

NO. 22A445

Supreme Court, U.S.
FILED
NOV 22 2022
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In the
Supreme Court of the United States

CHRISTOPHER M. HUNT, SR.

APPLICANT,

v.

NATIONSTAR MORTGAGE, LLC
DEUTSCHE BANK NATIONAL TRUST COMPANIES
JAY BRAY, CEO Nationstar
THE ALBERTELLI FIRM, P.C.

RESPONDENTS.

NOTICE SUPPLEMENT THE RECORD FOR CERTIORARI

To the Honorable Clarence Thomas Circuit Justice for the Eleventh
Circuit, correction re: USCA11 22-11463 & Status of Cases

Rev. Christopher M. Hunt, Sr. Ph.D. Pro Se
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November 21, 2022

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SUPREME COURT, U.S.

Comes Now Applicant/Appellant "Homeowner" temporarily pro se due to Respondents/Appellees "Mortgagees" illegal theft of \$400,000 home equity and files in this honorable Court his **NOTICE SUPPLEMENT THE RECORD FOR CERTIORARI** and avers:

1.

HOMEOWNER APOLOGIZES FOR ERROR USCA 22-011463

Only Friday 11/18 while Homeowner was talking with USCA11 clerk did he discover 22-011463 case was dismissed and his Motion for Reconsideration with Notice of Instant En Banc if denied was never properly ruled on nor notice given. The entire time Homeowner thought he USCA11 was taking so long because the cited new *BP v. Baltimore* case that will radically transform USCA11 current erroneous boiler plate ruling. After learning of case's status Homeowner immediately filed the corrective Motion for Writ of Error. Homeowner is saddened to see how his Mortgagees caused numerous defensive appeals look in USCA11 system ... if you look you will see each has a specific valid reason caused by Mortgagees in either direct illegal action or fraud induced court error.

2.

NOTICE TO COURT TO SUPPLEMENT THE RECORD FOR CERTIORARI TO THE SUPREME COURT OF GEORGIA.

Exhibit 1 is large because exhaustive and informative of case status for all courts to openly know status to prevent any more fraud and bad acts of misusing courts by Mortgagees via too trusting justices. The Exhibit 1 is submitted in extreme respect to Court for U.S. citizens' best interests and all lower courts know subject matter of all cases now in jurisdiction U. S. Supreme Court so the Mandate should be stayed/recalled and not improperly acted on until a ruling by this Court of forthcoming Certiorari. Hopefully other courts will Stay/Recall so Moot this issue in respect to Court's jurisdiction. The illegal eviction would be the ultimate court abusive insult as officer over the illegally obtained attempted eviction opined Mortgagees thought easier to (mis)use courts to (destroy) evict Homeowner instead of sue crony mortgage company who did the same as they did of illegally selling bad mortgages!

Respectfully submitted this 21st day November

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CERTIFICATE OF COMPLIANCE

1. This petition complies with the type-volume limitation of Supreme Court, this filing contains 262+/- words.
2. This brief complies with the typeface requirements of Supreme Court because it has been prepared in a proportionally spaced typeface using a 14-point Century.

Dated 21st day of November 2022

Christopher M. Hunt, Sr. Applicant

CERTIFICATE OF SERVICE

I have sent a copy of this **NOTICE SUPPLEMENT THE RECORD FOR CERTIORARI** by approved Electronic Service via Cross Filing USCA11 per agreement Rule and if requested US mail after filing this 21st day of November 2022.

