UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN

FILED - LN
October 10, 2024 1:41 PM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: jlg / SCANNED BY: 10/11/24

JEFFREY RYAN FENTON,

PLAINTIFF

v.

VIRGINIA LEE STORY ET AL.,

DEFENDANTS

CASE NO. 1:23-CV-01097

AMENDED[1] DECLARATION VOICING PLAINTIFF'S CONCERNS ABOUT TRANSFERRING THIS ACTION TO TENNESSEE[2]

Plaintiff brings this testimony pursuant to 28 U.S. Code § 1746.

I, Jeffrey Ryan Fenton, declare under oath as follows:

1. I am the plaintiff in this federal lawsuit (Case No. 1:23-CV-01097).
2. I am a citizen of the United States of America.
3. I was born in Washington State during 1969.
4. I am domiciled in Genesee County, Michigan.
5. My mailing address is 17195 Silver Parkway, #150, Fenton, MI 48430-3426.
6. My phone number is (615) 837-1300. My email address is contact@jefffenton.com.
7. Ms. Fawn Fenton (hereinafter "Ms. Fenton", "wife", or "ex-wife") and I were together for fifteen years, thirteen during which we were married.

[1] Plaintiff filed a document similar to this titled CONCERNS REGARDING THE TRANSFER OF THIS ACTION TO THE U.S. DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE on October 4, 2024, in ECF 98, PID.5302-5327, of which this document is the amended version replacing the previous document in its entirety.

[2] Citations to the court record in this lawsuit will be notated without the case name or number, using the starting ECF Number, followed by both the beginning and ending Page ID, which is abbreviated as "PID."

Initials: _____

8. Throughout this document, when referring to defendant Story's law firm, "Story and Abernathy, PLLP" (hereinafter "SA"), that will also include any prior firms with her as a member operating out of the same office building located at 136 4th Avenue South, Franklin, TN, 37064, regardless of the partnership structure or naming variant used for their law firm during different seasons.

PRO SE LITIGANT – MERITS RULE OF LAW OVER TECHNICALITIES

9. I am acting in a *pro se*[3] capacity in this lawsuit by necessity and entitled to a liberal reading and less stringent standards since my filings have been prepared without assistance of counsel. See *Haines v. Kerner,* 404 U.S. 519, 92 S. Ct. 594 (1972).

QUALIFIED AMERICAN WITH DISABILITIES ACT LITIGANT

10. I am a qualified ADA party with disabilities[4] affecting my communication and cognitive functions, which make research for and drafting of legal pleadings exceptionally slow and challenging.

11. I request any accommodations[5] the court can provide to help me fully participate in, be protected by, and receive justice through the federal judiciary as would a party without these disabilities.

12. I suffer from several cognitive disabilities: Obsessive-Compulsive Personality Disorder (OCPD) DSM-5 301.4 (F60.5), Generalized Anxiety Disorder (GAD) DSM-5 300.02 (F4L1), Attention-Deficit Hyperactivity Disorder (ADHD) DSM-5 314.01 (F90.2), Circadian

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[3] ECF 1-35, PID.1960

[4] ECF 32, PID.3296-3309 | https://rico.jefffenton.com/evidence/1-23-cv-01097_fenton-declaration-of-disabilities.pdf

[5] ECF 1-38, PID.2032-2045 | https://rico.jefffenton.com/evidence/2020-07-08_tnsc-coa-ada-request-for-modification.pdf

Initials: 

Rhythm Sleep Disorder (CRSD) Non-24-Hour Sleep-Wake Disorder (Non-24) DSM-5 307.45 (G47.24). Letters from my doctors[6] and a declaration regarding my disabilities[7] are on file in this federal lawsuit. Medications I take regularly can only control these afflictions, not cure them.

13. Due to my disabilities, it is extremely difficult for me to concisely write documents without losing focus and experiencing significant sprawl, causing repetition, countless rewrites, and bloated documents.

THE ARGUMENT ABOUT IMPROPER VENUE IN MICHIGAN

14. This court and the defendants keep claiming that venue is improper here, which is untrue. Most of the damage done to me occurred while I was located in Michigan—fraudulent orders of protection being issued, other fraudulent and/or falsified papers being filed, my home being stolen, etc. Moreover, directly from the U.S. courts website, "Generally, a lawsuit must be filed in the jurisdiction where the defendant resides or where the claim arose. In cases based on diversity of citizenship (when the plaintiff and defendant are residents of different states), the lawsuit may be filed in the jurisdiction ***where the plaintiff*** or the defendant ***resides***" (emphasis and strongest emphasis added).[8] As just stated, the majority of "the claim arose" in Michigan. *Ferens v. John Deere Co.*, 494 U.S. 516 (1990), a diversity case whereby a plaintiff sued in his home state, also reinforces this statement. Under the JURISDICTION AND VENUE section of the complaint, Plaintiff clearly is bringing his suit "based on diversity of citizenship" pursuant to 28 U.S. Code § 1332.

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[6] ECF 1-38, PID.2032-2045 | https://rico.jefffenton.com/evidence/2020-07-08_tnsc-coa-ada-request-for-modification.pdf

[7] ECF 32, PID.3296-3309 | https://rico.jefffenton.com/evidence/fenton-declaration-of-disabilities.pdf

[8] www.uscourts.gov/statistics-reports/covering-civil-cases-journalists-guide

Importantly, while neither the above page nor the PDF version of the guide downloadable from the above page have publication dates associated with them, the PDF refers to a date as recent as 2017 in the *past tense* on page 46 (see illustration on the next page). This means the cited text is no older than that year, and nobody can legitimately claim that the statement is "out of date" if nothing related has changed in the last seven years.

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If the Judicial Conference finds possible grounds for impeachment, it submits a report to the House of Representatives. Only Congress has the authority to remove an Article III judge. This is done through a vote of impeachment by the House, and a trial and conviction by the Senate. As of September 2017, only 15 federal judges have been impeached, and only eight have been convicted. Three others resigned before completion of impeachment proceedings. A summary of federal judicial impeachments (https://www.fjc.gov/history/judges/impeachments-federal-judges) is available at the Federal Judicial Center's website.

By law and the related rules for judicial misconduct and disability complaints, consideration of a complaint is confidential. When final action has been taken on a complaint and it is no longer subject to review, courts of appeals place orders entered by the chief judge and the judicial council on the circuit court's website.

The Committee on Judicial Conduct and Disability similarly publishes all orders constituting final action on a complaint. The committee's orders are available at Judicial Conduct and Disability Orders (http://www.uscourts.gov/rules-policies/judiciary-policies/ethics-policies/code-conduct-judicial-employees/judicial-conduct-disability-opinions).

Statistics relating to judicial misconduct complaints can be found in Table 10 and Table S-22 (http://www.uscourts.gov/statistics-reports/complaints-against-judges-judicial-business-2017) of the annual Judicial Business report.

46 Judges and Judicial Administration

A Journalist's Guide to the Federal Courts – Administrative Office of the United States Courts

PLAINTIFF'S STATE OF DOMICILE DURING THE PRECEDING MATTERS

15. The period of time during which I lived in Tennessee while attempting to defend myself against the malicious fraudulent litigation by defendants Story and SA is from June 6 through September 3, 2019, which is merely **90 days**.

16. The period of time during which I lived in Michigan while attempting to defend

Initials: 

myself in litigation against defendants Story and SA was from September 7, 2019, through April 4, 2021, when the case was closed by the Tennessee Court of Appeals[9]. That was a total of **576 days** in litigation.

17. That means that I was in litigation with defendants Story and SA 486 days longer while living in Michigan than while living in Tennessee.

18. That computation also means that I only lived in Tennessee for less than 16 percent of the time during which I actively attempted to defend myself against the malicious and illegal practices of defendants Story and SA with more than 84 percent of that time being while I lived in Michigan.

PROVIDING PERSPECTIVE ON PLAINTIFF'S STATE OF DOMICILE DURING PRECEDING MATTERS

19. To help provide perspective, this list contains a chronological view of some of the major benchmarks of the preceding matters, this top portion of which was while I lived in the State of Tennessee[10]:

2019-06-04_wifes-complaint-for-divorce-48419b.pdf
2019-06-11_husband-transferred-utilities.pdf
2019-06-19_hired-attorney-gates-who-notified-story.pdf
2019-06-20_abusive-civil-action-by-story-exparte-service.pdf
2019-06-20_notification-to-story-husband-accepted-service.pdf
2019-06-20_wcso-exparte-order-of-protection-service.mp3
2019-06-20_wifes-false-unsigned-personal-testimony-for-op.pdf
2019-07-17_chancery-motion-to-sell-marital-residence.pdf
2019-07-26_attorney-gates-failed-to-perform.pdf
2019-07-29_response-to-wifes-motion-to-sell-residence.pdf

[9] ECF 57-1, PID.4558-4560 | https://rico.jefffenton.com/evidence/2021-04-09_tn-court-of-appeals-case-closed-summary.pdf

[10] Most of these are publicly available exhibits, which can be individually viewed online by placing the following URL at the beginning of each line, https://rico.jefffenton.com/evidence/.

For example: https://rico.jefffenton.com/evidence/2019-06-04_wifes-complaint-for-divorce-48419b.pdf

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2019-08-01_ada-abuse-witnessed-in-chancery-court.pdf
2019-08-01_chancery-court-order-with-counsel.pdf
2019-08-01_chancery-hearing-transcript.pdf
2019-08-01_hearing-professional-and-judicial-misconduct.pdf
2019-08-02_attorneys-miller-duke-retainer-exhausted.pdf
2019-08-05_attorney-agreement-extending-answer-deadline.pdf
2019-08-14_bankrupcy-planned-for-when-employer-retires.pdf
2019-08-29_chancery-court-order-once-pro-se.pdf
2019-08-29_chancery-hearing-audio-recording.mp3
2019-08-29_chancery-hearing-transcript-audio-markers.pdf
2019-08-29_husbands-one-and-done-answer-to-all.pdf
2019-08-30_emergency-attempt-to-correct-court-order.pdf
2019-08-30_judgment-wrong-emergency-call-to-court.mp3
2019-08-30_notified-story-beeler-false-claims-in-court-order.pdf
2019-08-30_story-lied-when-notified-false-claims-in-order.pdf

20. On **September 3, 2019**, I was forcefully evicted from my Williamson County home located at 1986 Sunnyside Drive, Brentwood, Williamson County, Tennessee, 37027, by four Williamson County Sheriff's Deputies in response to the court order subsequent to the August 29, 2019[11], hearing in Wiliamson County Chancery Court, with defendants Binkley and Story. This was fraud upon the court by officers of the court. This was obstruction of justice[12]. This was coercion and persuasion[13]. This was official oppression[14]. This was the end of my life and domicile within the State of Tennessee, yet only the beginning of the deprivation of my life, liberty, and property which I suffered due to the crimes which they continued to commit against me and my family, long after I had relocated to the State of Michigan.

[11] ECF 19-7, PID.2674-2677 | https://rico.jefffenton.com/evidence/2019-08-29_chancery-court-order-once-pro-se.pdf

[12] ECF 68, PID.5009-5029 | https://rico.jefffenton.com/evidence/2024-08-22_memorandum-of-law-about-void-tn-court-orders.pdf

[13] Tenn. Code § 39-16-507 - Coercion or persuasion of witness | https://law.justia.com/codes/tennessee/title-39/chapter-16/part-5/section-39-16-507/

[14] Tenn. Code § 39-16-403 - Official oppression | https://law.justia.com/codes/tennessee/title-39/chapter-16/part-4/section-39-16-403/

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AFTER PLAINTIFF BECAME DOMICILED IN GENESEE COUNTY MICHIGAN

2019-09-16_story-letter-demanding-two-grand-for-storage.pdf
2019-09-18_tn-protected-income-and-asset-exemptions.pdf
2019-09-20_auctioneer-needed-contract-proceeded-without.pdf
2019-09-20_halt-confronting-criminal-misconduct-by-story.pdf
2019-09-21_auctioneer-refused-to-stop-illegal-auction.pdf
2019-09-21_notice-listing-agreement-coerced-null-and-void.pdf
2019-09-23_notified-binkley-false-claims-in-storys-order.pdf
2019-09-23_seeking-ada-assistance-coa-referred-aoc.pdf
2019-09-26_motion-to-sell-contents-of-marital-residence.pdf
2019-09-26_story-letter-demanding-thirty-five-hundred.pdf
2019-09-27_bk-order-to-sell-real-and-personal-property.pdf
2019-09-28_illegal-coerced-auction-wilco-rico-deed-fraud.pdf
2019-10-06_harassing-threatening-stalking-spying.pdf
2019-10-10_chancery-no-proceeds-from-forced-auction.pdf
2019-10-10_notice-to-court-and-title-co-auction-was-illegal.pdf
2019-10-10_notified-bankers-title-sale-illegal-unauthorized.pdf
2019-10-21_chancery-final-decree-of-divorce.pdf
2019-10-21_fraudulent-final-affidavit-by-virginia-story.pdf
2019-10-21_order-of-protection-as-illegal-prior-restraint.pdf
2019-10-29_1986-sunnyside-real-estate-deed-fraud.pdf
2019-10-29_tn-wilco-deed-fraud-ada-financial-exploitation.pdf
2019-11-12_proof-story-received-my-settlement-offer.pdf
2019-11-12_settlement-offer-mitigate-losses-story-refused.pdf
2019-12-08_request-hud-statement-again-from-bankers-title.pdf
2019-12-08_tn-coa-issues-proposed-to-be-raised-in-appeal.pdf
2019-tn-wilco-48419b-tech-record-v3-pages-387-402-iied.pdf
2020-02-13_tnsc-aoc-ada-gc-john-coke-phone-call.mp3
2020-02-13_tnsc-aoc-ada-gc-john-coke-transcript.pdf
2020-02-18_notice-of-filing-transcripts-from-2019-08-01.pdf
2020-03-31_chancery-certificate-of-appellate-record.pdf
2020-04-30_wilco-weems-8-29-19-transcript-buried-as-exhibit.mp3
2020-05-01_coa-hivner-8-29-19-hearing-transcript-recorded-call.mp3
2020-05-05_notified-story-about-her-fraudulent-affidavit.pdf
2020-07-02_bk-trustee-john-mclemore-call-declaration.pdf
2020-07-02_bk-trustee-john-mclemore-recorded-call.mp3
2020-07-08_tnsc-coa-ada-request-for-modification.pdf
2020-09-09_tn-aba-free-legal-answers-site-question-closed.pdf
2020-09-24_5yr-op-ext-retaliation-no-notice-motion-hearing.pdf
2020-09-30_wilco-inquiry-about-extended-op-and-sales-records.mp3
2020-10-05_report-ada-abuse-misconduct-to-coke-hivner.pdf

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2020-10-07_requested-hud-docs-from-auctioneers-title-co.pdf
2020-10-13_affidavit-of-mother-marsha-ann-fenton.pdf
2020-10-16_coa-emergency-motion-reporting-misconduct.pdf
2020-10-28_motion-to-supplement-and-correct-the-record.pdf
2020-10-30_storys-objection-to-correcting-the-court-record.pdf
2020-12-29_tnsc-bpr-complaint-against-story-binkley-etc.pdf
2021-01-19_fenton-motion-to-escalate-to-tnsc.pdf
2021-01-19_reported-misconduct-sought-help-tnsc-aoc-bpr.pdf
2021-01-19_tnsc-immunity-disorder-strike-expunge-op.pdf
2021-01-26_trustees-final-account-and-distribution-report.pdf
2021-01-27_notified-ausbrooks-fraud-misconduct-damages.pdf
2021-04-09_tn-court-of-appeals-case-closed-summary.pdf
2022-02-01_fenton-affidavit-of-story-binkley-fraud-on-court.pdf

21. To summarize, I only lived within the State of Tennessee (by no choice of my own, rather the illegal forced court actions), from June 6th, 2019, when defendant Story filed for divorce, through September 3rd, 2019, when I was wrongfully evicted from my home by four officers of the Williamson County Sheriff's Office, in response to defendant Story's fraudulent demands in court on August 29, 2019[15], combined with her and defendant Binkley's criminal misconduct[16] in court that day and the subsequent falsified and materially misleading court order[17] they executed.

22. I don't see how this could sustain any jurisdiction[18] over these matters by the State of Tennessee, when they have repeatedly refused to administer justice in these matters or to force the members of the court to obey the law. (Or to discipline them for their refusal to obey the law.)

