seek awards for all who come forward to **end the financial crimes against humanity**. **Jane Norberg (SEC)** and **Richard Delmar (OIG lead counsel)** know **Billie** and must be encouraged to offer the **remedy we whistle blowers are due**.

Billie may be reached at P.O. box 1501 Newport Beach CA 92659 / powersbillie@yahoo.com and her websites are <https://abolishthebankers.com/> & <https://resolution6021.com/>

#TogetherWeCan

This can be kept confidential or I can raise publicly as a **public interest concern** for international awareness of potential discrimination.

I await a prompt response please. I will send a signed hard copy via registered post on Friday 30th November 2019.

Kindest regards

Helen M Edwards

Global Counter Terrorism Council (GCTC)
Australian Branch Coordinator (Volunteer)
<http://gctcworld.org/>

Gandhi Peace Foundation Nepal – Ambassador (Volunteer)
<http://gandhipacefoundationnepal.com/>

Linked In Profile: <http://linkedin.com/in/helen-e-3965221>

Ph: +61 412 411 241

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Fraud Scheme Impacting Title — Postscript from California

Posted By **USFN**, Thursday, February 1, 2018
Updated: Friday, March 16, 2018

February 1, 2018

by Abe Salen
The Wolf Firm
USFN Member (CA)

Fraud has consistently been a silent sword used by borrowers and their agents to stall the foreclosure process and keep the non-paying borrower in the property.

Over the last 18 months, a grand scheme has been uncovered by both

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ATTORNEY**
Houston, TX
Devlin, Naylor & Turby

**Bankruptcy & Comm
Litigation Associate**
White Plains, NY
Wilson Elser LLP

Collection Specialist
Nottingham, MD
Johns Hopkins Univers

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federal and state law enforcement in which the borrower is generally a non-participant. Rather, the perpetrating entity conducts a public or semi-private search for properties with loans in foreclosure — often properties that have been in foreclosure for some time (several months to multiple years), but with no record of a sale having occurred. The scheme has reached significant levels in California.

Post a Job

View All

The process is this: once the property is identified, the perpetrating entity begins its fraudulent scheme by recording a bogus assignment. That same day, this entity substitutes in a subsidiary as the foreclosing trustee. Thereafter the "new" trustee immediately (often within 1-3 days) records a Trustee's Deed Upon Sale, transferring the property to the fraudulent beneficiary. With a recorded transfer in hand, the perpetrating entity sends out private invitations to known REO investors seeking bids for the purchase (at pennies on the dollar) of the subject property. This scheme is "grand" because it encompasses several hundred properties throughout California, with many more suspected — including properties throughout the West Coast and neighboring states, and eastward.

The problems are clear. With the fraudulent recordings occurring so quickly, it may be difficult for servicers and trustees to become aware of the fraudulent cloud on title until a bona fide purchaser is in the mix. Several title companies are now aware of this particular scheme. Further, at least one county has filed criminal charges against the perpetrating entities, with several more jurisdictions conducting in-depth investigations. The FBI is also investigating, and this scheme has gained the attention of numerous media outlets throughout the country.

This situation provides a serious reminder that servicers/trustees must stay vigilant in their due diligence as they begin the foreclosure process, and ensure that the title searches remain current throughout the process. Updating title reports at regular intervals during the process is recommended, especially when files are placed on hold, in order to confirm that title remains unaffected — not just from borrower conduct but also from possible third-party perpetrators.

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Winter USFN Report

Note for consideration of the USFN Award of Excellence: This article is not a "Feature."

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