

22-5717

Application No. 21A624

Case No. _____

article III de jure

ORIGINAL

Supreme Court for United States of America

Supreme Court, U.S.
FILED

MAY 23 2022

OFFICE OF THE CLERK

brent evan webster dba BRENT EVAN WEBSTER – Petitioner

1

ALEX TRAIL; CONNIE TRAIL, et al. – RESPONDENTS

October Term 2021

**Writ for a Bill of Certiorari De Novo Review from the Ninth and District Courts
by way of US Bankruptcy Court Portland, Oregon**

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Boring, Oregon. Republic, usA

NON-DOMESTIC

Phone - 503-933-2000

brent evan webster d/b/a BRENT EVAN WEBSTER 9-20-2022

Questions Presented

1. Did lower courts error for allowing Alex and Connie Trail's claim as Creditor to stand, after their Attorneys filled unreasonable fees of a SUPPLEMENTAL JUDGEMENT AND MONEY AWARD they obtained deceptively using obscure Oregon Revised Statutes to blame Webster for a missing stake which they presented as proof of claim, after the Trail's and their Attorney's knew webster was not responsible and besides Azonia Haney promptly had the stake replaced according to the statute invalidating Trail's lawsuit and without an Evidentiarily Hearing as required in Contested Matter's, proving false claims gaining protections of 18 USC 152(4), "knowingly and fraudulently presents any false claim for proof against the estate of a debtor"?

2. Did inferior courts error by prematurely dismissing and closing webster's bankruptcy without discharge after his filings of his indisputable Qualifying Life Event on April 15, 2020 from the Novel Corona Virus – aka - (COVID 19), after laying the foundation to a qualified claim by operation of law to a full-discharge from his presumed debt with all the force and effect of a "force majeure" after the world-wide destruction events to the supply chains, causing hyper-inflation, shortages, hunger, stifling or collapsing nearly all Business inflating the cost of living?

List of Parties

All parties appear in Case Caption of Cover Page as follows with legal representation

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RELATED CASES

19-34090-pcm13

Original Bankruptcy Case

Derivative Cases

20-03027	Adversary BK Court	Parallel with BK Court
320-cv-00878-MO	Webster v Trail et al	from BK to District Court
320-cv-00879-MO	Webster v Trail et al	from BK to District Court
320-cv-01153-MO	Webster v Trail et al	from BK to District Court
OR-20-1124	Webster v Trail et al	from BK to Appellate Panel 9 th Cir.
20-35787	Webster v Trail et al	from District Court to 9 th Circuit
20-35799	Webster v Trail et al	from District Court to 9 th Circuit
21-35740	Webster v Trail et al	from District Court to 9 th Circuit

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2 Opinions from United States Bankruptcy Court for District of Oregon

#19-34090-pcm13 – July 6, 2020 – Order of Dismissal and Administratively Closing Case

#20-03027 Adversary Case – May 18, 2020 – Order Granting Creditors Alex & Connie Trail Motion to Dismiss Debtors Adversary Proceeding Under FRCP 12 (b)(1) and (6)

Copies Appear at Appendix – A

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3 Opinions from United States District Court District of Oregon

#320-cv-00878-MO – August 6, 2020 – Order Dismissal does not have jurisdiction

#320-cv-00879-MO – August 6, 2020 – Order Dismissal does not have jurisdiction

#320-cv-01153-MO – August 11, 2020 – Opinion and Order BK Court's Decision Affirmed

Copies Appear at Appendix – B

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Jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1)

5 Decisions from United States Court of Appeals for the Ninth Circuit Court:

#20-35787 – September 16, 2021 – Memorandum Dismissing Appeal from BK Court Order Overruling Webster's Objection to the proof of claim filed by Alex Trail and Connie Trail have jurisdiction affirm

#20-35787 – January 3, 2022 – Mandate for judgment of the Court entered September 16, 2021

#20-35799 – September 16, 2021 – Memorandum Dismissing Appeal from BK Court Order denying any relief sought in his Objections to a no evidence hearing April 30, 2020 in his Adversary proceeding

#20-35799 – January 5, 2022 – Mandate for judgment of the Court entered January 5, 2022

#21-35740 – February 9, 2022 – Mandate for judgment of the Court entered January 18, 2022

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Timely Petitions for Rehearing's were Denied or Rejected on the following dates:

#20-35787 – September 16, 2021 – Order panel has voted to deny petition for panel rehearing en banc

#20-35799 – December 28, 2021 – Order panel has voted to deny petition for panel rehearing en banc

#21-35740 – January 18, 2022 – Order appeal frivolous we deny motion to proceed in forma pauperis

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STATEMENT OF THE CASE

Petitioner is national man standing upon the land as one of the people, he seeks due process of LAW under the U.S. Constitution, to proceed in common law, in this Supreme Court of United States of America, de jure-de novo, with only two questions, to remove the gordian knot of clouded title with a broken chain, correct record as Noticed, Lis Pendens 2022-035997.