[15] ECF 23-4, PID.2920 | https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3
ECF 23, PID.2863-2920 | https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf

[16] ECF 68, PID.5009-5029 | https://rico.jefffenton.com/evidence/2024-08-22_memorandum-of-law-about-void-tn-court-orders.pdf

[17] ECF 19-7, PID.2674-2677 |https://rico.jefffenton.com/evidence/2019-08-29_chancery-court-order-once-pro-se.pdf

[18] ECF 68, PID.5009-5029 | https://rico.jefffenton.com/evidence/2024-08-22_memorandum-of-law-about-void-tn-court-orders.pdf

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COURT ACKNOWLEDGMENT AND APPRECIATION

23. I would like to take a moment to thank the United States District Court for the Western District of Michigan for their change of heart, regarding the transfer of this action to the most appropriate *jurisdiction* where a meaningful *remedy* is possible, rather than dismissing this action and along with it well over a year of my all-consuming and diligent work and struggle to be heard. Any concerns, unflattering remarks, or issues expressed here are not meant to radiate louder or more clearly than my sincere appreciation for a *chance* to reach a *lawful* and desperately needed *remedy*.

24. I cannot put into words the investment I have in this action, or how critical the outcome of this matter is to the rest of my life, the lives of my family, and possibly the lives of countless others throughout Middle Tennessee. Having access to even-handed justice in this nation, regardless of race, gender, political party, socioeconomic status, and disability is essential to the public health and safety, as well as to the good and happiness of all mankind.

GOVERNMENT FOR THE COMMON BENEFIT

25. Article I, Section 2 of the Tennessee Constitution[19] states, "That government being instituted for the common benefit, the doctrine of nonresistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and happiness of mankind."

26. There are few things which I believe in more than Article I, Section 2 of the Tennessee Constitution, while fighting to restore the core of that declaration is the exact reason that this lawsuit exists. To stand up and confront the arbitrary and oppressive exercise of lawless power, which is absurd, slavish, and destructive of the good and happiness of mankind. To remind

[19] https://publications.tnsosfiles.com/pub/2023%20TN%20Constitution.pdf

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Tennessee government that their primary purpose needs to be *for* the common benefit of the *people*, not to enable, cover-up, defend, and protect the absurd criminal misconduct, as found undeniably evidenced in this lawsuit, by high-ranking officers throughout the state's court system.

THE RELATIONSHIP BETWEEN COURT *CONDUCT* AND *JUSTICE*

27. With the slightest deviation from proper court *conduct*, the "practice of law" faces a very steep and slippery slope from the needed administration of justice in society, to being one of the greatest threats against the good and happiness of mankind, with the real potential for easily committing crimes against humanity, unless strictly watched for and guarded against.

28. While the primary safeguard against such abominations of injustice, is in maintaining strict compliance with the court's ethical codes of judicial and professional conduct. Which in the preceding matters were undeniably shown no respect, care, or enforcement by the Tennessee courts.

29. That is unreasonable.

> "Society's commitment to institutional justice requires that judges be solicitous of the rights of persons who come before the court." *Geiler v. Commission on Judicial Qualifications*, (1973) 10 Cal.3d 270, 286

30. It is unreasonable to stand by and enforce judgments produced through obviously abhorrent judicial and professional misconduct, pretending that there was any lawful jurisdiction, authority, or justice in them whatsoever.

> "Acts in excess of judicial authority constitutes misconduct, particularly where a judge deliberately disregards the requirements of fairness and due process." *Gonzalez v. Commission on Judicial Performance*, (1983) 33 Cal. 3d 359, 371, 374; *Cannon v. Commission on Judicial*

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Qualifications, (1975) 14 Cal. 3d 678, 694 (emphasis added).

31. The courts are designed to only work to produce just judgments, **if** and **when** strict compliance with their rules of judicial and professional conduct are strictly adhered to and obeyed.

> Justice Bradley, "It may be that it is the obnoxious thing in its mildest form; but illegitimate and unconstitutional practices get their first footing in that way; namely, by silent approaches and slight deviations from legal modes of procedure. This can only be obviated by adhering to the rule that constitutional provisions for the security of persons and property should be liberally construed. A close and literal construction deprives them of half their efficacy, and leads to gradual depreciation of the right, as if it consisted more in sound than in substance. It is the duty of the Courts to be watchful for the Constitutional Rights of the Citizens, and against any stealthy encroachments thereon. Their motto should be Obsta Principiis." *Boyd v. United*, 116 U.S. 616 at 635 (1885)(emphasis added).

32. It is unreasonable to continue oppressing me and depriving me of my life, liberty, and property for years, under the guise of any court action, which was obviously devoid of any honest, ethical, impartial administration of justice, which specifically requires strict compliance with the court's rules of professional and judicial conduct.

> "Courts are constituted by authority and they cannot go beyond that power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgements and orders are regarded as **nullities**; they are not voidable, but simply **void**, and this even prior to reversal." *WILLIAMSON v. BERRY*, 8 HOW. 945, 540 12 L. Ed. 1170, 1189 (1850) (emphasis added).

33. The courts are designed to produce justice by no other means and absent strict compliance with the court's rules of judicial and professional conduct, cannot be reasonably expected to produce justice at all. Yet I am guilty until proven innocent, unlawfully destroyed and

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deprived of nearly everything I had built, possessed, and needed to be self-sufficient, due to the crimes committed against me via extreme and unjustifiable misconduct by the courts and counsel, which remains covered-up and uncorrected by corrupt parties, interests, and powers. That is inhumane, unconstitutional, and horribly unfair.

34. **Misconduct** produces **injustice** and *can* produce nothing else.

> "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) (emphasis added).

COURTS AND COUNSEL INVOLVED IN PRECIPITATING MATTERS

WILLIAMSON COUNTY CHANCERY COURT

(Contested divorce action, filed secretly in bad faith, by my ex-wife and her counsel.)

35. This lawsuit addresses harm caused in Docket #48419B,[20] filed on June 4th, 2019, by Story and Abernathy, PLLP in Williamson County Chancery Court, in the State of Tennessee. The Courthouse is located at 135 4th Avenue South, Franklin, TN 37064.

36. The Chancery Court Clerk & Master was Attorney Elaine Beaty Beeler (BPR# 016583), the presiding Chancellor was Judge Michael Weimar Binkley (BPR# 005930), while my opposing Counsel was Attorney Virginia Lee Story (BPR# 011700) and Attorney Kathryn Lynn Yarbrough (BPR# 032789) with Story and Abernathy, PLLP.

[20] ECF 1-17, PID.641 through ECF 1-26, PID.1369.

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U.S. BANKRUPTCY COURT – MIDDLE TENNESSEE

(Individual bankruptcy action, filed secretly in bad faith, by wife and her counsel.)

37. The actions taken in Williamson County Chancery Court, were directly tied to, in coordination with, and allegedly based upon a fraudulent Chapter-13 bankruptcy petition[21] filed on behalf of my ex-wife, on April 26th, 2019, by ROTHSCHILD & AUSBROOKS, PLLC., in Case 3:19-bk-02693[22]. This action was filed in The United States Bankruptcy Court for the Middle District of Tennessee. Located at 701 Broadway Ste 260, Nashville, TN 37203-3983.

38. The Federal Bankruptcy Court Judge presiding was Judge Charles M. Walker (BPR# 019884). The Chapter-13 Trustee responsible was Attorney Henry Edward Hildebrand, III (BPR# 032168). While Bankruptcy Counsel for my ex-wife was Attorney Mary Elizabeth Maney Ausbrooks (BPR# 018097) and Attorney Alexander Sergey Koval (BPR# 029541) both of ROTHSCHILD & AUSBROOKS, PLLC.

COURT OF APPEALS OF TENNESSEE AT NASHVILLE

39. Upon appeal of the actions above in Chancery Court, I was the "Appellant" at the Court of Appeals of Tennessee at Nashville, in No. M2019-02059-COA-R3-CV.[23]

40. The Court of Appeals dismissed[24] my appeal, without correction, assistance or cure. Refusing to act upon the clearly disclosed judicial and attorney misconduct[25], either in error, bias, collusion, and/or negligence.

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21 ECF 19-2, PID.2632-2646 | https://rico.jefffenton.com/evidence/2019-04-26_ausbrooks-story-fraudulent-bk-petition.pdf

22 ECF 1-8, PID.74 through ECF 1-11, PID.478.

23 ECF 1-29, PID.1684-1691 | https://rico.jefffenton.com/evidence/2021-01-19_fenton-seeking-help-tnsc-coa-aoc-bpr-fbi-ustp.pdf

24 ECF No. 1-29, PID.1693

25 ECF 50, PID.4082-4086 | https://rico.jefffenton.com/evidence/2020-10-16_coa-emergency-motion-reporting-misconduct.pdf
ECF 51, PID.4088-4135 | https://rico.jefffenton.com/evidence/2020-10-28_motion-to-supplement-and-correct-the-record.pdf
ECF 1-29, PID.1665-1681 | https://rico.jefffenton.com/evidence/2021-01-19_reported-misconduct-sought-help-tnsc-aoc-bpr.pdf

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41. The Order dismissing my appeal was approved by the following panel of Judges: Judge Frank Goad Clement (BPR# 006619), Judge Andy Dwane Bennett (BPR# 009894), and Judge William Neal McBrayer (BPR# 013879).

SUPREME COURT OF TENNESSEE AT NASHVILLE

42. I attempted to escalate my appeal to the Supreme Court of Tennessee at Nashville, in No. M2019-02059-SC-Rl1-CV[26], but my application for permission to appeal was denied.

GROUPS OF LITIGANTS IN THIS LAWSUIT

PARTIES DIRECTLY INVOLVED

- STORY AND ABERNATHY, PLLP, Law Firm for Divorce
  - VIRGINIA LEE STORY, Primary Divorce Counsel
  - KATHRYN LYNN YARBROUGH, Secondary Divorce Counsel

- CHANCERY COURT FOR WILLIAMSON COUNTY TENNESSEE
  - MICHAEL WEIMAR BINKLEY, Presiding Chancery Court Judge
  - ELAINE BEATY BEELER, Chancery Court Clerk & Master

- STATE OF TENNESSEE
- COUNTY OF WILLIAMSON TENNESSEE
- WILLIAMSON COUNTY SHERIFF'S OFFICE

- ROTHSCHILD & AUSBROOKS, PLLC, Law Firm for Bankruptcy
  - MARY ELIZABETH MANEY AUSBROOKS, Primary Bankruptcy Counsel
  - ALEXANDER SERGEY KOVAL, Secondary Bankruptcy Counsel

- HENRY EDWARD HILDEBRAND III, Chapter-13 Bankruptcy Trustee
- CHARLES M. WALKER, Presiding Bankruptcy Court Judge

- MCARTHUR SANDERS REAL ESTATE
  - ROY PATRICK MARLIN, Real Estate Broker/Auctioneer

- HOSTETTLER, NEUHOFF & DAVIS, LLC

[26] ECF 1-27, PID.1370 through ECF 1-29, PID.1683.

Initials: 

- THOMAS EDWARD ANDERSON, Real Estate Broker/Auctioneer

- BANKERS TITLE & ESCROW CORPORATION
  - SAMUEL FORREST ANDERSON, Real Estate Attorney/Closing Agent

COVER-UP PARTIES WHO REFUSED TO ASSIST, INTERVENE, OR REPORT
(HAD KNOWLEDGE ABOUT FRAUDULENT JUDICIAL & ATTORNEY MISCONDUCT)

- TENNESSEE COURT OF APPEALS MIDDLE DIVISION
  - JAMES MICHAEL HIVNER, Tennessee Court of Appeals Clerk
  - FRANK GOAD CLEMENT JR., Tennessee Court of Appeals Judge
  - ANDY DWANE BENNETT, Tennessee Court of Appeals Judge
  - WILLIAM NEAL MCBRAYER, Tennessee Court of Appeals Judge

- SUPREME COURT OF THE STATE OF TENNESSEE

- TENNESSEE ADMINISTRATIVE OFFICE OF THE COURTS
  - JOHN BRANDON COKE, General Counsel

- BOARD OF PROFESSIONAL RESPONSIBILITY OF THE SUPREME COURT OF TN
  - SANDRA JANE LEACH GARRETT, Chief Disciplinary Counsel & Executive Director

ADDITIONAL PARTIES INVOLVED IN REAL ESTATE DEED FRAUD
(WITHOUT THE CONSENT OF A DEEDED PROPERTY OWNER)

- BANK OF AMERICA CORPORATION
  - RUBIN LUBLIN TN, PLLC

- CADENCE BANK (Previously: BANCORPSOUTH, INC.)
  - SPRAGINS, BARNETT, & COBB PLC.

IT ALL STARTED WITH A FEW BAD ACTORS
(NOW THE CRIMES ARE IN THE COVERUPS)

43. This all started with two or three primary bad actors from Williamson County Tennessee, who have been allowed to ride roughshod over the community while the local government has protected them, participated in, executed, and enforced their lawless orders against member of the community. Their criminal influence in the region, to *"practice law"* in a predatory manner, in complete violation with their *oaths of office* and the State's Rules of both Judicial and Professional Conduct, while the Tennessee Board of Professional Responsibility has protected them and refused to accept, file, and act upon complaints against them (at least during my many attempts), has been widely recognized, while other officers of the courts and local professionals have joined into their criminal misconduct, expanding the reach and influence of their enterprise.

44. Whether true or false, the courts are not receptive to a party making claims like that, which is why Plaintiff has been compelled to file substantial *evidence* on the record, to demonstrate to the court the *true voracity of his claims*, in hopes that the court will allow his complaint to move forward so that he might have a chance to obtain justice, regardless of the size, shape, power, influence, or reach of the defendants.

OBSTRUCTING PLAINTIFF'S PURSUIT FOR JUSTICE

45. Due to the nature of these facts and the number of powerful people who this case implicates (with real tangible evidence), rather than being helped by any division of law enforcement, government, or the courts, additional obstacles have been repeatedly erected, to obstruct my path and *pursuit for justice*. Unfortunately, many such obstructionists, who seem to

constantly raise the hurdles that I must jump over as a *pro se* (to have even a *remote* chance at justice against such a powerful horde), are employed by different divisions of our government and courts, while having sworn an oath to uphold the Constitution of the United States of America and to *"administer justice without respect to persons"*.

46. So far, nobody has been willing to *"administer justice"* in my cases (including the preceding cases in Tennessee), *"without respect to persons"*, in compliance with the court's own rules of conduct, while obeying the supreme law of the land.

> "Our whole system of law is predicated on the general fundamental principle of equality of application of the law. 'All men are equal before the law,' "This is a government of laws and not of men,' 'No man is above the law,' are all maxims showing the spirit in which legislatures, executives, and courts are expected to make, execute and apply laws. But the framers and adopters of the (Fourteenth) Amendment were not content to depend... upon the spirit of equality which might not be insisted on by local public opinion. They therefore embodied that spirit in a specific guaranty." *Truax v. Corrigan*, 257 U.S. 312, 332

47. However unfortunate, ugly, embarrassing, disparaging that may seem, none of that is in any way, shape, or form my fault. The bad actors chose this path. The bad actors have refused the slightest remedy or cure. The bad actors did nearly everything wrong and illegal instead of ethical, lawful, and just.

BAD ACTORS IN CHARGE OF THE WILLIAMSON COUNTY CHANCERY COURT

48. The Williamson County Chancery Court was illegally leveraged to circumvent the Federal Rules of Bankruptcy Procedure[27], Rule #7001 along with 11 U.S.C. § 363 to deprive my

[27] ECF 38, PID.3445-3496 | https://rico.jefffenton.com/evidence/2019-04-26_bankruptcy-crimes-rules-and-laws-violated.pdf

Initials: 

multiple (federally protected) property interests, as well as my two lawful tenants'/roommates' binding leasehold property interests, in **1986 Sunnyside Drive, Brentwood, TN 37027.**

49. Every action in Williamson County Chancery Court Docket #48419B is **void** (not voidable). Due to judicial bias[28], failed equal and due process, multiple jurisdictional violations[29], and an excessive amount of "fraud[30] on the court by officer(s) of the court."

50. Each of which have **no** "statute of limitations" for seeking corrections and a cure.

51. I do not believe that there is any "qualified immunity" for any party involved, as there was no honest legitimate business conducted in good faith by either court, which was within their lawful jurisdiction and authority to hear and decide.