Christopher Anulewicz Balch and Bingham Counsel for
Deutsche Bank Trust Company Americas
Nationstar Mortgage LLC
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FRAP 26.1 Certifical Interested Parties (C-I-P)

22A445 Appeal 21-10398 Christopher M. Hunt, Sr. v. Nationstar, et al

Pursuant to Eleventh Circuit Rule 26.1-1, Christopher M. Hunt, Sr. ("Homeowner"/Appellant) hereby certify that the following is a complete list of all trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations that have an interest in the outcome of the present appeal, including subsidiaries, conglomerates, affiliates, parent corporations, and publicly held corporations that own 10% or more of the party's stock:

- **Albertelli Law:** Counsel for Mortgagees who participated in crimes by via illegal, contemptuous wrongful foreclosure, was paid % of KNOWN fraudulent inflated debt, violated O.C.G.A. § 14-2-1530 (5) and has defaulted on service for a fourth time after Balch coached how and when to remedy the fraud on courts "Compliant" company, has lost three federal cases as bad acting debt collector. Albertelli is always in CIPs as Defendant and CIP party and Mortgagees admit most questions of case involve mandated joinder party.
- **Aldridge Pite, LLP:** Law Firm of Dallas R. Ivey, Counsel Appellee DBTCA.
- **Anulewicz, Christopher Scott:** Counsel for Appellees Nationstar Mortgage, LLC and Deutsche Bank National Trust Companies. "Christ?opher" apparently will do almost anything for bosses to keep "one of our largest clients" as he orchestrates everything from fraud on courts concerning case start of Albertelli's default after original TRO, falsifying "compliance", slandering Homeowner and knowingly citing bad law to bias courts, etc. Refuses to adhere to rules of ethics for federal and state courts.
- **Bray, Jay CEO:** Defendant (~~but has not~~ wrong Christ?opher!) as CEO of Nationstar was served 6/8/20 so also defaulted since Christ?opher admits has not answered Complaint. Jay has acknowledged his braying and company so bad it has to be transformed beyond just name change.
 - **Balch & Bingham LLP:** Law firm of Christopher S. Anulewicz (above),

Brooke W. Gram (below), and Patrick N. Silloway (below), counsel for Appellees Nationstar Mortgage, LLC and Deutsche Bank National Trust Companies and have senior partners in prison for corrupting government officials.

- **Dear Jackson, LaTisha:** Judge Superior Court of DeKalb County, who as “court of equity” granted second proven proper TRO that ended Mortgagees conflict, contempt of federal courts, original TRO, **and has now by proper order ended subsequent conflict** caused by Mortgagees unethically tricking to void TRO and illegal Supersedeas.

- **Deutsche Bank National Trust Companies:** Deutsche Bank National Trust Companies is a national banking association organized under the law of the United States to carry on the business of a limited purpose trust company. Deutsche Bank is a wholly owned subsidiary of Deutsche Bank Holdings, Inc., which is a wholly owned subsidiary of Deutsche Bank Trust Corporation, which is a wholly owned subsidiary of Deutsche Bank AG, a banking corporation organized under the laws of the Federal Republic of Germany. No publicly-held company owns 10% or more of the Deutsche Bank AG's stock. Deutsche Bank's main office is in Los Angeles, California. Deutsche Bank's principal office of trust administration is in Santa Ana, California. **As a national banking association, Deutsche Bank is operating illegally without being registered in headquarters state with registered agent in violation to U.S. Supreme Court *American Bank & Trust Co. v. Federal Reserve Bank*, 256 U.S. 350 (1921) A federal reserve bank is not a national banking association within § 24, cl. 16, of the Judicial Code, which declares that such associations, for the purposes of suing and being**

sued, shall (except in certain cases) be deemed citizens of the states where they are located. P. 256 U.S. 357. Christopher never corrected Homeowner filing but still files “~~may do business in all 50 states in the United States without having to be registered as a foreign corporation or otherwise be registered or licensed in any individual state in order to conduct business in the state~~”; Deutsche is one of main culprits causing “Great Recession”, featured bank in movie *The Big Short*, U. S. fined Deutsche \$7.2Billion, 60 minutes expose \$100+Billions money laundering, violated banking rules to obtain and maintain known child pedophile sex trading Epstein account, instant case violated federal banking laws, committed first breach, fraud, etc.

