**IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION**

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U.S. District Court
Middle District of TN

**JEFFREY RYAN FENTON,**

PLAINTIFF

v.

**VIRGINIA LEE STORY ET AL.,**

DEFENDANTS

**CASE NO. 3:24-CV-01282**

**PLAINTIFF'S REPLY TO "DEFENDANTS' VIRGINIA LEE STORY AND STORY AND ABERNATHY, PLLP'S BRIEF IN OPPOSITION TO PLAINTIFF'S AMENDED MOTION FOR SANCTIONS"[1]**

On page 1 of DEFENDANTS' VIRGINIA LEE STORY AND STORY AND ABERNATHY, PLLP'S BRIEF[2] IN OPPOSITION TO PLAINTIFF'S AMENDED MOTION FOR SANCTIONS (hereinafter "defendants" and "brief"), they state Plaintiff's "accusations are outrageous." The accusations against former judges Ciavarella and Conahan were even more outrageous.....but also true, just as the accusations are here. All of Plaintiff's "accusations" are supported by facts and evidence already entered into the court record, which is one reason why it is so voluminous. To date, nobody on the opposing side has acknowledged the facts and evidence or tried to counter either because they are far too damaging to their case and impossible to overcome without corruption.

On page 2 of the brief, the defendants say Plaintiff takes "great umbrage" with their

[1] 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."

[2] ECF 124, PID.5696-5700 | https://rico.jefffenton.com/evidence/2024-10-24_storys-opposition-to-motion-for-sanctions.pdf

affidavit. Plaintiff *does* take great umbrage with it because, generally, affidavits are supposed to contain truthful information and be signed under penalty of perjury—notably Story's isn't[3]—and are *not* supposed to contain lies, distortions, or partial truths. In fact, Plaintiff takes "great umbrage" with *any* falsified affidavit or *any* motion to dismiss. When *no less than* eleven felonies are committed by people who know better and are charged with upholding the law rather than breaking it, countless rules of court and professional conduct are violated, and the Constitution isn't just trampled but is instead obliterated in order to deliver *in*justice, most people would get a little wrapped around the axel. Plaintiff is no exception. The honor role student that counsel attempts to paint as her client not only has very poor ratings online but has also been previously censured by the TN bar in 1989, which is a remarkable feat since less than 2 percent of complaints against attorneys get rightfully adjudicated.[4]

Also on page 2 is the statement, "This submission, or any of the statements therein, are in no way sanctionable." The defendants offer no evidence or case law supporting this premise. Plaintiff "happens to disagree with its contents".....because much of it is false. They claim, "This is a legal malpractice action against Defendants." The instant action[5] is *much* more than "malpractice." It is a result of the confluence of premeditated and deliberate wrongdoing that stretches well beyond any "harmless error" or "malpractice." As already stated, *at least* eleven felonies[6] have been committed against Plaintiff, and just that in itself is more than enough to support this case going to trial.

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[3] ECF 76-1, PID.5076-5079 |https://rico.jefffenton.com/evidence/2024-09-16_affidavit-of-virginia-lee-story.pdf

[4] https://www.avvo.com/attorneys/37064-tn-virginia-story-1693381.html

[5] ECF 66, PID.4870-5007 | https://rico.jefffenton.com/evidence/1-23-cv-01097_fenton-vs-story-first-amended-complaint.pdf

[6] ECF 53, PID.4258-4349 | https://rico.jefffenton.com/evidence/2024-03-13_irrefutable-proof-of-criminal-conspiracy.pdf
ECF 38, PID.3445-3496 | https://rico.jefffenton.com/evidence/2019-04-26_bankruptcy-crimes-rules-and-laws-violated.pdf

Finishing page 2 the defendants say, "Plaintiff has barraged Defendants with unnecessary filing, after filing, after filing, which has only served to increase Defendants' defense costs." Firstly, they are only "unnecessary" from the defendants' perspective. Secondly, of the eight filings counsel lists, four are duplicates. Thirdly, Plaintiff has only "barraged Defendants" because he does not want the case to be heard in a biased and/or corrupt environment and has reasonable concerns about it being transferred out of state, while needing to correct a typographical error in the *naming* of Bank of America in his amended complaint[7], and because actions of the defendants have required it—just as they have now.