ATTORNEYS VIRGINIA LEE STORY AND KATHRYN LYNN YARBROUGH

52. Attorney Virginia Lee Story and Attorney Kathryn Lynn Yarbrough strategically fabricated an almost exclusively "fraudulent narrative", to falsely assassinate my character in the eyes of defendant Story's *undisclosed* close family friend and vacationing/partying buddy, *presiding judge* Michael Weimar Binkley, before I ever entered the court.

53. Defendant Story's and Yarbrough's fraudulent narrative[31] was engineered to forcefully take from me nearly everything I spent my life working for, invested toward my retirement, devoted my life to, and cherished. Although of hardly any financial significance to

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[28] ECF 21, PID.2781-2817 | https://rico.jefffenton.com/evidence/2024-01-18_binkley-disqualification-for-bias-coercion.pdf
ECF 33, PID.3310-3391 | https://rico.jefffenton.com/evidence/2019-08-01_hearing-professional-and-judicial-misconduct.pdf

[29] ECF 53, PID.4258-4349 | https://rico.jefffenton.com/evidence/2024-03-13_irrefutable-proof-of-criminal-conspiracy.pdf
ECF 28, PID.3276-3288 | https://rico.jefffenton.com/evidence/2020-07-02_bk-trustee-john-mclemore-call-declaration.pdf
ECF 54-1, PID.4367 | https://rico.jefffenton.com/evidence/2020-07-02_bk-trustee-john-mclemore-recorded-call.mp3

[30] ECF 1-1, PID.34-47 | https://rico.jefffenton.com/evidence/2022-02-01_fenton-affidavit-of-story-binkley-fraud-on-court.pdf

[31] ECF 19, PID.2617-2716 | https://rico.jefffenton.com/evidence/2019_tn-court-motions-in-chronological-order.pdf

either of them, it was all that I had. Still, they stole it without regard for the court's codes of conduct, their oaths of office, or state or federal laws.

54. In an interview with defendant Story published by Attorney At Law Magazine[32], dated April 20th, 2016, defendant Story stated in part, "My husband and I have owned Clean Earth Sanitation, Inc. and now are developing and building, Williamson County is the land of opportunity."

55. Defendant Story elaborated further in that same article, about her passions as a Williamson County real estate developer, by stating, "My father practiced law for 60 years in Kentucky. He took me to the courthouse with him when he prosecuted cases from age 12. He became the attorney for the county in condemnation proceedings acquiring the property known as the land between the lakes. While real estate law was never for me, my husband and I have been developing property for the last 10 years."

56. Defendant Story knew the value of my **Brentwood** real estate, and had all the right connections with the courts, county, sheriff's office, auctioneers, brokers, closing agents, and investors to quickly take my property by force, liquidate it, and disburse the funds without one dollar to my benefit, before I could even process and figure out what had honestly happened.

57. Even worse, they held my constitutional rights hostage[33] and threatened my life and liberty, while demanding even more of my property and my elderly mother's money[34], than any court can lawfully justify. (I have evidence that this literally exceeded the point of being **capable**

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[32] ECF 43, PID.3680-3684 | https://rico.jefffenton.com/evidence/2016-04-20_aalm-interview-of-attorney-virginia-lee-story.pdf

[33] ECF 1-31, PID.1794-1873 | https://rico.jefffenton.com/evidence/2019-10-21_order-of-protection-as-illegal-prior-restraint.pdf

[34] ECF 19-8, PID.2679 | https://rico.jefffenton.com/evidence/2019-09-16_story-letter-demanding-two-grand-for-storage.pdf
ECF 19-8, PID.2680-2681 | https://rico.jefffenton.com/evidence/2019-09-26_story-letter-demanding-thirty-five-hundred.pdf

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of providing **any** value to **any** party, purely out of domination and cruelty, to retaliate and "punish" me for challenging them and attempting to defend my lawful rights and interests.)

FORMER CLERK & MASTER ELAINE BEATY BEELER

58. Similarly, Williamson County Chancery Court Clerk & Master Elaine Beaty Beeler was an undisclosed close family friend of my opposing counsel, Attorney Virginia Lee Story for literally 40-years[35]. Defendant Beeler discriminated against me, denied me ADA Accommodations[36] (even while being that court's designated "ADA Contact"), in violation of the State of Tennessee's Administrative Policy 2.07, and was generally as crass, cold, and unhelpful as I can imagine anyone in her position being.

59. Defendant Beeler spoke to me in a demeaning fashion, denied me common courtesies the clerks provide to other litigants and their counsel every day, bullied me, and told me that almost every question I asked (which were primarily procedural) constituted "legal advice", while reciting that court clerks are prohibited from providing legal advice.

60. Later during my research, I discovered a document online titled, "Guidelines for Tennessee Court Clerks Who Assist Self-Represented Persons[37]", which states directly on the document, "Approved by the Tennessee State Court Clerks Association and endorsed by the Tennessee Supreme Court."

61. This document clearly states without any question that the majority of the questions

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[35] ECF 43, PID.3680-3684 | https://rico.jefffenton.com/evidence/2016-04-20_aalm-interview-of-attorney-virginia-lee-story.pdf

[36] ECF 1-39, PID.2046-2067 | https://rico.jefffenton.com/evidence/2018-10-15_wilco-seeking-ada-assistance-call-transcript.pdf
ECF 54-1, PID.4357 | https://rico.jefffenton.com/evidence/2018-10-15_wilco-seeking-ada-assistance-recorded-call.mp3
ECF 12, PID.2163-2179 | https://rico.jefffenton.com/evidence/2019-08-01_ada-abuse-witnessed-in-chancery-court.pdf

[37] ECF 52, PID.4231-4233 | https://rico.jefffenton.com/evidence/tennessee-court-clerk-guidelines.pdf

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which I asked the Williamson County Chancery Court Clerk & Master's Office, including those which I directly asking defendant Beeler, were well within the scope of information which they were allowed and encouraged to provide to the public. Most of my questions **did not** constitute "legal advice" as defendant Beeler and the deputy clerks under her, had falsely, repeatedly, told me.

62. Furthermore, in paragraph "B" of that document[38], it states, "Absolute duty of impartiality. Court clerks must treat all litigants fairly and equally. Court clerks **must not** provide assistance for the purpose of giving one party an advantage over another, nor give assistance to one party that they would not give to an opponent."

63. I have irrefutable evidence in my case that defendant Beeler and the Clerk & Master's Office discriminated against me and unreasonably denied me simple, common courtesy assistance, with a procedural element, which I have direct evidence they assisted another party with on the exact same day as they denied me. While I went far above and beyond any "reasonable efforts", at an expense of hundreds of dollars and days of work, to do everything within my power, including having extensive communications with both defendant Beeler and defendant Hivner[39] in the Tennessee Court of Appeals office, yet defendant Beeler and her office unreasonably refused me the exact same procedural assistance, they provided to the other party, on that very same day.

64. While I'm speaking of a matter that takes less than five-minutes for the court but was of critical importance to how the **court recorded** my "transcript of evidence" (from the abusive 8/29/2019 *pro-se* hearing where defendants Binkley and Story literally "tag-teamed" me

[38] ECF 52, PID.4231-4233 | https://rico.jefffenton.com/evidence/tennessee-court-clerk-guidelines.pdf

[39] ECF 54-1, PID.4365 | https://rico.jefffenton.com/evidence/2020-05-01_coa-hivner-8-29-19-hearing-transcript-recorded-call.mp3

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together[40]), which further amplifies the misconduct and complicity of defendant Beeler in the criminal misconduct of defendants Story, Yarbrough, and Binkley.

65. It was never me against defendants Story and Yarbrough, it was always me against the **court** and defendants Story, Yarbrough, Binkley, and Beeler.

66. Defendant Beeler showed interest in ensuring that I received the harsh, abusive, unfair, punitive, out of jurisdiction, oppressive orders from the court, without showing any interest or concern about whether or not I ever received lawful notice or a motion prior by which I had an opportunity to be heard or defend myself in the action.

67. The Williamson County Chancery Court has no lawful authority without due process, yet no one involved in docket #48419B showed **any interest** in due process, equal rights, the court's rules of conduct, even handed justice, or the rule of law for that matter.

68. Ultimately, defendant Beeler helped cover-up the misconduct by defendants Story, Yarbrough, and Binkley, while enabling them to harm me further. Defendant Beeler refused to intervene or report the misconduct by defendants Story, Yarbrough, and Binkley to the appropriate authorities, as required by Rule 8.3[41] of the Tennessee Rules of Professional Conduct.

FORMER JUDGE MICHAEL WEIMAR BINKLEY

69. Former Williamson County Chancery Court Judge Michael Weimar Binkley illegally exercised jurisdiction over my highly sought after Williamon County Brentwood real estate and stole it from me and my wife, without one dollar directly to either of our benefit. This brazen

[40] ECF 23-4, PID.2920 | https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3
ECF 23, PID.2863-2920 | https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf

[41] Tenn. R. Sup. Ct. 8.3 - REPORTING PROFESSIONAL MISCONDUCT

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act in violation of my constitutional rights, literally rendered me homeless and destitute within the State of Tennessee, from a comfortable middle-class lifestyle, with only a five-day notice, over a holiday weekend, when no help could be reached to prevent this horrible injustice.



Arrest of Williamson County judge included in judicial complaint

Posted Feb 1, 2017

A complaint filed with the Board of Professional Responsibility about Judge Casey Moreland and attorney Bryan Lewis also included a mention of a 2010 solicitation of prostitution charge for an attorney who would go on to become a Williamson County judge.

The complaint was filed one day after the Channel 4 I-Team investigation on a death investigation of a woman just days after she went on a weekend trip with Moreland and Lewis.

The complaint also includes a section that mentions the arrest of Williamson County Judge Michael Binkley, who was an attorney at the time.

https://www.wsmv.com/news/arrest-of-williamson-county-judge-include...

70. Defendant Binkley was clearly biased against me. He discriminated against me. He threatened me. He mocked me. He retaliated against me. He was never impartial. He always had an agenda, in alignment with defendant Story's agenda, and contrary to my interests. He unequivocally refused to provide me with equal and due process of law, or any real opportunity to be heard or participate in my own defense.

71. Every word spoken by defendant Story, no matter how outrageous, was taken as if *"matter of fact"* by defendant Binkley. Showing no impartiality, no equality, and no fairness, as is required in every court of equity and law.

72. Defendant Binkley refused his judicial supervisory duties (which are not optional) to correct Attorney Story's **false** statements regarding *matters of law in open court*[42], while also refusing

[42] ECF 33, PID.3310-3391 | https://rico.jefffenton.com/evidence/2019-08-01_hearing-professional-and-judicial-misconduct.pdf

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to correct her almost *non-stop* violations of Tennessee's "Rules of Professional Conduct".

73. Defendant Binkley allowed Ms. Story's *pleadings* to seek *favor*, *dominance*, and *depravity*, "under color of law", instead of **justice**, as is required of all pleadings, by the Federal Rules of Civil Procedure, the Judicial Canons, and the Rules of Professional Conduct. None of which defendants Binkley or Story showed any interest, care, or submission toward whatsoever.

74. Defendant Binkley didn't allow me to object or correct defendant Story's fraudulent narrative. He was absolutely not solicitous of my rights, my humanity, or my ability to even survive the irreparable damage caused to me, my family, and my future by their extraordinarily depriving actions, *prior* to even *beginning discovery*, while unequivocally denyied me equal and due process of law.

75. The execution of this case by the Chancery Court and the participants therein was an unconscionable *"tag-team"* beat down. I have been defamed, destroyed, and denied justice now, for absolutely no good, just, honest, or reasonable cause, for well over five years, while all of this was easily preventable by the court adhering to, and enforcing, their own rules of conduct.

76. This strategy of intentionally assassinating someone's character before their first appearance in court is a **hallmark sign of "predatory litigation".** Litigation which does not seek to do justice as required by the Federal Rules of Civil Procedure, but rather seeks to harass, injure, rob, and extort under the color of some "legal" action (process) taking place. When in fact nothing legal, lawful, honest, honorable, equal, equitable, true, good faith, fair, or impartial ever took place in docket #48419B in the Chancery Court. Moreover, in predatory litigation everyone is fair game (not just the opposing party), for the illegal and unethical benefit of the powerful and influential members of the courts.

77. As absolutely over the top and unbelievable as this sounds, that is one of the primary reasons for the excessive amount of criminal misconduct committed against me, and the absurd level of abuse that I and my family have suffered, because it sounds so outrageous that it is **almost impossible to get anyone to believe me and help**[43]**.** Sadly, though rarely mainstream media news, this practice is not uncommon, hence it is unreasonable, irresponsible, dishonest and negligent for the courts to treat victims of predatory litigation as if they are operating in bad faith, mentally disturbed, have ulterior motives or an agenda contrary to the honest pursuit of justice. As if they are purposefully being disrespectful of the courts or attempting to disparage the courts, the state, or the officers therein, in some untoward manner.

HOW TO TESTIFY TO THE TRUTH ABOUT COURT MISCONDUCT WITHOUT SOUNDING DISRESPECTFUL

78. One of the biggest challenges during the early days of my litigation was trying to figure out how to articulate the obscene level of criminal misconduct actually committed by the powerful influential members of the Williamson County Chancery Court Chancery, in my case. While struggling to articulate that to the higher courts in a way which does not sound "disrespectful" or "disparaging", at which point the court can by its own rules disregard every word of my testimony, which they in fact did, yet ethically and legally were not allowed to do.

79. By both the judicial canons and the rules of professional and judicial conduct, every licensed BAR member who knew about the overt, fraudulent, bias, criminal misconduct by defendants Binkley and Story, in my case, who refused to act, intervene, help the injured party,

[43] One of the most horrific elements about "predatory litigation" is the fact that the more extreme, cruel, criminal, obscene, and abusive the actions by the powerful influential "officers of the court", the less likely anyone will ever believe they committed such shocking crimes and intervene to help the injured party.

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report the misconduct to the appropriate authorities, or to discipline the misconduct (which is not optional for supervisory judges, especially when involving issues of extreme dishonesty and fraud) violated their oaths of office and the court's rules of conduct for the offices they held.

80. The failure and even refusal by the state of Tennessee, their law enforcement, and courts to help, investigate, correct, discipline, or rule in the interest of justice, is in my mind the most telling injustice I have experienced throughout ordeal. The fact that the state never invested one penny to help me, to protect me, or to provide me justice, but now appears to be paying the legal fees of roughly sixteen parties or entities which either actively committed crimes against me or blocked my pursuit of justice, screams volumes about the state's values, goals, and priorities.

THE STATE OF TENNESSEE IS MISAPPROPRIATING TAX DOLLARS TO COVERUP CORRUPTION INSTEAD OF REMOVING IT

81. Nobody can claim ignorance now, yet the state is still choosing to double and triple down on depriving me justice at apparently any expense, without care for what the truth or even the law is in the preceding matters, or whether or not the bad actors in this lawsuit are a *serious threat* to the public health and safety of *many* throughout Middle Tennessee (which my claims being true would unquestionably prove). I don't see the state showing any interest, concern, or care about any of that, rather only in their ability to spend taxpayer funds to out leverage my ability to obtain justice through the courts, while fighting the deep pockets of the state and their attorneys.

82. I am hereby making these claims on record to evidence the fact that the State of Tennessee is *misappropriating* **tax dollars** to intentionally cover-up attorney and judicial misconduct and corruption within their courts. This lawsuit already contains evidence that the Tennessee Supreme Court's oversight boards/divisions, along with defendants Coke and Garrett

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point blank refuse to discipline former Williamson County Judge Michael W. Binkley for misconduct, along with defendants Story, Yarbrough, Beeler, and others.

83. This is a chief concern in trusting any part of this lawsuit withing the boundaries of the State of Tennessee. Parties within this lawsuit operate at the highest levels in the State of Tennessee over the "practice of law", while I can redundantly prove that they have acted dishonestly, dishonorably, and adverse to the interests of law, the courts rules of conduct, both state and federal constitutions, along with their oaths of office.