***NOTE: CONTRADICTS Aldridge Pite’s 22-11463 Deutsche Bank Trust Company Americas, as Trustee: Appellee. DBTCA is a New York state chartered banking corporation with fiduciary powers duly organized under the laws of the State of New York. DBTCA is a wholly owned subsidiary of Deutsche Bank Trust Corporation, a New York corporation. Deutsche Bank Trust Corporation is a wholly owned subsidiary of DB USA Corporation, a corporation organized and existing under the laws of the State of Delaware. DB USA Corporation is a wholly owned subsidiary of Deutsche Bank AG. Deutsche Bank AG (DB:U.S.; DBK:GR) is a German multinational investment bank and financial services company headquartered in Frankfurt, Germany, and is dual listed on the Frankfurt Stock Exchanges and the New York Stock Exchange. Deutsche Bank AG is not a subsidiary of any parent corporation, and no publicly held corporations own 10% or more of the stock of Deutsche Bank AG. Is also operating illegally without being

registered in headquarters state of New York without a registered agent in violation to U.S. Supreme Court American Bank & Trust Co. v. Federal Reserve Bank, 256 U.S. 350 (1921) to avoid taxes and accountability of juries?!!

- **Gram, Brooke Walker:** Counsel for Appellees Nationstar Mortgage, LLC and Deutsche Bank National Trust Companies who conveniently used to work in federal court judge's office.
- **Hunt, Sr., Christopher M.:** Appellant; "Homeowner" has always been 100% honest, court honoring and legally right per U.S. Supreme Court, DCMG, DCNG, OCGA, federal bank laws, TROs.
- **KKR Wand Investors Corporation:** KKR Wand Investors Corporation, is a Delaware corporation which has no parent corporation and is not publicly held; SEC violations misallocating more than \$17 million in so-called "broken deal" expenses to its flagship private equity funds in breach of its fiduciary duty. KKR agreed to pay nearly \$30 million including a \$10 million penalty.
- **Mr. Cooper Inc.:** Mr. Cooper Inc. (NASDAQ ticker: COOP) is owned by KKR Wand Investors Corporation; is new rebranding attempt AKA Nationstar so corrupt and incompetent that still local Dallas paper was critical of name change without character and performance change.
- **Nationstar Mortgage LLC:** Nationstar Mortgage LLC is wholly owned by Nationstar Sub1 LLC and Nationstar Sub2 LLC. Nationstar Sub1 LLC and Nationstar Sub2 LLC are both wholly owned by Nationstar Mortgage Holdings, Inc., a publicly-traded company.

(NYSE ticker: NSM); so bad name change to Mr. Cooper cannot transform admitted bad culture and costumer abuse as recently lost \$3,000,000 case on RESPA violations to Homeowner (no compensation yet), \$90,000,000s in fines by fifty states attorney generals, etc.

- **Sewing, Christian:** ~~Named as Defendant below but did not receive service Plaintiff~~ voluntarily dismissed as a defendant on 8/17/20 after translating Complaint because instant case is won, and in so much trouble for other things more accountability not needed (See Deutsche)

- **Silloway, Patrick N.:** Counsel for Appellees Nationstar Mortgage, LLC and Deutsche Bank National Trust Companies, needs to start making an honest living. Attorneys need withdraw or stop bad filings.

- **Thrash Jr. Thomas W.:** District Judge for the Northern District of Georgia; severally prejudiced by misplaced trust in bad acting debt collector attorneys' slander, bad law cites and Magistrate's erroneous report...

- **Walker, Linda T.:** Magistrate Judge for the Northern District of Georgia – motion to reconsider proves something seriously wrong...

Respectfully submitted this 21st day of November, 2022.

Christopher M. Hunt, Sr. forced Pro Se Appellant Homeowner
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EXHIBITS 1

FILINGS OF ASSOCIATED CASES WITH MATTERS OF INSTANT APPEAL.