Anyone who investigates the facts of and the evidence filed in this lawsuit would know just how absolutely ludicrous, insulting, and libelous such a statement mentioned in the last paragraph truly is. Plaintiff takes exceptional offense at any suggestions of the cost of this action upon the defendants after they have cost him years of his life and every dollar to his name without the slightest humane, ethical, or lawful consideration of any kind—not to mention the $10,000+ it has cost *him* so far to bring this action. The defendants have only themselves to blame. Had they not created the problem, a solution would not be needed.

**PLAINTIFF'S EFFORTS TO MITIGATE DAMAGES FOR ALL INVOLVED**

The truth of the matter is that Plaintiff has repeatedly made every effort[8] to resolve the injuries

[7] ECF 66, PID.4870-5007 | https://rico.jefffenton.com/evidence/1-23-cv-01097_fenton-vs-story-first-amended-complaint.pdf

[8] ECF 57-1, PID.4394-4404 | https://rico.jefffenton.com/evidence/2019-08-30_emergency-attempt-to-correct-court-order.pdf
ECF 54-1, PID.4361 |https://rico.jefffenton.com/evidence/2019-08-30_judgment-wrong-emergency-call-to-court.mp3
ECF 57-1, PID.4405-4413 | https://rico.jefffenton.com/evidence/2019-08-30_notified-story-beeler-false-claims-in-court-order.pdf
ECF 57-1, PID.4459 | https://rico.jefffenton.com/evidence/2019-08-30_story-lied-when-notified-false-claims-in-order.pdf
ECF 19-8, PID.2679 | https://rico.jefffenton.com/evidence/2019-09-16_story-letter-demanding-two-grand-for-storage.pdf
ECF 57-1, PID.4419-4441 | https://rico.jefffenton.com/evidence/2019-09-20_halt-confronting-criminal-misconduct-by-story.pdf
ECF 57-1, PID.4442-4450 | https://rico.jefffenton.com/evidence/2019-09-21_notice-listing-agreement-coerced-null-and-void.pdf
ECF 57-1, PID.4451 | https://rico.jefffenton.com/evidence/2019-09-21_auctioneer-refused-to-stop-illegal-auction.pdf

he sustained by the defendants *before* brining this action. As will be shown at trial, he even offered a hold-harmless[9] agreement, for every bad actor in this lawsuit, without asking for a *dollar*, for the property they stole, the damages they caused him, for support or financial