84. Where there is no honor and there is no truth, there is no protection to be found through the "practice of law".

NONE OF THIS EVER SHOULD HAVE HAPPENED,
AND ABSENT EXTREME NEGLIGENCE OR CORRUPTION,
IT WASN'T EVEN PHYSICALLY POSSIBLE

85. Unfortunately there was nobody honest in authority over the Williamson County Chancery Court, the United States Bankruptcy Court for the Middle District of Tennessee, the Tennessee Court of Appeals Middle Division, or the Nashville branch of the Tennessee Supreme Court who would force the bad actors in this lawsuit to quit leveraging Middle Tennessee's courts, as their criminal racketeering playground over wealthy Williamson County residents, to demand instead that they uphold their oaths of office and obey the law, or otherwise be impeached and disbarred.

86. Apparently when your friends are in charge of the oversight divisions of the Tennessee Supreme Court, the Administrative Office of the Courts and the Board of Professional Responsibility, who ultimately control who can "practice law" within the state and who cannot, being a bad actor and even an overt arrogant racketeering criminal doesn't appear to have serious

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enough repercussions in Middle Tennessee to dissuade officers of the court from such activities, if there are in fact any repercussions at all for "friends of the court".

87. This has been going on for a long time though, and I honestly don't think that a court located in Tennessee, especially in Middle Tennessee, can impartially hear this case against these high profile defendants (some they are likely friends with), or administer an honest and meaningful remedy, either to cure my damages, to help improve the judicial integrity of the state of Tennessee, or to protect the public health and safety of people who live there.

88. If so, there have been plenty of missed opportunities, while the United States District Court for the Middle District of Tennessee has a case before it right now[44] against some of the same Williamson County corruption which almost instantly destroyed my life, while that case doesn't appear to be moving towards the interests of justice so far.

89. The State of Tennessee lost their jurisdiction and the right to rule over any facet of this case or my life, when they illegally evicted me from my home on September 3, 2019, knowing that would forcibly dislocate me to the State of Michigan, 577 miles away, simply so I could obtain emergency replacement shelter and provision from my elderly mother living in Genessee County Michigan. While that was only the very beginning of their crimes against me.

90. This lawsuit is in response to "predatory litigation" performed by the defendants in the State of Tennessee. In predatory litigation everyone is fair game, for the illegal and unethical benefit of the powerful and influential members of the courts.

[44] Reguli v. Woodruff et al (3:2024-cv-00694) | https://dockets.justia.com/docket/tennessee/tnmdce/3:2024cv00694/99766
Reguli et al v. Hetzel et al (3:2024-cv-00541) | https://dockets.justia.com/docket/tennessee/tnmdce/3:2024cv00541/99331

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THE PRACTICE: PREDATORY LITIGATION

91. Predatory litigation comes in many shapes and sizes, but often includes a few core elements that empower bad actors to exercise more dominance and control—thus causing exponentially greater harm—than the courts have the lawful jurisdiction and authority to exercise.

92. Often in predatory litigation, both litigants "lose"—typically to the benefit of third parties, such as law firms/attorneys, judges, auctioneers, real estate professionals, investors, physicians, psychiatrists, healthcare providers, expert witnesses, and more. Unfortunately, my matters in Tennessee were just such cases.

93. One of the most common elements of predatory litigation is the misuse of various "protective orders." Under the guise of protecting one party, protective orders can be used to both bind and gag the opposing party, while doing serious damage to how their character is perceived by the court. This effectively "steals the litigant's voice".

94. Whatever a party says after a protective order has been issued against them will be heard with the stigmatized presumption that the litigant is abusive, unstable, or dangerous; that they are not operating in good faith; that they have ulterior motives and/or malicious intent; and that likely they are in the wrong. The "abuser" and the "loser" in any related litigated case are then synonymous. The case is unequally yoked straight from the start, often by design.

95. Another common element of predatory litigation is that counsel for one party often has the favor of the presiding judge. While this can be extremely difficult to prove, at times enabling abuses to continue in a court for decades, it is next to impossible to win a case whereby both the court and the opposing counsel are against one of the litigants, as the evidence in my preceding Tennessee cases clearly shows.

① Check all of the following that apply to the Petitioner:

a. ☒ We are married or used to be married.
b. ☒ We live together or used to live together.
c. ☐ We have a child together.
d. ☐ We are dating, used to date, or have had sex.
e. ☐ We are relatives, related by adoption, or are/were in-laws. *(Specify):* _____
f. ☐ We are the children of a person whose relationship is described above *(Specify):* _____
g. ☒ The Respondent has stalked me.
h. ☐ The Respondent has sexually assaulted me.
i. ☐ Other: Harassment by text messages, e-mails - voicemail, Hurrakndme



Warning!
☐ Weapon involved
☒ Has or owns a weapon
☒ Wife owns bigger weapons
☒ Wife is a Tennessee Licensed Handgun Instructor with a $10,000 Arsenal & 5,000 Rounds of Ammo (give me a break)

THIS IS A LIE. I NEVER touched her in anger OR threatened to. EVER!
Unethical Attorneys & Judges misuse "protective orders" ALL the time.

② List all children under 18 that you have: (none)

* ☐ *Check here if listing addresses would put you or your child in danger. If so, leave any spaces for addresses blank.*

Petitioner (parent/legal guardian/caseworker/law enforcement personnel) signs below in front of a notary public and swears that he/she believes the above information is true:

➧ [redacted] Jefferson Date: 19 Jun 2019

Notary fills out below (TCA §36-3-602) –

I declare that the Petitioner has read this Petition, and swears it be true to the best of her/his knowledge.

Sworn and subscribed before me, the undersigned authority,

By *(Print name of notary):* Alejandra Anderson

On this date: 06/20/2019

ALEJANDRA ANDERSON
TENNESSEE NOTARY PUBLIC
COUNTY OF WILLIAMSON

➧ _____
Notary or Court Clerk or Judicial Officer signs here *Date notary's commission expires*

☑ **The court finds good cause and will issue a Temporary Order of Protection.**
6/20/19 MB.

Michael W. Binkley
Circuit Court Judge/Chancellor
21st Judicial District, Division III

04/30/2018
Form #OP2018-1
Petition for Order of Protection

➧ _____ Date 6/20/19
Judicial Officer's-signature
Michael W. Binkley
Circuit Court Judge/Chancellor
21st Judicial District, Division III

Notice to the Respondent about Firearms

If the court grants the Petitioner's request for a Protective Order:

☑ You will not be able to have a firearm while this or any later protective order is in effect. You will have to transfer all firearms in your possession within 48 hours to any person who is legally allowed to have them. *18 U.S.C. §922(g)(8), TCA §36-3-606(f), TCA §36-3-625.*

☑ You will not be allowed to buy a firearm until the court says otherwise.

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96. It's well known that high conflict cases in "family court", such as divorces, often serve as an entry point for powerful predators to insert themselves into the lives of unsuspecting litigants. To extort as much value from the family as they can. Often divorce attorneys exaggerate the disfunction and drama in marriages, for a strategic advantage in the litigation, while seeking the courts favor for their clients. This was one such case, taken to the extreme, with no honest, ethical, lawful supervision whatsoever, or within my realistic reach for the past five years since.

97. There is one other word picture, which I really think helps put into perspective the roles and relationships between the two primary groups of bad actors in the precipitating Tennessee actions; as one group worked in the U.S. Bankruptcy Court for Middle District of Tennessee, and the other group worked in the Williamson County Chancery Court, that word picture is "the shell game", described next.

THE SHELL GAME

98. One of the principal concepts of **deception**, exercised by magicians, card sharks, con-artists, governments, thieves, and predatory counsel is to capture or divert the focus of their audience (or mark) toward something which is powerful, captivating, emotionally compelling, and **not** where the deception, magic, con, or trick is actually taking place and being manipulated. This creates a "strategic distraction" to divert attention **away from the crimes** being committed, or the magic trick[45], or the con, as the case may be.

99. This is exactly how my opposing counsel Attorney Virginia Lee Story operated in every pleading which she filed in docket #48419B. Not prioritizing the truth in any matter, nor ensuring that **any** pleadings were in the pursuit of justice, as required by the federal rules. Instead,

[45] One example is the "shell game": https://en.wikipedia.org/wiki/Shell_game

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in strategic expectation of how each pleading was designed to **distract** myself, the court, and any witnesses away from the honest merits of our divorce, my constitutional rights, along with state and federal laws which protect every litigant's real property interests[46].

100. Even to the point of diverting our attention away from whether or not my ex-wife's bankruptcy was being administered lawfully, in compliance with the Federal Rules of Bankruptcy Procedure and bankruptcy law, which in fact prohibited the Chancery court from exercising jurisdiction over my marital residence, yet they did so unlawfully, purely to **take it** from me, without lawful grounds, authority, or process.

101. That is called theft, fraudulent conveyance, **real estate deed fraud**[47], and that is exactly what defendants Binkley, Story, Yarbrough, Ausbrooks, Koval, Hildebrand, Walker, Marlin, Anderson, and Anderson did. With defendant Binkley's help[48], the law was strategically ignored!

102. The unlawful forced sale of my Brentwood marital residence is **void** and must be vacated as a matter of law. Nothing can redeem it or make a void and unlawful order (and subsequent sale) valid. Everything done by the courts and counsel in both of the related cases, constitute multiple felony crimes committed against me and my family under the color of law, while nobody had the right to **steal** my home or **compel** its sale, under any of the honestly existing circumstances at that time. The court violently trespassed upon my rights, and each and every day

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[46] The is also commonly referred to as a "dog and pony show". The basic concept of a "**strategic distraction**." This was Story's fraudulent narrative and character assassination of my identity, demonizing me, vilifying me, painting my ex-wife as the "victim". The idea that my ex-wife was ever in any danger, or was abused, or was the victim of financial exploitation or tax impropriety, while I was blamed for her "need" to file bankruptcy, when not only did she never need to file bankruptcy, she had an incredibly difficult time "qualifying". While her counsel fraudulently executed it to my substantial detriment, to cheat me out of my property interests.

[47] ECF 48, PID.4019-4029 | https://rico.jefffenton.com/evidence/2019-10-29_1986-sunnyside-real-estate-deed-fraud.pdf

[48] ECF 19, PID.2617-2716 | https://rico.jefffenton.com/evidence/2019_tn-court-motions-in-chronological-order.pdf

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since, while I have been denied justice, has constituted further lawless violence against myself and my family, under the color of law, office, or official right, **while no such lawful power exists.**

103. That was the real objective of this entire scam. The real reason for my ex-wife's fraudulent bankruptcy filing. The real reason that two high profile law firms and a half dozen powerful and influential attorneys, committed fraud on both state and federal courts concurrently, while using the same fraudulent narrative, which would have easily been disproven had any counsel the care or ethical fortitude to check the property deed or tax records, while the same was their duties.

THE SETTING: MIDDLE TENNESSEE

104. Middle Tennessee has a reputation for having "gangs of attorneys" who swarm upon their victims in concert, to overpower, overwhelm, and out litigate their prey, without respect for the court's rules of conduct, the truthfulness of their testimony, or the lawfulness of their actions. The preceding actions in this case show that the court's ability to control the process from beginning to end, by close family friends (some in excess of forty years), without any independent or honestly impartial oversight, empowered bad actors to commit crimes which could have never withstood lawful scrutiny or cross examination.

105. To add to this conundrum, the Tennessee Supreme Court has refused to require Tennessee judges to recuse themselves from hearing cases brought by their close family friends and prior associates in law firms where they previously practiced.

106. As one would reasonably expect, this has had a detrimental impact upon the judicial integrity throughout the State of Tennessee, while corruption in Tennessee courts runs rampant.

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107. Williamson County Tennessee residents have literally spent millions of dollars trying to force former judge Michael W. Binkley to recuse himself from hearing cases presented by his buddies, such as Attorney Virginia Lee Story, as well as attorneys working for the law firm which he helped to found prior to becoming a judge. Time and again former judge Michael Binkley has point blank refused to recuse himself, despite how inappropriate his bias appeared, and in fact proved to be.

108. The evidence in this lawsuit, if ever fairly and honestly examined, will prove beyond any shadow of a doubt that former judge Michael W. Binkley is in fact obscenely bias in favor of Attorney Virginia Lee Story, and that no litigant should have ever been forced to submit to his abuse under the color of lawful authority when the court itself refuses to even execute grade school level common sense to assign a judge who is not close family friends and partying/vacationing buddies with the opposing counsel.

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THE TENNESSEAN

WILLIAMSON

How close can judges be with lawyers? Emails including Williamson Co. judge raise questions



Elaina Sauber
The Tennessean

Published 5:00 a.m. CT Aug. 30, 2018

Williamson County Judge Michael Binkley sent an email to his wife in April 2016 to let her know a weekend lake trip organized for several judges and attorneys had been rescheduled to ensure the couple could attend.



Mike Binkley *Submitted*

"Looks like they made the lake party the second weekend so that you and I could be there. Very nice!! Put it on your calendar," Binkley wrote.

But the attorney who invited Binkley also had an active case before the judge in circuit court.

Three days before Binkley sent that email, the plaintiffs in a case he was overseeing, Sam and Shannon Clemmons, filed a motion asking the judge to recuse himself. Binkley later denied the motion.

One of the defense attorneys in the Clemmons' case, Virginia Story, invited Binkley, as well as his brother, Davidson County Judge Joe Binkley, on weekend trips in August 2015 and August 2016 featuring a houseboat, a lake house and dinners, according to emails obtained by USA TODAY NETWORK - Tennessee.

The lake trip emails sparked questions by the Clemmonses about whether judges can remain fair and impartial when presiding over cases while simultaneously vacationing with attorneys in those cases.

Attorney James Oglesby, who said he's attended the trips in past years, said they are held at Center Hill Lake, and confirmed Story — the defense attorney in the Clemmons' case — hosts them.

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109. The purpose of this lawsuit, in addition to seeking a remedy for the damages caused to the Fenton family, is suing the State of Tennessee and the Tennessee Supreme Court for a commonsense remedy to help protect litigants and lawyers alike, throughout the State of Tennessee. **To require that all judges in the state of Tennessee mandatorily recuse themselves from hearing cases where one of the party's is represented by a close friend or prior associate of the judge.**

110. There is no reasonable means of providing a remotely impartial tribunal without this commonsense cure. At the same time, without an impartial tribunal the state has no lawful authority to operate alleged "courts of law", on the public's payroll, while forcing residents of the state to participate in and submit to what have repeatedly proven to be biased courts with an agenda completely contrary to the rule of law. (This is clearly evidenced by their own repeated refusals to recuse themselves.) This is not a game, without a reasonably impartial court, everything that takes place in court, under color of law, is a crime against both the people of the state and justice itself.

111. There is no amount of money which the state or the courts can spend, that has the potential of reasonably curing this obvious source of repeated corruption, other than separating people who have private relationships with each other, from both arguing and deciding the very same matters. This isn't rocket science, it is grade school commonsense. (The only reasonable cure is also essentially **free**[49].)

112. When people who hold powerful offices of public trust fail or refuse to exercise what most would consider to be grade school commonsense, for the benefit of protecting both the people of the state as well as protecting the honest judicial integrity throughout the entire State of

[49] Even if one chooses to argue that it may add a small burden upon the court, on the front end, to assign a different judge, it will save far more money for the state in the length of litigation and appeals. (It's the cost of doing business if you want state courts.)

Tennessee, while knowing the tremendous dangers of having corrupt courts, turning a blind eye to the problem or pretending the integrity of the judiciary is above the temptations common to all human flesh, is no longer a reasonable choice.

113. To know of the danger while being employed and empowered by the people to protect their interests, to have sworn an oath of office to support both state and federal constitutions, to administer justice without respect of persons, to conduct oneself with honesty, fairness, integrity, and civility to the best of their skill and abilities, yet to fail or refuse to exercise grade school level commonsense for the practice of law and the protection of the people, equates to an obscene and unacceptable level of professional negligence, at the very least. The job includes a responsibility.

114. As my case clearly shows, bad actors working in and through the Williamson County Chancery Court, were able to leverage other Tennessee offices of trust, created to protect and promote public safety and equal protection under the law (such as the Williamson County Sherriff's Office), as the means by which to selectively subvert the law, as the muscle to literally execute and enforce multiple felony crimes being committed against myself and my family, by the bad actors controlling both the court and subsequently local law enforcement.

115. It is obscene that this even needs to be said, but since the state refuses to act in the best interests of safeguarding the judicial integrity of the State of Tennessee, the people have a right to demand a reasonable expectation to fair and impartial courts. To date the judiciary's refusal to recuse themselves in such obvious and blatant conflicts of interest, are a fundamental violation of the judicial canons, due process, and equal access to justice. In short, it's dishonest, irresponsible, negligent, careless, illogical, historically disproven, foolish, and unconstitutional.