The record reflects brent evan webster is doing business as BRENT EVAN WEBSTER by special appearance, status of sui juris, in the form of common law, to correct false claims.

1. This controversy originated when the neighbor Trail recorded a survey called "PROPERTY LINE ADJUSTMENT", dated November 5, 1993, PS-25552. APPENDIX E

Webster arrived on the farm in July of 2009 at the request of Mrs. Haney, and he didn't know anything about a survey record 16 years back, concerning a missing stake near the creek.

On April 3, 2015 webster, along with Mrs. Haney, were both named in a lawsuit by the Trail's attorney, James P. Losk OSB# 87289 on the bases, of a missing monument. APPENDIX F

Webster was blamed for a missing monument where ORS 20.190, ORS 209.150, ORS 209.990 pertain to replacement and penalties, for disturbing a survey monument. APPENDIX G

Mrs. Haney immediately ordered a full survey for the placement of all monuments, including the one that Trail claimed in their lawsuit, the monument was replaced in less than 90 days, on June 9, 2015 as recorded with the CLACKAMAS COUNTY SURVEYOR. APPENDIX H

On August 24, 2018, three years after the stake was replaced, Trail and their Attorney Jim Losk obtained a **FRAUDULENT JUDGEMENT**, where a majority of the Money Awards (\$24,545.50), was based on statute ORS 209.990 which was remedied, ORS 209.150 states that county surveyor notify the offender of the monuments destruction when it happened In 2010, if Trail had adhered to the intent of statutes, webster and Haney should have been noticed by County Surveyor to the replace monument, or by Trail's prior to a lawsuit, instead of charging webster and Haney exorbitant fees, after said survey monument was already replaced timely.

On January 3, 2020 the Trails and their attorney filed a Secured claim 9-1 against the webster estate, a judgement from September 11, 2018 by Ulanda Watkins, Circuit Court Judge. APPENDIX I

2. On April 15, 2020 webster filed "Circumstances requiring Force Majeure" by stating the effects of a world-wide emergency, declared by nearly all the worlds governments, therefore webster, status of "one of the people" is entitled to full discharge by necessity. APPENDIX J

On July 1, 2020 webster filed **MOTION FOR SUMMERY JUDGEMENT** and his **AFFIDAVIT** to document **fraud**, as a second option to **cause a full discharge of Trail's Claims**. APPENDIX K

REASONS FOR GRANTING WRIT

The reason this application for petition for writ of certiorari de novo should be granted is to correct the errors of the lower courts primarily the **UNITED STATES BANKRUPTCY COURT PORTLAND DISTRICT OF OREGON** where Peter McKittrick was practicing law from the bench by ignoring webster's filings and assisting claimants to dismiss webster's case without the completion of his adversary case, when there were legitimate questions as to the soundness of the claims filed by the Trail's, and their attorney's with statutes that didn't apply anymore.

Webster ask, this hollowed court, to look at the facts, the false claims of the Trail's original lawsuit, then by not modifying their lawsuit to support the monument replacement, with help from Judge Ulanda Watkins who was practicing law from the bench, by assisting Mr. Jim Losk, to remove webster and Haney's counter-claims from on the record, re-written by Attorney Losk, fabricating with fruit of the poisonous tree, causing false claims to stick.

CONCLUSION

Based on false claims and the fraudulent use of the legal system by the Trails and their attorney's, this court now having jurisdiction to enforce U.S. Code Title 18 sec. 152(4) can assist in the prosecution of the Trails who, ...can be fined..., imprisoned..., or both.

By using fruit from the poisonous tree, the Trails manufactured claims designed to blame webster and have him and Haney pay for their legal attack to bankrupt the farm.

This petitioner requests the privilege of, You, nine purveyors of justice, from this highest court on the land, to move in concert with one of the people, to help correct the injuries webster sustained, and who started this case in good faith, this business transaction with a special appearance in US BANKRUPTCY COURT, PORTLAND, for a fresh start.

Petitioner has activated the Common Law in all of his documents, so to maintain control of his case, relating to a Forced Bankruptcy because of fraudulent debt collectors, wanting to share in the spoils of webster and Haney's hard work, attempting to benefit from over 27 years of combined efforts to maintain the family farm. Now with skyrocketing values of such properties, well over three times the price of all of the presumed debt on record.

Webster ask for this court to accommodate his wishes by entertaining this matter with the jurisdiction necessary to correct and substantiate the facts as presented, on the record, including repairing the damages to the chain of title as described in lis pendens that is filled in Clackamas County Property Records, located in Oregon City, Oregon USA. APPENDIX L

Respectfully submitted by,

brent evan webster dba BRENT EVAN WEBSTER September 20, 2022

brent evan webster dba BRENT EVAN WEBSTER