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ECF 57-1, PID.4452-4459 | https://rico.jefffenton.com/evidence/2019-09-23_notified-binkley-false-claims-in-storys-order.pdf
ECF 19-8, PID.2680-2681 | https://rico.jefffenton.com/evidence/2019-09-26_story-letter-demanding-thirty-five-hundred.pdf
ECF 1-13, PID.553-556 | https://rico.jefffenton.com/evidence/2019-09-28_illegal-coerced-auction-wilco-rico-deed-fraud.pdf
ECF 48, PID.3996-4001 | https://rico.jefffenton.com/evidence/2019-10-06_harassing-threatening-stalking-spying.pdf
ECF 57-1, PID.4486-4501 | https://rico.jefffenton.com/evidence/2019-tn-wilco-48419b-tech-record-v3-pages-387-402-iied.pdf
ECF 57-1, PID.4481-4483 | https://rico.jefffenton.com/evidence/2019-10-10_notice-to-court-and-title-co-auction-was-illegal.pdf
ECF 57-1, PID.4478-4480 | https://rico.jefffenton.com/evidence/2019-10-10_notified-bankers-title-sale-illegal-unauthorized.pdf
ECF 48, PID.4002-4003 | https://rico.jefffenton.com/evidence/2019-10-10_chancery-no-proceeds-from-forced-auction.pdf
ECF 19-12, PID.2695-2704 | https://rico.jefffenton.com/evidence/2019-10-21_fraudulent-final-affidavit-by-virginia-story.pdf
ECF 1-31, PID.1794-1873 | https://rico.jefffenton.com/evidence/2019-10-21_order-of-protection-as-illegal-prior-restraint.pdf
ECF 48, PID.4019-4029 | https://rico.jefffenton.com/evidence/2019-10-29_illegal-auction-closed-wilco-rico-deed-fraud.pdf
ECF 57-1, PID.4502-4526 | https://rico.jefffenton.com/evidence/2019-12-08_tn-coa-issues-proposed-to-be-raised-in-appeal.pdf
ECF 26-1, PID.3259 | https://rico.jefffenton.com/evidence/2020-02-13_tnsc-aoc-ada-gc-john-coke-phone-call.mp3
ECF 26, PID.3227-3258 | https://rico.jefffenton.com/evidence/2020-02-13_tnsc-aoc-ada-gc-john-coke-transcript.pdf
ECF 49, PID.4046-4067 | https://rico.jefffenton.com/evidence/2020-05-05_notified-story-about-her-fraudulent-affidavit.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 1-38, PID.2032-2045 | https://rico.jefffenton.com/evidence/2020-07-08_tnsc-coa-ada-request-for-modification.pdf
ECF 1-31, PID.1794-1873 | https://rico.jefffenton.com/evidence/2020-09-24_5yr-op-ext-retaliation-no-notice-motion-hearing.pdf
ECF 57-1, PID.4528-4535 | https://rico.jefffenton.com/evidence/2020-10-05_report-ada-abuse-misconduct-to-coke-hivner.pdf
ECF 1-2, PID.48-63 | https://rico.jefffenton.com/evidence/2020-10-13_affidavit-of-mother-marsha-ann-fenton.pdf
ECF 51, PID.4088-4135 | https://rico.jefffenton.com/evidence/2020-10-28_motion-to-supplement-and-correct-the-record.pdf
ECF 51, PID.4136-4138 | https://rico.jefffenton.com/evidence/2020-10-30_storys-objection-to-correcting-the-court-record.pdf
ECF 57-1, PID.4551-4557 | https://rico.jefffenton.com/evidence/2020-12-29_tnsc-bpr-complaint-against-story-binkley-etc.pdf
ECF 1-29, PID.1665-1681 | https://rico.jefffenton.com/evidence/2021-01-19_reported-misconduct-sought-help-tnsc-aoc-bpr.pdf
ECF 54-1, PID.4371 | https://rico.jefffenton.com/evidence/2021-12-02_fbi-mark-shafer-binkley-story-corruption.mp3
ECF 52, PID.4208-4210 | https://rico.jefffenton.com/evidence/2022-03-15_ustp-bk-fraud-referral-confirmed-no-notice.pdf
ECF 52, PID.4225-4228 | https://rico.jefffenton.com/evidence/2023-12-13_wcso-racketeering-official-oppression.pdf

[9] ECF 49, PID.4030-4035 | https://rico.jefffenton.com/evidence/2019-11-12_settlement-offer-mitigate-losses-story-refused.pdf
ECF 49, PID.4036-4041 | https://rico.jefffenton.com/evidence/2019-11-12_proof-story-received-my-settlement-offer.pdf
ECF 50, PID.4082-4086 | https://rico.jefffenton.com/evidence/2020-10-16_coa-emergency-motion-reporting-misconduct.pdf
ECF 1-28, PID.1658 | https://rico.jefffenton.com/evidence/2021-01-19_tnsc-immunity-disorder-strike-expunge-op.pdf

restitution of any kind. All that he asked for was a clean sleight, for his name and his freedom to be restored, when never was there a blemish on either just months earlier, before encountering the defendants in this lawsuit.

Plaintiff first presented this offer to his ex-wife on October 7th, 2019, but it wasn't just a onetime offer. He continued offering this opportunity to mitigate the damages for all involved, with slight variations in the language, but the same primary principles and extremely negligible, if not literally no cost, to the defendants. This offer was made to defendant Story on more than one occasion, along with defendants Hivner, Coke, Clement, Bennett, McBrayer, amongst others, until the point where the Tennessee Court of Appeals officially closed Plaintiff's case on April 9, 2021.

That was the date Plaintiff decided that he could no longer absorb the damage he had been cruelly and criminally caused, to simply walk away for *free*. He vowed to no longer beg for bread. The defendants were too unreasonable for too long, litigiously terrorizing him, acting in utter defiance of the law and the public trust bestowed upon their offices, while many were employed at the public's expense, yet exhibited unconscionable indifference toward Plaintiff's life, liberty, and property.