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116. To be blunt, the State of Tennessee has no lawful authority by which to force United States Citizens residing in the state of Tennessee to submit to arbitrary, lawless, and biased courts.

117. The state has had countless opportunities to better govern their court system, while having the need to fix this very obvious, careless, and irresponsible conflict of interests pointed out repeatedly by highly respected attorneys, judicial ethics professionals, the media, and litigants statewide. What could possibly be a good faith justification which can reasonably substantiate continuing to endanger the lives, liberty, and fortunes of families across the state, to continue forcing citizens in Tennessee to participate in and submit to courts which refuse to even exercise grade school level commonsense for the protection of the people? That's not reasonable.

PARTY FAVORS FOR TENNESSEE'S ELITE

118. Two of the worst offenders in this practice throughout the past decade in Middle Tennessee are Judge Michael Weimar Binkley and Attorney Virginia Lee Story, of Williamson County. That being the presiding judge over my divorce and my primary opposing counsel, who failed/refused to disclose to me they had any personal relationship at all.

119. After I experienced a level of lawless deprivation which I believed was more akin to rouge third-world countries than the mighty United States of America, I began researching the primary players in my divorce, where I discovered that Judge Michael W. Binkley and Attorney Virginia Lee Story had been close family friends, vacationing and partying[50] buddies for decades, while learning of a sorted and scandalous past between the two throughout Middle Tennessee news outlets[51].

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[50] ECF 44, PID.3740-3741 | https://rico.jefffenton.com/evidence/2018-09-24_tenn-binkley-defends-partying-with-lawyers.pdf

[51] ECF 43, PID.3694-3695 | https://rico.jefffenton.com/evidence/2017-02-01_scene-ethics-complaint-against-two-judges.pdf
ECF 54-1, PID.4358 | https://rico.jefffenton.com/evidence/2017-02-01_wsmv-binkley-arrest-expunged-by-moreland.mp4
ECF 52, PID.4174-4179 | https://rico.jefffenton.com/evidence/2021-03-21_knoxnews-coa-removes-judge-binkley-for-bias.pdf

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THE OBVIOUS CONFLICTS OF INTEREST

120. Attorney Virginia Lee Story has been publicly exposed for hosting vacations[52] and parties for/with Tennessee judges and their families, along with other powerful Tennessee decision makers. While former Williamson County Chancery Court Judge Michael W. Binkley and apparently his brother, Davidson County Circuit Court Judge Joseph P. Binkley Jr. have been mainstays in defendant Story's sorted vacationing retreats.

121. As one would reasonably expect, this has made defendant Story virtually untouchable in the State of Tennessee, likely more powerful than some judges, despite overwhelming evidence in this case that her conduct has been putrid, reprehensible, deceptive, cruel, unconscionable, and obscene. The actions by defendant Story in the preceding litigation has proven her to be unfit for the practice of law, while her conduct has been unbecoming of any professional office, especially one requiring honesty, where ethical and moral fortitude are paramount.

122. This has raised alarm bells publicly on multiple occasions, while time and time again corrupt Tennessee judges have been caught fixing cases for their friends, abusing the power and influence of their office, both for the perverse pleasure and benefit of those they like, and to the tremendously unlawful detriment of their enemies.

123. The fact that such conflicts of interest run rampant throughout Middle Tennessee, is further compounded by the fact that the Williamson County Chancery Court makes no audio or video recordings of its *civil* proceedings[53]. Neither the clerk nor anyone else, outside of a private

[52] ECF 43, PID.3726-3729 | https://rico.jefffenton.com/evidence/2018-08-30_tennessean-story-hosts-vacations-with-judges.pdf

[53] Accurate as of September 2019.

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court reporter, optionally hired and provided by litigants, records the minutes of a hearing, who makes an appearance in court, what testimony is given, or even the order of the court except for notes taken by the judge and attorneys present.

124. Furthermore, people can provide testimony in open court, which the court can accept as fact, the same as with a signed affidavit, and use their testimony as the basis upon which the order of the court rests, without so much as recording into the record the name of the party testifying or the substance of their testimony. That is obscene.

125. In my FINAL DECREE OF DIVORCE, in ECF 48, PID.4014, the court stated in part, "The Court finds, based upon the undisputed testimony of Wife, a witness for Wife as to the grounds for the divorce, the exhibits introduced in this cause, and the record as a whole, that the following shall be the Order of this Court."

126. That is all *fraud upon the court* by defendants Binkley and Story, but the part I'm trying to specifically point out here, is that nowhere in the court record (which I have been privy to) is there any information about *who this witness was* or *what they testified to*, upon which this court allegedly based their order.

127. This is one of many things which nobody involved has been willing to tell me; while having found no record to exist at the time the Chancery Court transferred the record to the appellate court, when I received a digital copy of the entire docket from the Tennessee Court of Appeals[54]. That is unreasonable.

128. Studying the records from Chancery Court, I couldn't figure out how the

[54] As recorded in this federal lawsuit, in ECF 1-17, PageID.641 through ECF 1-26, PageID.1369.

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defendants in this case had successfully manipulated both courts to strategically[55] deny me justice to take possession of my home and liquidate it, without one penny to my benefit[56]. Finally, after three years of studying law with the last year spent almost exclusively studying the bankruptcy code[57], I found the heart of the fraud upon the court, buried in the federal court's records, which certain defendants executed in both state and federal courts, to unlawfully deprive me of my property and sell it via real estate deed fraud.

129. Unlike searching from just the Chancery Court side where the question was "what laws did they break?", once I began to understand the bankruptcy code, the Federal Rules of Bankruptcy Procedure, and the related statutory laws[58] in U.S. Code Titles 11, 18, and 28, the question changed radically to **"**what laws *didn't* they break?**"** Nearly everything the defendants did in both courts related to my divorce and his ex-wife's bankruptcy was a flagrant violation of the rules of procedure, laws, ethical codes, and U.S. Constitution.

FAKE CRIMES—FABRICATED CHARGES—CIVIL RESTRAINTS

130. One of the hallmarks of the rogue court actors in Williamson County Tennessee is the use of fake, fabricated, and fraudulent criminal charges[59] (combined with civil restraints[60]) to

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[55] ECF 53, PID.4258-4349 | https://rico.jefffenton.com/evidence/2024-03-13_irrefutable-proof-of-criminal-conspiracy.pdf

[56] ECF 59, PID.4724 | https://rico.jefffenton.com/evidence/1-23-cv-01097_fenton-vs-story-wilco-rico-deed-fraud-intro.mp4
ECF 59, PID.4723-4735 | https://rico.jefffenton.com/evidence/1-23-cv-01097_fenton-vs-story-wilco-rico-video-declaration.pdf

[57] ECF 28, PID.3276-3288 | https://rico.jefffenton.com/evidence/2020-07-02_bk-trustee-john-mclemore-call-declaration.pdf
ECF 54-1, PID.4367 | https://rico.jefffenton.com/evidence/2020-07-02_bk-trustee-john-mclemore-recorded-call.mp3

[58] ECF 38, PID.3445-3496 | https://rico.jefffenton.com/evidence/2019-04-26_bankruptcy-crimes-rules-and-laws-violated.pdf

[59] https://tennesseeconservativenews.com/fake-felony-charge-used-to-disqualify-conservative-judge-candidate-overturned-for-client/
https://tennesseeconservativenews.com/2022-tennessee-judicial-candidate-sues-public-officials-after-fake-felony-conviction-is-reversed/
https://www.youtube.com/watch?v=-rC6CjUATTk

[60] ECF 1-31, PID.1794-1873 | https://rico.jefffenton.com/evidence/2019-10-21_order-of-protection-as-illegal-prior-restraint.pdf

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defame and disempower litigants in Williamson County, while clouding the unconstitutional overreach of that court and the judges therein, beyond the lawful jurisdiction and authority held by that court, Williamson County, and even the State of Tennessee.

131. I have no doubt that if I still lived there, I would be in physical danger of being arrested at any time, day or night, while having committed absolutely no crime at all, to simply separate me from the evidence in my case and my ability to prove (both in the courts of public opinion as well as in a court of law) the horrific criminal misconduct by the officers of that court.

132. It has been almost impossible for me to litigate for a cure against the multitude of powerful bad actors which this case is against, even *with* access to *irrefutable evidence* they did in fact break the law as I have claimed.

133. If by any means the bad actors were able to separate me from my evidence or silence my speech and ability to advocate for myself or attempt to litigate for a cure, there would be no realistic remedy within my reach, likely for the rest of my life. I'm probably operating at one percent chance at ever reaching justice as things currently stand, but without my *evidence* being within my reach, I would have a zero percent chance, which I have no doubt they have thought about. 577 miles is the only factor which has provided the slightest comfort and protection to me and my elderly mother, from more abusive overreach under the *color of law*, from literally organized crime being run out of the Williamson County Chancery Court in Tennessee.

134. It's no secret that rogue judges use "law enforcement" as an apparatus to

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ECF 54-1, PID.4359 | https://rico.jefffenton.com/evidence/2019-06-20_wcso-exparte-order-of-protection-service.mp3
ECF 1-31, PID.1794-1873 | https://rico.jefffenton.com/evidence/2020-09-24_5yr-op-ext-retaliation-no-notice-motion-hearing.pdf
ECF 54-1, PID.4368 | https://rico.jefffenton.com/evidence/2021-03-21_knox-news-binkley-threatens-prior-restraints.mp4
ECF 1-14, PID.597-640 | https://rico.jefffenton.com/evidence/2021-03-21_knox-news-binkley-threatens-prior-restraints.pdf

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intimidate, extort, coerce, bully, and retaliate against lawful litigants who stand up to them. The bad actors in my preceding Tennessee matters literally leveraged the Williamson County Sheriff's Office to execute and enforce their wrongful eviction of me from my home with absolutely no lawful or ethical grounds whatsoever. While that court did not even have lawful jurisdiction[61] over my marital residence because my ex-wife and her counsel had secretly entered it into her bankruptcy estate 39-days before any action was filed in a state court, giving the federal courts both original and exclusive jurisdiction over our marital residence and any matters which could have resulted in my eviction from it or the compelled sale. However, that was according to the "law", which they showed no interest in and refused to obey, not what the bad actors in fact actually did.

135. Judge Michael W. Binkley's former benefactor, disgraced Nashville Judge Casey Moreland was caught by the FBI[62] doing exactly that, while he was not the exception in the compromised judicial integrity throughout the Midstate, he was just the one who got caught as public record remembers.

> "Federal prosecutors said "all of the attendees possessed compromising information on Moreland, as he did on them." The attorneys continued to have cases heard by Moreland fostering "an atmosphere of cronyism and favoritism." Prosecutors called it an "old-boys-club environment," and said it violated the Tennessee Code of Judicial Conduct.[63]"

136. Again, this is not me being facetious, this is fact recorded by the United States

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61 ECF 53, PID.4258-4349 | https://rico.jefffenton.com/evidence/2024-03-13_irrefutable-proof-of-criminal-conspiracy.pdf

62 ECF 43, PID.3698-3701 | https://rico.jefffenton.com/evidence/2017-04-03_nc5-moreland-tried-to-plant-drugs-on-witness.pdf
ECF 54-1, PID.4360 | https://rico.jefffenton.com/evidence/2017-04-03_wtvf-moreland-tried-to-plant-drugs-on-witness.mp4
ECF 54-1, PID.4362 | https://rico.jefffenton.com/evidence/2017-04-03_wtvf-undercover-fbi-video-of-casey-moreland.mp4

63 https://www.tennessean.com/story/news/2019/03/06/nashville-casey-moreland-implicates-other-judges/3074089002/

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Department of Justice, hence it is unreasonable for any court to refuse to give such honest common sense concerns legitimate consideration, or to refuse to take reasonable steps to help protect, preserve, or ensure the judicial integrity of this matter along with the honest and impartial administration of justice in the matters before this court.

THE DANGER TO PUBLIC HEALTH AND SAFETY

137. I have intimate knowledge of one individual who was recently sentenced to ten years in prison by Williamson County, for completely fake, fabricated, and fraudulent charges (which I'm willing to bet my life upon), who is in prison at this moment for no honest or just cause, while his accuser stood to directly benefit from his incarceration and has direct ties to both the Tennessee Administrative Offices of the Courts, as well as the Board of Professional Responsibility for the Supreme Court of Tennessee. That same accuser having ties to at least Binkley, Coke, and Garrett in this case, plus Woodroof, the other widely known corrupt judge operating out of Williamson County Chancery Court, as documented in attorney whistleblower Conie Reguli's lawsuits[64] in the United States District Court for the Middle District of Tennessee, currently in progress.

138. If the courts refuse to allow the "practice of law" to protect the people from the arbitrary and oppressive exercise of lawless power by court and government elites… that can't be allowed, justified, or permitted to continue unchecked. The courts must honor the law, or those who impede and interfere with justice must be called out, held accountable, and incarcerated for violating their oaths of office, while preying upon the very people they were empowered to serve.

[64] Reguli v. Woodruff et al (3:2024-cv-00694) | https://dockets.justia.com/docket/tennessee/tnmdce/3:2024cv00694/99766
Reguli et al v. Hetzel et al (3:2024-cv-00541) | https://dockets.justia.com/docket/tennessee/tnmdce/3:2024cv00541/99331

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139. This is serious, this is real, this isn't going away, it is repugnant of our constitutions, the rule of law, and the natural rights of every man, woman, and child, yet it is happening this very moment and being protected by teams of attorneys funded by the State of Tennessee, who aren't interested in the truth or justice, rather suppressing both to coverup the crimes and corruption being performed under the fraudulent color of law, by some of the highest ranking officers of the courts, throughout the State of Tennessee and unfortunately much of our nation.

140. These people hide behind judicial immunity while being protected by the deep pockets of the state, but they are committing crimes against the people, the state, and our nation so egregious they should be in prison themselves, yet the burden of proof is unreasonably reversed onto their victims, to overcome an absurd amount of "professional courtesy" and presumption that the courts and the officers therein acted lawfully and justly in the first place.

> "No man in this country is so high that he is above the law. No officer of the law may set that law at defiance, with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law are bound to obey it." "It is the only supreme power in our system of government, and every man who, by accepting office participates in its functions, is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes on the exercise of the authority which it gives." U.S. v. Lee, 106 U.S. 196, 220 1 S. Ct. 240, 261, 27 L. Ed 171 (1882)(emphasis added).

> "No state legislator or executive or judicial officer can war against the Constitution without violating his solemn oath to support it." *Cooper v. Aaron*, 358 U.S. 1, 3 (1958)

> "Where rights secured by the Constitution are involved, there can be no 'rule making' or legislation which would abrogate them." *Miranda v. Arizona*, 384 U.S. 426, 491; 86 S. Ct. 1603

> Chief Justice Marshall spoke for a unanimous Court in saying that: "If the legislatures of the several states may, at will, annul the judgments of the courts of the United States, and destroy the rights acquired under those judgments, the constitution itself becomes a solemn mockery . . . ." *United States v. Peters*, 5 Cranch 115, 136.
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> "I do not understand the government to contend that it is any less bound by the obligation than a private individual would be..." "It is not the function of our government to keep the citizen from falling into error; it is the function of the citizen to keep the government from falling into error." *Perry v. United States*, 204 U.S. 330, 358
>
> "An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed." *Norton v. Shelby County*, 118 U.S. 425 p. 442
>
> The U.S. Supreme Court stated that "when a state officer acts under a state law in a manner violative of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States." *Scheuer v. Rhodes*, 416 U.S. 232, 94 S. Ct. 1683, 1687 (1974)

RELEVANT RECORDS AND DOCUMENTARY EVIDENCE

141. In ECF 72, PID.5049 this court stated, "Most of the relevant records and other documentary evidence are located in Tennessee."

142. I already filed most of the court records which would be needed in this federal lawsuit, in the court record[65]. That is the primary reason why the initial filing in this lawsuit was

[65] ECF 65-3, PID.4822-4850 | https://rico.jefffenton.com/evidence/1-23-cv-01097_fenton-vs-story-lawsuit-document-index.pdf

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as substantial and expansive as it was.

THE DIVORCE AND BANKRUPTCY IN MIDDLE TENNESSEE

143. In ECF 72, PID.5049 this court stated, "Plaintiff's divorce case occurred in the Williamson County courts, and Williamson County is located in the Middle District of Tennessee. And, Plaintiff's bankruptcy case occurred in the Middle District of Tennessee."

144. Correction, I [plaintiff] did **not** file bankruptcy. My ex-wife and her counsel secretly did. I [plaintiff] was never provided notice[66] by the bankruptcy court or made a party to it in any way, in direct contravention to the Federal Rules of Bankruptcy Procedure and federal bankruptcy laws[67]. This was a fraudulent bankruptcy scheme[68] secretly filed by my ex-wife and her counsel, to cheat both myself and my ex-wife out of our lawful property interests. My ex-wife was in a place emotionally where she prioritized the short-term benefits of being released from our prior agreement[69] of paying me alimony[70] in the amount of $1750[71] per month for a duration of 6-years, over the long-term loss by forfeiting our significant Williamson County property interests[72].

145. Furthermore, I have already filed the entire bankruptcy record from my ex-wife's case in this federal lawsuit, located at ECF 1-8, PID.74 through ECF 1-11, PID.478.

146. As for the Chancery Court record with the divorce proceedings, I [plaintiff] was

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66 ECF 52, PID.4208-4210 | https://rico.jefffenton.com/evidence/2022-03-15_ustp-bk-fraud-referral-confirmed-no-notice.pdf

67 ECF 38, PID.3445-3496 | https://rico.jefffenton.com/evidence/2019-04-26_bankruptcy-crimes-rules-and-laws-violated.pdf

68 ECF 19-2, PID.2632-2646 | https://rico.jefffenton.com/evidence/2019-04-26_ausbrooks-story-fraudulent-bk-petition.pdf

69 ECF 1-26, PID.1317-1318 | https://rico.jefffenton.com/evidence/2018-10-27_verbal-settlement-agreement.pdf

70 ECF 37, PID.3398-3443 | https://rico.jefffenton.com/evidence/fenton-family-finances-property-education-experience.pdf

71 ECF 27, PID.3260-3275 | https://rico.jefffenton.com/evidence/2018-07-12_arons-and-associates-divorce-planning.pdf

72 ECF 52, PID.4211-4217 | https://rico.jefffenton.com/evidence/2023-05-31_1986-sunnyside-brentwood-tn-appreciation.pdf

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only allowed to participate in two short thirty-minute hearings[73], where the primary objective of the court and counsel was to take my home, despite the Federal Courts having both original and exclusive jurisdiction over our marital property, because it became part of my ex-wife's bankruptcy estate, 39-days before any action was filed in a state court, and 97-days before I first stood before defendants Binkley and Story.

147. After which I was wrongfully evicted from his home and fraudulently prevented from participating in any hearings thereafter, despite being told the exact opposite in court on August 29, 2019, when I was told in open court by defendant Story[74] that I could participate in the next hearing over the phone, since she knew that I was being forcibly displaced to the State of Michigan to stay with my mother as a result of my wrongful eviction, demanded by Story and ordered by Binkley during that same hearing on August 29, 2019[75].

148. Once I was in Michigan, defendant Story broke every commitment she and defendant Binkley had made in open court and attacked me with more malicious lies[76]. Defendant Story attempted to extort thousands of dollars from me (and indirectly my elderly mother), while she motioned the court to allow her to sell or discard the remaining contents of my marital residence, almost all of which was my personal property, that I was forced to leave behind in the marital residence, despite my most urgent protest, due to defendant Story's fraudulent claims in

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[73] ECF 22, PID.2818-2862 | https://rico.jefffenton.com/evidence/2019-08-01_chancery-hearing-transcript.pdf
ECF 33, PID.3310-3391 | https://rico.jefffenton.com/evidence/2019-08-01_hearing-professional-and-judicial-misconduct.pdf
ECF 23, PID.2863-2920 | https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf
ECF 23-4, PID.2920 | https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3
ECF 68, PID.5009-5029 | https://rico.jefffenton.com/evidence/2024-08-22_memorandum-of-law-about-void-tn-court-orders.pdf

[74] ECF 23, PID.2863-2920 | https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf

[75] ECF 19-7, PID.2674-2677 | https://rico.jefffenton.com/evidence/2019-08-29_chancery-court-order-once-pro-se.pdf

[76] ECF 57-1, PID.4486-4501 | https://rico.jefffenton.com/evidence/2019-tn-wilco-48419b-tech-record-v3-pages-387-402-iied.pdf

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open court on August 29, 2019, backed by defendant Binkley's unreasonably bias and abusive court order that same day[77].

149. Shortly thereafter, based upon more fraud upon the court[78] by defendants Story and Binkley they terminated the divorce, prior to ever beginning discovery, granting a "default" judgment against me in favor of my ex-wife, while refusing to allow me to participate, be heard, or defend myself in any meaningful way.

150. The bottom line in the divorce is that there was no legitimate lawful good faith litigation which ever took place[79]. It was entirely a scam[80], a strategic distraction to the crimes being committed by the courts and counsel, largely through the bankruptcy court[81], which I was strategically and unlawfully deprived of participation in, and even prevented from contacting by a falsely obtained and heavily misused order of protection, prohibited from attempting to save my lawful property interests in my marital residence and home, which contained the bulk of my net worth and the whole retirement investments, both premarital and otherwise.

151. The entire Chancery Court record, at the time of the appeal, has been filed in this federal lawsuit in ECF 1-17, PID.641 through ECF 1-26, PID.1369.

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77 ECF 19-7, PID.2674-2677 | https://rico.jefffenton.com/evidence/2019-08-29_chancery-court-order-once-pro-se.pdf
ECF 68, PID.5009-5029 | https://rico.jefffenton.com/evidence/2024-08-22_memorandum-of-law-about-void-tn-court-orders.pdf

78 ECF 19-12, PID.2695-2704 | https://rico.jefffenton.com/evidence/2019-10-21_fraudulent-final-affidavit-by-virginia-story.pdf

79 ECF 33, PID.3310-3391 | https://rico.jefffenton.com/evidence/2019-08-01_hearing-professional-and-judicial-misconduct.pdf

80 ECF 19, PID.2617-2716 | https://rico.jefffenton.com/evidence/2019_tn-court-motions-in-chronological-order.pdf
ECF 53, PID.4258-4349 | https://rico.jefffenton.com/evidence/2024-03-13_irrefutable-proof-of-criminal-conspiracy.pdf

81 ECF 38, PID.3445-3496 | https://rico.jefffenton.com/evidence/2019-04-26_bankruptcy-crimes-rules-and-laws-violated.pdf

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PLAINTIFF PREFERS A MICHIGAN VENUE FOR JUSTICE OVER TENNESSEE

152. Common sense would logically lead most *reasonable* litigants to conclude that since this lawsuit is against five judges, ten attorneys, five law firms, two real estate firms, two real estate brokers, two banks, three courts, and five government entities in Tennessee, many of whom have strong relationships rippling through the political, legal, and economic fabric of the Mid-State, with some having connections and influence which exceeds any lawful office of the courts or the state, that it might be extremely difficult if not impossible for Plaintiff's lawsuit to find an honestly impartial tribunal in the Middle District of Tennessee, where it can be heard based upon the real merits of the case, without powerful relationships between the state and federal courts confined within this geography, steering the case towards dismissal, without ever allowing the case to be honestly litigated before a jury of my Middle Tennessee peers.

153. I have no concern about the jury pool being compromised in Middle Tennessee, I think that plenty of people are frustrated with the corruption currently running rampant and unchecked. My concern lies in the belief that "the powers that be" will never allow my case to make it to trial before a jury of my peers, regardless of the real merits or the cost of a compromised judiciary to the public health and safety of the people of Tennessee.

154. What is important to understand, is that there has never been any findings of fact or law in my preceding actions in Tennessee. Everything that was done, was based upon corruption, and no action can stand independent of the others and be lawfully justified. (Incidentally, no action can be lawfully justified collectively either, but it is easier to obfuscate the truth between disjointed and fraudulently colored state and federal court records.)

155. There has never been a court who has reviewed the actions of the trial court or the

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bankruptcy court and commented either for or against the actions they took or their orders. They simply refuse to look, comment, assist, or intervene in any way.

156. No higher court has ever backed the actions of the trial court, rather they have simply refused to vacate the unreasonably bias and void[82] judgments, refusing to discipline the outrageous level of judicial and attorney misconduct[83] by defendants Binkley and Story, instead dismissing[84] my appeal for failure to write an appellate brief, when an appellate court has no lawful right to consider a void case based upon its merits.

157. I told the appellate court about the obscene fraudulent bias misconduct between defendants Binkley and Story, I provided them with court transcripts and hundreds of pages of clear and convincing evidence of their misconduct, while telling them specifically that I was not able to write an "appellant brief", that I didn't know how due to my lack of litigation experience and the fact that almost everything in the docket was fraud upon the court by my opposing counsel.

158. I provided the appellate court with unmistakable evidence of fraudulent criminal misconduct by defendants Story and Binkley, yet they refused to act in the interest of justice and dismissed my case, even knowing that would leave me destroyed for many years if not indefinitely by their simple refusal to obey their oaths of office and the law of the land.

> "When appeal is taken from a void judgment, the appellate court must declare the judgment void, because the appellate court may not address the merits, *it must set aside the trial court's judgment and dismiss the appeal.* A void judgment may be attacked at any time by a person whose rights are affected." See *El-Kareh v. Texas Alcoholic Beverage Comm'n*, 874

[82] ECF 68, PID.5009-5029 | https://rico.jefffenton.com/evidence/2024-08-22_memorandum-of-law-about-void-tn-court-orders.pdf

[83] ECF 33, PID.3310-3391 | https://rico.jefffenton.com/evidence/2019-08-01_hearing-professional-and-judicial-misconduct.pdf

[84] ECF 57-1, PID.4558-4560 | https://rico.jefffenton.com/evidence/2021-04-09_tn-court-of-appeals-case-closed-summary.pdf

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S.W.2d 192, 194 (Tex. App.-Houston [14th Dist.] 1994, no writ); see also *Evans v. C. Woods, Inc.*, No. 12-99-00153-CV, 1999 WL 787399, at *1 (Tex. App.-Tyler Aug. 30, 1999, no pet. h.) (emphasis added).

"The Court Has a Responsibility to Correct a Void Judgment: The statute of limitations does not apply to a suit in equity to vacate a void judgment." (*Cadenasso v. Bank of Italy*, p. 569; Estate of Pusey, 180 Cal. 368,374 [181 P. 648].) This rule holds as to all void judgments. In the other two cases cited, *People v. Massengale* and *In re Sandel*, the courts confirmed the judicial power and responsibility to correct void judgments (emphasis added).

"A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. A void judgment which includes judgment entered by a court which lacks jurisdiction over the parties or the subject matter, or lacks inherent power to enter the particular judgment, or an order procured by fraud, can be attacked at any time, in any court, either directly or collaterally, provided that the party is properly before the court." See *Long v. Shorebank Development Corp.*, 182 F.3d 548 (C.A. 7 Ill. 1999) (emphasis added).

"When rule providing for relief from void judgments is applicable, relief is not discretionary matter, but is mandatory." *Omer. V. Shalala*, 30 F.3d 1307 (Colo. 1994) (emphasis added).

CURRENT EFFORTS TO THWART JUSTICE IN THIS LAWSUIT

159. The bad actors in this lawsuit want desperately to limit this action to the state actors, because the bulk of the state and federal felony crimes they committed, become extremely obvious once you see how they literally leveraged the Williamson County Chancery Court (without lawful jurisdiction) to illegally circumvent the Federal Rules of Bankruptcy Procedure and a multitude of federal bankruptcy laws, to cheat me and my ex-wife out of our Brentwood, Williamson County home, and real property interests.

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160. While this is not just about my home, it is about the cruel and unusual punishment, the ADA interference, the official oppression, the Hobbs act extortion of my constitutional rights, the intentional infliction of emotional distress, while intentionally rendering me destitute, homeless (short of a family help), and unemployable for five years so far, and they want to claim that a federal court in the State of Michigan has no jurisdiction by which to hold them accountable for their crimes against me (while continuing to illegally restrain me with a fraudulent protective order), that's neither logical nor possible once the truth is known about what they have done.

161. If bad actors in Tennessee courts don't want to be subject to courts in other states, then they must ensure that they never injure people living beyond their state lines, plain and simple.

162. Even if the state of Tennessee wants to pretend that they have the lawful jurisdiction and authority to steal my Brentwood, Williamson County, Tennessee home without equal and due process of law, it is preposterous to believe that they could continue depriving me of my basic civil rights, without notice, hearing, or motion I could defend, while refusing to *construe* my *pleadings* (already on court record[85]) in the interest of *justice*, as required by the federal rules[86]. Which the courts in Tennessee have repeatedly refused to do, no matter how many times I have asked them[87]. (Unfortunately, I can't force them to obey the law. I can only sue them and ask the court to require them to act lawfully.)

163. To be clear, I filed an emergency ad-hoc answer and counter complaint[88] to every false malicious fraudulent accusation levied against me by defendant Story on August 29th, 2019 in

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85 ECF 1-18, PID.766 through ECF 1-22, PID.1038.

86 F.R.Civ.P. 8(e) | https://www.law.cornell.edu/rules/frcp/rule_8 | Construing Pleadings. Pleadings must be construed so as to do justice.

87 ECF 51, PID.4088-4135 | https://rico.jefffenton.com/evidence/2020-10-28_motion-to-supplement-and-correct-the-record.pdf

88 ECF 1-18, PID.766 through ECF 1-22, PID.1038.

Williamson County Chancery Court, to the best of my ability on short notice, which I witnessed physically in the hands of both defendants Binkley and Story on that same day, which they have refused to use one single word of to date for my benefit, despite years' worth of extraordinary efforts on my part. That is a violation of the judicial canons, the State of Tennessee's Rules of both Professional and Judicial Conduct, which I have been seeking a remedy for far beyond the threshold of what should be required of any human being to simply be given the benefit of their own testimony.

PLAINTIFF'S REAL MOTIVE FOR FILING THIS LAWSUIT IN MICHIGAN

164. The lawless and prejudicial oversight of the "practice of law" throughout the State of Tennessee currently was my primary concern and reason why I filed my lawsuit in Lansing Michigan, while believing that I had every right to do so, due to diversity of citizenship.

165. The reason why I *proactively* filed my "Motion to Maintain Venue" was because I anticipated that the **defendants** in his lawsuit would motion to move his lawsuit to Nashville, where they might likely expect a more *favorable* outcome, in spite of the law, not because of it.

166. To be completely clear, my concern when I filed my lawsuit, was that the powerful and influential bad actors in Tennessee would seek to transfer this lawsuit to a court where they had more *influence* over the outcome. Never did I anticipate needing to defend myself against the Court itself in Lansing Michigan, a Federal Magistrate or Judge. That wasn't even a thought.

I AM NOT HERE TO DISPARAGE OR FIGHT THE FEDERAL COURTS

167. No part of this lawsuit was filed with the intent to battle, disrespect, defame, or disparage the federal courts, or I would have added a Bivens count to my complaint for the Middle Tennessee Federal Bankruptcy Court, where the judge (Charles M. Walker) and trustee (Henry

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Edward Hildebrand, III) were involved with the Chancery Court in the RICO scam to steal my property. Despite that being a completely legitimate claim and cause of action, I am a *pro se* party with *no interest* or training in the law, who never wanted to be involved in *any* litigation in the first place, who understands that **I have no chance** at challenging the entire federal government and winning on my own, regardless of the law, evidence, and crimes committed.

168. I came to the Federal Courts in peace, seeking honest justice. It was this federal court in the Western District of Michigan which chose to *proactively* attack me, overwhelming me with a slew of false allegations and mischaracterizing narrative, while literally exceeding their lawful *authority* in an attempt to deny me justice by *proactively* dismissing my lawsuit, despite the highly credible testimony by myself and my mother (with clear and convincing evidence) that the defendants have acted in abhorrent defiance of the law, while my very life and financial sustainability depends upon me being able to obtain *justice* as a *remedy* for the damages I have been unconscionably caused.