**WILLING TO FORGIVE OVER A YEAR AND A HALF OF FELONIOUS ABUSE**

That was one year, six months, and two days' worth of suffering (five hundred and fifty days in total) which Plaintiff was willing to *forgive for free*, along with the theft of his home, the loss of his only stream of income (tenant rents), the whole of his life's savings and even his premarital retirement investments. Every dollar that Plaintiff had to his name or to provide for his future had been stolen as a result of the exceptionally aggravated felony criminal conduct by some of the

defendants, while being covered-up and kept from a cure by other defendants. Still, Plaintiff was willing to completely *forgive* the financial crimes against him *if only* defendant Story and other defendants were decent enough to restore his *name* and his *freedom* so that he could try to get the best job his skills and experience could support, allowing him to move forward with his life unrestrained and unmolested. In hopes of being able to survive the poverty forced upon him, without becoming a liability upon extended family or the state, when never had either been needed, before the defendants had entered his life only months earlier, but they cruelly, ardently, unwaveringly, and unreasonably refused.

Even after being told that their absurd, fraudulent, and unwarranted *"order of protection"* (without due process) was interfering with his ability to obtain suitable employment, which they had anticipated and articulated being a concern in open court[10], preventing him from meeting his most basic monetary needs in life, without logic, care, or reason. Amongst a global pandemic the likes of which had never been seen during our lifetime, they *still* unreasonably refused to lift their illegal restraints and instead left him without any means to work and support himself for years to come, under the cruel and inhumane circumstances which they literally forced him into.

[10] ECF 22, PID.2820 | 8/1/2019 Hearing Transcript, Page 3, Lines 16-21: "MS. STORY: Because what we don't want to do is have something go down on his record that's going to affect his employability, because he needs to get a job ASAP, so as long as we have the protection, the order of protection under the ex parte, we are good with that."

This was only true as long as Plaintiff was an "alimony risk" for his ex-wife, who had previously promised to pay him $1,750 per month in alimony (22% of her gross income), for a period of 6-years (half the duration of their marriage), as advised was fair by a divorce financial expert they hired, as evidenced in the declaration below:

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

Once Plaintiff was crossed over the Tennessee State line, all care about his employability went directly out the window, as did all promises made by defendants Story, Binkley, and the Chancery Court, as is evidenced in the declaration below:

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

## PLAINTIFF WAS FORCED BY CRUEL AND INHUMANE TREATMENT—TO BRING THIS LAWSUIT

That is why Plaintiff has been forced to bring this lawsuit despite the overwhelming challenges it causes him, with only a high school education and multiple disabilities affecting his ability to articulate and communicate efficiently, because he is a human being and the defendants are required to treat him like a human being, whether they like it or not, while they have unreasonably refused to do so.

Plaintiff contends that the defendants do not own him, hence they have no right or lawful authority by which to deprive him of his life, liberty, happiness, and property under the false, fraudulent, and repugnant color of law, when there was not one honest, lawful action, in a court with the lawful jurisdiction to hear and dispose of the matters before it, amongst the lot.

## THIS ENTIRE LAWSUIT WAS PREVENTABLE

Not only was this entire lawsuit preventable, Plaintiff nearly begged several of the defendants not to force him to bring it, but they literally left him no other recognizable means by which he could simply restore his *name*, *reputation*, and *freedom*, even when he was willing to forfeit *everything* else in exchange.

That is unreasonable. Yet that is the truth about why we are here today: for a principle and a right to be free and to live unmolested, regardless of the power of the mighty members of the court and their kin.

This is something everyone in this lawsuit needs to clearly understand. Plaintiff went to the mat, repeatedly seeking the relief he needed to be able to move forward in his life without needing to bring this lawsuit or to ever look back at the State of Tennessee or the bad actors therein again, but the defendants refused to release him.

## CONCLUSION

Plaintiff requests that his motion be granted or that the defendants be strongly cautioned about continued untruthful filings in the court *if justice is to be really served*.

## 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). I further swear that no part of this action is motivated by a desire to cause any party financial harm, and that I have done everything physically within my means, with the resources and knowledge at my disposal, to reach a cure as quickly as possible and mitigate my losses for all parties, yet they have unreasonably refused my every effort and attempt.

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct, except as to matters herein stated to be on information and belief, and as to such matters, I certify as aforesaid that I verily believe the same to be true.

Executed on November 8, 2024



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