169. If that was honestly taken to heart, believed, and justly acted upon by this court, there is not a rule, deadline, process, procedure, which I could fail to meet, provided I continued working diligently in good faith, honestly working toward justice, which could reasonably justify dismissing my lawsuit **without allowing it to be litigated and heard based on its merits.**

170. The Constitution of the United States of America, the judicial mandate of the courts, the canons, the federal rules, there is nothing which the court cannot make an exception or an accommodation for, to help an obviously abused litigant reach a lawful and just remedy, from those who illegally harmed him.

171. To call anything less *"in the interest of justice"* is frankly putrid, insulting, dishonest,

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and unethical misconduct.

172. "Truth is treason in the empire of lies." —*Doctor Ron Paul*

> DISMISSAL OF SUIT: Note: [Copied verbiage; we are not lawyers.] It can be argued that to dismiss a civil rights action or other lawsuit in which a serious factual pattern or allegation of a cause of action has been made would itself be violating of procedural due process as it would deprive a pro se litigant of equal protection of the law vis a vis a party who is represented by counsel. Also, see Federal Rules of Civil Procedure, Rule 60 - Relief from Judgment or Order (a) Clerical Mistakes and (b) Mistakes; Inadvertence; Excusable Neglect; Newly Discovered Evidence; Fraud, etc. *Warnock v. Pecos County*, Texas, 88 F3d 341 (5th Cir. 1996)
>
> "... the right to file a lawsuit pro se is one of the most important rights under the constitution and laws." *Elmore v. McCammon* (1986) 640 F. Supp. 905
>
> "The plaintiff's civil rights pleading was 150 pages and described by a federal judge as *"inept"*. Nevertheless, it was held "Where a plaintiff pleads pro se in a suit for protection of civil rights, the Court should endeavor to construe Plaintiff's Pleadings without regard to technicalities." *Puckett v. Cox*, 456 F. 2d 233 (1972) (6th Cir. USCA)
>
> ... in a "motion to dismiss, the material allegations of the complaint are taken as admitted". From this vantage point, courts are reluctant to dismiss complaints unless it appears the plaintiff can prove no set of facts in support of his claim which would entitle him to relief (see Conley v. Gibson, 355 U.S. 41 (1957)). Walter Process Equipment v. Food Machinery, 382 U.S. 172 (1965)
>
> "However inept Cochran's choice of words, he has set out allegations supported by affidavits, and nowhere denied, that Kansas refused him privileges of appeal which it afforded to others. *** The State properly concedes that if the alleged facts pertaining to the suppression of

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> Cochran's appeal were disclosed as being true, ... there would be no question but that there was a violation of the equal protection clause of the Fourteenth Amendment." *Duncan v. Missouri*, 152 U.S. 377, 382 (1894)

173. I filed my lawsuit in Michigan in hopes of honestly finding a court which was not compromised or corrupted by the nefarious relationships of unaccountable power. Never did I anticipate or expect that this court would make themselves a party to my lawsuit or side with the defendants, *proactively* attacking me, interfering with the *administration of justice*, and trying to eject my lawsuit in a manner which literally superseded the lawful discretion and authority of the court, before I could even serve it. Had this even have been a thought or a concern, I never would have filed my lawsuit in Lansing Michigan.

THE CURRENT STATE OF OUR NATION

174. Currently in the United States of America, there is no greater threat to our national security and civil unrest throughout our nation than **corruption** within all three branches of our government and their countless agencies, both state and federal.

175. It is almost impossible to watch TV or be engaged with social media in any capacity without being bombarded with interwoven stories and propaganda from both the far right and the far left, constantly inundating and overwhelming people from every side, to the point that people have begun asking if either primary political party, if any of our governance, if any court, rule, law, order, constitution, either state or federal is actually real, honest, true, tangible, for the purposes claimed, written in good-faith, within realistic reach, available to honestly protect those less powerful, or if we have all been conned by our government for perverse private interests who are running the show behind the scenes, or through some form of a "shadow government".

176. This is not a lawsuit about conspiracy theories. This is not lawfare. This is not

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prospective litigation. This is a lawsuit about what has actually, honestly, truthfully occurred (hence thousands of pages of sworn testimony and real evidence.) Whatever anyone wants to interpret that to mean, that is their business, but the purpose of this lawsuit is to expose and address the **truth** about what these bad actors **have done** (seeking a remedy for the damages caused to Plaintiff's family), while demanding the government, courts, and players therein take reasonable action to protect the integrity of our courts and the lawful interests of both the people and the state, neither of which profit when corruption thrives. It is only by the state aligning their interests with that of the people and the honest *administration of justice* that society and *public trust in the judiciary* can improve.

THERE IS NO APPETITE FOR CONFRONTING JUDICIAL MISCONDUCT AND CORRUPTION IN THE COURTS OR LOCAL GOVERNMENTS

177. Despite corruption being at an all-time high throughout our nation, the resources and resolve to confront it, discipline, correct, and remove it, while restoring real honest justice to the people, is critically absent if not nearly non-existent.

178. At the same time honest, patriotic, God fearing, constitution loving attorneys have been disbarred[89] at an alarming rate the past several years, whenever they dare to confront judicial misconduct and corruption, especially in certain geographic locations which have historically struggled with judicial misconduct[90] and public corruption[91], such as Middle Tennessee has.

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[89] ECF 58-3, PIC.4632-4710 | https://rico.jefffenton.com/evidence/2024-02-16_tnsc-disbarred-whistleblower-brian-manookian.pdf
ECF 58-4, PID.4712-4716 | https://rico.jefffenton.com/evidence/2024-02-16_tnsc-manookian-disbarment-opinion-justice-lee.pdf
https://docs.tbpr.org/reguli-3351-order-of-temporary-suspension-3.pdf

[90] ECF 43, PID.3694-3695 | https://rico.jefffenton.com/evidence/2017-02-01_scene-ethics-complaint-against-two-judges.pdf
ECF 43, PID.3696-3697 | https://rico.jefffenton.com/evidence/2017-02-01_wsmv-binkley-arrest-expunged-by-moreland.pdf

[91] ECF 43, PID.3689-3693 | https://rico.jefffenton.com/evidence/2017-01-31_nashville-judicial-misconduct-leigh-terrys-death.pdf

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> "It is deeply distressing that the Department of Justice, whose mission is to protect the constitutional liberties of the people of the United States, should even appear to be seeking to subvert them by extreme and dubious legal argument." *United States v. Chadwick*, 433 U.S. I at 16 (1976)

> "It is dangerous to be right when the government is wrong."— *Judge Andrew P. Napolitano*

179. Many courts and government bodies appear to act as though they **value** "avoiding the *appearance* of impropriety" **over** "avoiding actual *impropriety*" (as demanded in the constitutions, canons, state and federal laws, the court's own rules, oaths of office, etc…)

180. That is an unreasonably unconstitutional short-term mindset that sows decay and injustice into our judiciary and government, which without correction can and may destroy our nation.

> "The exposure and punishment of public corruption is an honor to a nation, not a disgrace. The shame lies in toleration, not in correction." — *Theodore Roosevelt*

181. When you confront, correct, or remove those who commit misconduct from the judiciary, you strengthen the judiciary, while healing social injustices, which can in turn produce substantial long-term benefits and deepen trust between the government, courts, and the people.

182. When you cover-up misconduct and deny a lawful remedy to those honestly harmed by it, you sow a lie (often many lies) into an institution based upon supporting and promoting the *truth* with honest *justice*. At that point, the execution of "law" becomes perverted and gets reduced

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ECF 58-2, PID.4628-4630 | https://rico.jefffenton.com/evidence/2019-07-01_tenn-bpr-targets-whistleblowers-not-corruption.pdf
ECF 52, PID.4174-4179 | https://rico.jefffenton.com/evidence/2021-03-21_knoxnews-coa-removes-judge-binkley-for-bias.pdf
ECF 54-1, PID.4374 | https://rico.jefffenton.com/evidence/2022-12-22_sgcs-franklin-tn-corruption-abuse-solomon-case.mp4
ECF 58-5, PID.4718-4722 | https://rico.jefffenton.com/evidence/2024-05-02_reguli-lawsuit-against-wilco-tn-gov-corruption.pdf

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down to *procedure*, *form,* and *process*.

183. There can be no *reasonable expectation* that any court action can produce *justice,* short of honesty, integrity, truth, and an evenhanded application of authority, without "respect to persons". Yet it is happening every day throughout our country.

> "The innocent individual who is harmed by an abuse of governmental authority is assured that he will be compensated for his injury." *Owen v. City of Independence*

> "It will be an evil day for American Liberty if the theory of a government outside supreme law finds lodgement in our constitutional jurisprudence. No higher duty rests upon this Court than to exert its full authority to prevent all violations of the principles of the Constitution." *Downs v. Bidwell, 182 U.S. 244 (1901)*

184. Every court to date has overwhelmed me with procedural demands and technical requirements, citing the courts' local rules and procedures, as justification for me being denied justice, while ignoring an unfathomable amount of judicial and professional misconduct, allowing false claims of law by bad actors[92] in open court, without providing any oversight, accountability, or disciplining the BAR members involved, ignoring their oaths of office along with the rules of judicial and professional conduct, thereby reducing the activity of the court to *process*, *form*, and *procedures* amongst *friends*, looking and sounding official, but absolutely repugnant of the rule of law or any office of public trust[93].

185. I have significant disabilities which affect my ability to communicate concisely and articulate clearly what has happened to me. I have no problem recognizing or comprehending what

[92] ECF 33, PID.3310-3391 | https://rico.jefffenton.com/evidence/2019-08-01_hearing-professional-and-judicial-misconduct.pdf

[93] ECF 33, PID.3310-3391 | https://rico.jefffenton.com/evidence/2019-08-01_hearing-professional-and-judicial-misconduct.pdf

happened, but I doesn't understand how to **say it**, specifically in a way which is "politically correct" with "legalese", in a way which will compel the court to take my testimony at face value without discounting it or disregarding it all together for being offensive, disrespectful, disparaging, etc…

186. I honestly don't know how to communicate to the court (non-offensively) that the actions and conduct by the court officers in Tennessee was offensive, disrespectful, disparaging, contemptuous, etc… or how I *should* communicate such a volume of unconscionable conduct performed by some of the court's "finest", when nobody will listen to my testimony (no matter how many times I repeat it), acknowledge it, accept it at face value[94], and help render assistance based upon the **truth**[95]**.**

187. Each party who has a responsible role[96] in the courts, especially those belonging to the judiciary[97], having a supervisory duty, along with being required to correct, report, discipline both attorney and judicial misconduct[98], especially misconduct which involves *dishonesty* and *fraud.*

188. Each time that I reach out to a division of the courts or government for help, where I put my own neck on the line to stand-up for and testify to the truth, while providing a substantial volume of clear and convincing evidence about the fraud and other misconduct performed by the officers of the courts in the precipitating matters, yet court or government entity which I am reporting that to refuses to obey their oath of office and the law, by disciplining or reporting the

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[94] There are people outside the court who have acknowledged having similar experiences, with some of these same people, yet the court refuses to act, acknowledge, question, correct, discipline, or help.

[95] That is one of the reasons why there are so many pages filed in this lawsuit, to prove that Plaintiff went far above and beyond reasonable attempts to notify the supervisory divisions of the courts (for years) to try and reach a remedy, but none was available.

[96] https://www.uscourts.gov/rules-policies/current-rules-practice-procedure/federal-rules-civil-procedure

[97] https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges

[98] ECF 41, PID.3570-3608 | https://rico.jefffenton.com/evidence/tennessee-rules-of-judicial-and-professional-conduct.pdf

misconduct to the proper authorities, vacating void judgments for obvious bias, and awarding me damages where a rule for damages applies, each such person becomes an accessory after the fact, refusing to intervene, obstructing justice, further interfering with an ADA party, while adding substantial girth to this lawsuit.

189. Until somebody does the right thing and rules in the honest interests of justice, I have no control over how many people choose to betray their oaths of office to cause me further harm while refusing me any lawful or equitable remedy.

190. It is unreasonable that this happened in the first place at the trial court level in Williamson County.

191. It is unreasonable that the United States Bankruptcy Court for the Middle District of Tennessee participated in this scandalous conspiracy[99] to commit bankruptcy fraud[100], to help bad actors specifically deprive me of my real and critically needed property interests[101] to survive.

192. It is even more unreasonable that the Tennessee Court of Appeals refused to promptly address the attorney and judicial misconduct and fix this. It's outright obscene they dismissed my appeal without providing any assistance whatsoever, knowing full well that I never failed to plead, yet allowing my life to remain destroyed by fraudulent default judgment against a *pro se* litigant who fought to defend his case for a year and a half, while my defense and pleadings have always been on court record, yet remain ignored and unapplied in my defense to this day.

193. It is even more unreasonable that both the Tennessee Administrative Offices of the Courts as well as the Board of Professional Responsibility for the Supreme Court of the State of

[99] ECF 53, PID.4258-4349 | https://rico.jefffenton.com/evidence/2024-03-13_irrefutable-proof-of-criminal-conspiracy.pdf

[100] ECF 38, PID.3445-3496 | https://rico.jefffenton.com/evidence/2019-04-26_bankruptcy-crimes-rules-and-laws-violated.pdf

[101] ECF 1-12, PID.479-596 | https://rico.jefffenton.com/evidence/2019-10-29_tn-wilco-deed-fraud-ada-financial-exploitation.pdf

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Tennessee both refused to take any action whatsoever in the interest of justice, to provide me relief or to hold the bad actors accountable to obey Tennessee's Rules of both Judicial and Professional Conduct (which is their job).

194. The icing on the unreasonable cake is the Tennessee Supreme Court's refusal to hear this case and help me, despite being clearly told about the avalanche of misconduct, bias, and fraud contained throughout the court records. With roughly five-hundred pages on court record in the Chancery Court and another five-hundred pages of filings submitted to the Tennessee Court of Appeals and the Tennessee Supreme Court, while being a *pro se* litigant whose life was absolutely destroyed and continues to remain destroyed and unsustainable by fraudulent "default" judgments, when I clearly never failed to plead.

195. What can lawfully sustain harsh, punitive, out of jurisdiction, "default" judgements by two of the State of Tennessee's worst actors in recent history, against a *pro se* litigant who has acted honestly in good faith, while doing everything within his power for YEARS to defend his case and clear his name to no avail? In a "civil" divorce case no less, against a *pro se* litigant never arrested in his life, who never received a single traffic citation during his 25-peaceful years living in Middle Tennessee. Who has passed multiple in-depth state and federal pre-employment background checks in years past. Who was a licensed real estate agent in the State of Tennessee for sixteen and a half years without ever one single complaint. What can justify such cruel, arbitrary, oppressive and lawless oppression?

196. The fact is, when my efforts result in null, I need to reasonably document that, or nobody will likely **believe** that I ever put forth the effort, **to the best of my ability.** While I loses opportunities to litigate for a cure, based upon how **long** it takes me to bring whatever action might

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one day with a little luck and the grace of God, help me finally obtain justice.

197. Each time that a cure is reasonably sought, and justice is denied, this lawsuit gets thicker and thicker until someone finally accepts the **truth**, as the truth, and applies the **law** to it, so that I can be in some capacity restored and **free to move on with my life.**

198. It is not reasonable that any judge would view my efforts to date, without acknowledging the obscene amount of criminal misconduct performed by defendants Binkley and Story in the Williamson County Chancery Court, at the very least. You can't objectively review the record without being assaulted by it[102].

> Courts have repeatedly held that positive proof of the partiality of a judge is not a requirement, only the appearance of partiality. *Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847, 108 S.Ct. 2194 (1988) (emphasis added).
>
> That Court also stated that Section 455(a) "requires a judge to recuse himself in any proceeding in which her impartiality might reasonably be questioned." *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989) (emphasis added).
>
> The Supreme Court has ruled and has reaffirmed the principle that "justice must satisfy the appearance of justice", *Levine v. United States*, 362 U.S. 610, 80 S.Ct. 1038 (1960), citing *Offutt v. United States*, 348 U.S. 11, 14, 75 S.Ct. 11, 13 (1954).
>
> "Recusal under Section 455 is self-executing; a party need not file affidavits in support of recusal and the judge is obligated to recuse herself sua sponte under the stated circumstances." *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989) (emphasis added).

[102] ECF 33, PID.3310-3391 | https://rico.jefffenton.com/evidence/2019-08-01_hearing-professional-and-judicial-misconduct.pdf

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> Should a judge not disqualify himself, then the judge is violation of the Due Process Clause of the U.S. Constitution. *United States v. Sciuto*, 521 F.2d 842, 845 (7th Cir. 1996) ("The right to a tribunal free from bias or prejudice is based, not on section 144, but on the Due Process Clause.") (emphasis added).
>
> This cannot be ignored its fact recorded! Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A., U.S.C.A. *Const. Amend. 5 -Klugh v. U.S.*, 620 F.Supp. 892 (D.S.C. 1985) (emphasis added).

199. Being an ADA litigant[103] who struggles with ADHD and OCPD, as the courts have all been informed, yet seem to intentionally continue to target and specifically exploit those disabilities and weaknesses of his, by injecting additional conflict, indecision, confusion, and obfuscation into the matters before the court. This overwhelms my ability to know how I need to proceed to protect my interests, while disrupting my focus, and defeating my ability to reply and file in a timely fashion, resulting in my defeat **time** and **time again**, without ever honestly addressing a single real merit of the actions before the court.

200. I filed this lawsuit in Michigan, not for any bad-faith, devious, or malintent motive as previously suggested by Magistrate Kent, but rather in hopes of breaking free of the corruption which is so prevalent throughout the courts in Middle Tennessee, which unfortunately I have learned about the hard way, by experiencing it. I have acted honestly, respectfully, and in good faith in every court to date, and have been absolutely destroyed beyond belief or justification as a result.

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[103] ECF 1-38, PID.2032-2045 | https://rico.jefffenton.com/evidence/2020-07-08_tnsc-coa-ada-request-for-modification.pdf
ECF 32, PID.3296-3309 | https://rico.jefffenton.com/evidence/1-23-cv-01097_fenton-declaration-of-disabilities.pdf

201. The defendants in this case have cruelly deprived me of his most basic human right and need to be functionally self-sufficient, as I was all my life prior to their interference with my life, liberty, and property. The defendants went so far as to deprive me of my most fundamental rights, property, and freedom, causing my life to no longer remain realistically self-sustainable, at absolutely no fault of my own. Nor can my life become self-sustainable again, without some lawful or equitable intervention and **remedy being ordered by the court**.

202. This is not an elective lawsuit for frivolous purposes or prospective litigation. My life, freedom, and property were wrongfully deprived by the defendants, and my ability to rebuild the most modest life to survive and sustain myself past the lifespan of my 79-year-old mother, is not reasonably possible as things currently stand, without the court or a jury delivering substantial justice as a remedy. This is a very time sensitive matter, and it would be beyond unjust if my ability to have my lawsuit heard continues to be deprived without first addressing the real, substantial, outrageous, and unlawful merits of what I have been forced to endure, at the hands of many people employed by my tax dollars, combined with the misconduct of their *friends*.

203. No reasonable person would deny that what my family has experienced under the fraudulent *"color of law"*, was a cruel and unusual miscarriage of justice *(if it really happened)*. Instead, they pretend that it could never really happen, while much of the public has no idea that it ever could.

204. The disturbing part is after learning about the crisis in *"family courts"* across our nation, and in fact the world, anyone educated, experienced, and employed in the *practice of law*, especially within the judiciary, sees unconscionable attorney and judicial misconduct regularly, if not on a daily basis. Nothing in this lawsuit is beyond the realm of plausibility for those educated

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and employed in the judiciary.

205. To then fail or refuse to be attentive, interested, and concerned about the misconduct by lower courts, as presented and proven throughout this lawsuit, seems to be either irresponsible, negligent, or corrupt. While denying the obviously injured party every benefit which judicial discretion *could* offer, seems contrary to the oath of office along with the honest *interests of justice*.

HOW THE COURTS DEFINE "JUSTICE"

206. How can dismissing this lawsuit for a technical reason without considering the magnitude of the merits, be remotely *"in the interest of justice"*. That would require a different **definition** of the word *"justice"* than I am familiar with.

207. I asked Google the following question: "what is the legal definition of justice as accepted by the federal courts." The top two answers provided by Google were:

(1) "A guarantee that no person shall be deprived of life, liberty, or property without the due process of law[104]."

(2) "Justice is the ethical, philosophical idea that people are to be treated impartially, fairly, properly, and reasonably by the law and by arbiters of the law, that laws are to ensure that no harm befalls another, and that, where harm is alleged, a remedial action is taken - both the accuser and the accused receive a morally right consequence merited by their actions (see: due process)[105]."

208. When considering the facts of my case and the evidence already on court record,

[104] https://www.whitehouse.gov/about-the-white-house/our-government/the-judicial-branch/

[105] https://www.law.cornell.edu/wex/justice

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neither of those definitions appear to instruct any honest arbiters of the law *(or justice)* to dismiss my lawsuit. So, I explored further…

(1) "Protecting rights and punishing wrongs using fairness. It is possible to have unjust laws, even with fair and proper administration of the law of the land as a way for all legal systems to uphold this ideal[106]."

(2) "Justice, in its broadest sense, is the concept that individuals are to be treated in a manner that is equitable and fair[107]."

(3) "Maintenance of what is just or right by the exercise of authority or power; assignment of deserved reward or punishment; giving of due deserts[108]."

(4) "1) fairness. 2) moral rightness. 3) a scheme or system of law in which every person receives his/ her/its due from the system, including all rights, both natural and legal. One problem is that attorneys, judges and legislatures often get caught up more in procedure than in achieving justice for all[109]."

209. **Justice** is all that I have sought, struggled, and fought to obtain! I have even been willing to accept "relative justice", but that hasn't even been within my reach.

210. Authors color their words to promote and reinforce their narrative, to obtain their goals or support their agenda. Yet there can be no honest, impartial, exercise of justice which continues to deprive me of my life, liberty, and property (which the defendants have already carelessly and unlawfully deprived), without remotely equal and due process of law, as has

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106 https://thelawdictionary.org/justice/ | Black's Law Dictionary Online (2nd Edition)

107 https://en.wikipedia.org/wiki/Justice

108 https://www.oed.com/dictionary/justice_n?tl=true

109 https://dictionary.law.com/Default.aspx?selected=1086

irrefutably taken place to date, as evidenced throughout the court record in this lawsuit[110], as well as the records between the state and federal courts in Tennessee.

> Society's commitment to institutional justice **requires that judges be solicitous of the rights of persons** who come before the court. **Geiler v. Commission on Judicial Qualifications*, (1973) 10 Cal.3d 270, 286.
>
> "**Pro se pleadings are to be considered without regard to technicality**; pro se litigants' pleadings are not to be held to the same high standards of perfection as lawyers." *Jenkins v. McKeithen*, 395 U.S. 411, 421 (1959); *Picking v. Pennsylvania R. Co.*, 151 Fed 2nd 240; *Pucket v. Cox*, 456 2nd 233 (emphasis added).
>
> "**Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants.** They should not raise barriers which prevent the achievement of that end. Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment." *Maty v. Grasselli Chemical Co.*, 303 U.S. 197 (1938) (emphasis added).
>
> "Following the simple guide of rule 8(f) that all pleadings shall be so construed as **to do substantial justice**"... "The federal rules reject the approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome **and accept the principle that the purpose of pleading is to facilitate a proper decision on the merits.**" The court also cited Rule 8(f) [8(e)] FRCP, which holds that all pleadings shall be construed to do substantial justice. *Conley v. Gibson*, 355 U.S. 41 at 48

[110] ECF 59, PID.4724 | https://rico.jefffenton.com/evidence/1-23-cv-01097_fenton-vs-story-wilco-rico-deed-fraud-intro.mp4
ECF 59, PID.4723-4735 | https://rico.jefffenton.com/evidence/1-23-cv-01097_fenton-vs-story-wilco-rico-video-declaration.pdf
ECF 53, PID.4258-4349 | https://rico.jefffenton.com/evidence/2024-03-13_irrefutable-proof-of-criminal-conspiracy.pdf
ECF 54-1, PID.4367 | https://rico.jefffenton.com/evidence/2020-07-02_bk-trustee-john-mclemore-recorded-call.mp3
ECF 28, PID.3276-3288 | https://rico.jefffenton.com/evidence/2020-07-02_bk-trustee-john-mclemore-call-declaration.pdf
ECF 38, PID.3445-3496 | https://rico.jefffenton.com/evidence/2019-04-26_conspiracy-against-rights-under-color-of-law.pdf
ECF 21, PID.2781-2817 | https://rico.jefffenton.com/evidence/2024-01-18_binkley-disqualification-for-bias-coercion.pdf
ECF 1-12, PID.479-596 | https://rico.jefffenton.com/evidence/2019-10-29_tn-wilco-deed-fraud-ada-financial-exploitation.pdf

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(1957) (emphasis added).

211. Had these foundational principles of justice been applied in the preceding cases in Tennessee, it would have saved my life from an almost unbelievable deprivation of my rights, property, and freedom, without ever needing to bring this or any lawsuit to be able to survive.

ALLOWING ANY DISPOSITIVE ORDER IN THIS CASE

212. To **dismiss** this case due to **any** *technical failure* or even *unintentional negligence* on the part of myself, as a *pro se* litigant, acting honestly in good faith, working far beyond the threshold of what any lawful citizen should be expected to navigate, execute, and endure, purely to be **allowed** to **survive unmolested**, by the government, the courts, and the officers therein, is beyond reasonable reconciliation.

> "Pro se pleadings are to be considered without regard to technicality; pro se litigants' pleadings are not to be held to the same high standards of perfection as lawyers[111]."
>
> *"Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants. They should not raise barriers which prevent the achievement of that end. Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment[112]."*
>
> "Following the simple guide of rule 8(f) that all pleadings shall be so construed as to do substantial justice"... "The federal rules reject the approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome and accept the principle that the purpose of pleading is to facilitate a proper decision on the merits." The court also cited

[111] Jenkins v. McKeithen, 395 U.S. 411, 421 (1959); Picking v. Pennsylvania R. Co., 151 Fed 2nd 240; Pucket v. Cox, 456 2nd 233

[112] Maty v. Grasselli Chemical Co., 303 U.S. 197 (1938)

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> Rule 8(f) FRCP, which holds that all pleadings shall be construed to do substantial justice[113].
>
> "Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants. They should not raise barriers which prevent the achievement of that end. Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment[114]."
>
> "Due to sloth, inattention or desire to seize tactical advantage, lawyers have long engaged in dilatory practices... the glacial pace of much litigation breeds frustration with the Federal Courts and ultimately, disrespect for the law[115]."

213. The courts, the state, and the officers therein bear the burden to obey the *rule of law*, their *oaths of office*, along with the court's *rules of conduct*. In this case, the courts in Tennessee obviously failed, refused, or neglected to do so.

214. I am due a remedy, despite my lack of financial fitness or legal proficiency. The defendants broke the law, repeatedly, unconscionably, beyond literal belief without viewing the evidence or knowing the character of the parties involved. They owe my family a remedy and a cure, not just an opportunity to wrestle wits with them while they pervert and misapply the law to cause even more criminal harm to myself and my family.

215. Whatever needs to be done to reach a remedy, the members of the court from the preceding matters are responsible and should be held accountable for the harm they chose to carelessly and illegally cause.[116]

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[113] Conley v. Gibson, 355 U.S. 41 at 48 (1957)

[114] Maty v. Grasselli Chemical Co., 303 U.S. 197 (1938)

[115] Roadway Express v. Pipe, 447 U.S. 752 at 757 (1982)

[116] #iamhuman

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216. With all due respect, the strategy which the courts have employed to date, of overwhelming me from multiple sides simultaneously, while refusing to consider the **merits** of my case, the substance of my **testimony**, and the value of my **evidence**, refusing to **proactively comply** with the rule of law, the spirit of the law, the court's codes of conduct, and relevant case law, instead requiring me to know enough to *"catch"* **the court misbehaving**, to then need to battle the court to remain neutral, or to not reduce his rights substantially by failing to argue and object to every court order, lest his rights automatically diminish.

217. The path, pace, and trajectory of this case needs to desperately change, for me to have any honest chance for justice at all. Needing to fight for my life against an obscene horde of high profile officers from the Tennessee courts, when there is honestly no reasonable, good-faith, honest defense for any of their actions concerning my life, liberty, or property, nor their failures and refusals to act and intervene, to help mitigate my damages and prevent me from suffering years longer, without one honest, lawful, just cause. *That just isn't reasonable.* It is certainly not just.

WILLIAMSON COUNTY TENNESSEE—REAL ESTATE IS THE TREASURE

218. According to Wikipedia[117]: "Williamson County[118] is ranked as the wealthiest county in Tennessee, as well as among the wealthiest counties in the country. In 2006 it was the 17th-wealthiest county in the country according to the U.S. Census Bureau, but the Council for Community and Economic Research ranked Williamson County[119] as America's wealthiest county (1st) when the local cost of living was factored into the equation with median household income.

[117] https://en.m.wikipedia.org/wiki/Williamson_County,_Tennessee

[118] https://williamsoncounty-tn.gov/

[119] ECF 1-12, PID.497-500

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In 2010, Williamson County is listed 17th on the Forbes list of the 25 wealthiest counties in America."

219. The bad actors in this lawsuit lord over the wealthiest county in the State of Tennessee, and one of the wealthiest per capita in our nation[120]. That gives them a substantial amount of influence throughout Tennessee governance, because that is precisely where many of the wealthiest and most influential, choose to put down roots and raise their families.

PLAINTIFF'S PREFERENCE IN VENUE

220. I can't afford to defend an out of state court battle. I don't fly and I have a debilitating fear of brides. The Cincinnati Bridge is a major problem when traveling between Michigan and Tennessee, as both this court and the preceding courts in Tennessee have been informed.

221. I move for this case to be transferred to the United States District Court in the Eastern District of Michigan, so that I will have an opportunity to participate in every way which the court allows me, while being within driving distance of the court.

222. In the event the courts demand this case be transferred to Tennessee in order to allow me to litigate for a remedy, I request that this case be transferred to the Eastern District of Tennessee, in Knoxville. To provide some insulation from the influence of the direct relationships of many of the high-ranking officers of the Tennessee courts involved.

223. To be honest, I'm not even sure if it is safe for me to travel to Tennessee to attend court. Some of the defendants are known to be dangerous, while they have repeatedly shown their willingness to lie and misuse law enforcement in extreme fashions, in order to intimidate,

[120] Williamson County Tennessee

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discourage, defame, detain, retaliate against litigants and potential witnesses[121] to their corruption.

224. Keeping this case in Michigan is far more "in the interest of justice" for me than moving this case to Knoxville. I would need to be allowed to participate in everything prior to the final jury trial remotely, without additional expense, as I have no means by which to travel.

225. I would also be amiable to some courts in Ohio, specifically those on the west side of the Ohio river, so not to need to cross the bridge in Cincinnati.

226. Again, keeping this case in Michigan is by far preferred by me over any court in Ohio, and Ohio is more preferred by me than in Knoxville, and Knoxville is more preferred by me than in Nashville.

227. In any case where the court is located outside of Michigan, I will need ECF privileges to compensate for the extensive mail time. It also is quite burdensome (physically and financially) to need to notify so many parties manually with each paper filed. (I can't afford to continue this.)

228. I understand that some of those locations could probably only exercise jurisdiction if agreed to between the parties, but those are my preferences.

229. If all else fails, and there is no path for my lawsuit to proceed without transferring this case to Nashville, as an absolute last resort, I would still prefer that over the court dismissing my lawsuit for lack of a proper venue. (I may need escorts and protection by the United States Marshall Service, while within the borders of the State of Tennessee.)

230. Thank you for this opportunity to provide my input. I do appreciate the court transferring this case anywhere over dismissing it, along with well over a years' worth of my

[121] ECF 43, PID.3698-3701 | https://rico.jefffenton.com/evidence/2017-04-03_nc5-moreland-tried-to-plant-drugs-on-witness.pdf
ECF 54-1, PID.4362 | https://rico.jefffenton.com/evidence/2017-04-03_wtvf-undercover-fbi-video-of-casey-moreland.mp4
https://www.youtube.com/watch?v=-rC6CjUATTk

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constant and diligent work. I can't begin to articulate how much work I have put into this, in a desperate attempt to defy the odds (being told that I have no chance against all these powerful bad actors), in hopes of reaching a remedy by which to restore my life.

CERTIFICATION AND DECLARATION

By signing below, I, Jeffrey Ryan Fenton, certify that this document has been executed in good faith, in the honest pursuit of justice, and in strict compliance with F.R.Civ.P. 11(b).

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 9th, 2024



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