GA SUPREME S22C1331

**NOTICE TO COURT TO SUPPLEMENT THE RECORD FOR
CERTIORARI TO THE SUPREME COURT OF GEORGIA**

Included are Exhibits:

USCA11 21-10398

**EMERGENCY MOTION TO REOPEN CASE FOR RELIEF PER WRIT
OF ERROR RULE 59(e)(1-4) WITH VACATE DUE TO FRAUD ON
COURT 60(b)(1-6) WITH MOTION TO RECALL THE MANDATE**

USCA11 22-11463

**EMERGENCY MOTION WRIT OF ERROR RULE 59(e)(1-4) WITH
VACATE DUE TO FRAUD ON COURT 60(b)(1-6)**

*Only to this page will be shared with other courts as they have filings
but need notice all cases subject matter accepted into jurisdiction of
U.S. Supreme Court – the judicial big brother has come into the
playground against Mortgagees judicial bullies on behalf of
peon pro se Homeowner AKA: “We the People” of U.S. Constitution.*

COMES NOW Petitioner “Homeowner” forced pro se due theft of home with \$400,000 equity and files this **NOTICE TO COURT TO SUPPLEMENT THE RECORD FOR CERTIORARI TO THE SUPREME COURT OF GEORGIA** and keeping everything and incorporating from INITIAL CERTIORARI and all the previous filings of S22D1064 and A22D0447 avers:

INTRODUCTION

Per Lady Justice “she” Wisdom of Proverbs by wisest judge to ever rule, Biblical Solomon “dividing baby case” proven basis for Spirit and intent of USA law, 18:5 “It is not good to show partiality to the wicked, or to overthrow the righteous in judgment.” While trying to learn how the Certiorari should be formatted, I saw where Court recently granted a Certiorari on a case where a woman with her young kids in the house was raped and scarred by boiling water and the Certiorari was granted to the admitted guilty criminals because of a legal procedure in trial S21C0949, S21G0949 *PALENCIA v. THE STATE*. While incomparable in human suffering of that victim (Jesus please help woman and children heal in every way and criminals repent so not go to hell) to instant case, also incomparable are the severity of instant case violations of laws and procedures to the minor singular procedural error – understanding and agreeing the protection of innocent is important - remembering instant case has 100% legally right

Homeowner who built home, raised children, made perfect payments until Mortgagees court affirmed breach of contract represents hundreds of thousands of homeowners in Georgia and millions in USA losing homes to proven sociopathic, greedy, white-collar criminal Mortgagees. Certiorari concern violations of laws and court errors foundational to court procedures for justice to prevail.

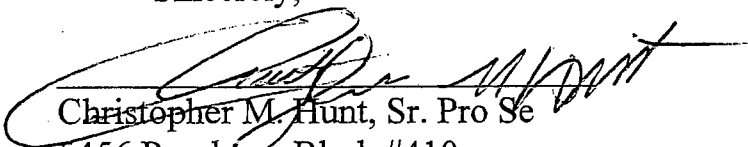
Petition for Certiorari is in agreement with U. S. Supreme Court:

The words of Chief Justice Marshall in Marbury v. Madison, 5 U.S. 137 (1803), must be heeded: "The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection. The government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested right."

IN CLOSING it is proven by more than a dozen primal law and court procedures violations the Mortgagees never had standing in the state courts and the state courts never had any jurisdiction on the Mortgagees cases since their removals. The Supreme Court, Federal Appeals Courts, and Federal law state that an attorney becomes an independent third party from the client and case when crimes are committed by the client and thereby attorney/client confidentiality is voided, to extent the attorney is even compelled to testify against his/her client! So even more when the attorney, who is sworn to highest ethics and entrusted Officer of the Court is first duty bound by Rule 3.3 Candor to the Tribunal. The issues to be addressed in instant case are the precedent and independent acts made by Mortgagees.

THEREFORE, per Exhibit A Filings into USCA11 21-10398 & 22-11463 & DCN.GA 21-cv-02359 and all filings in the **S22D1064** and Court of Appeals **A22D0447**. Appellant prayerfully requests the honorary Supreme Court of Georgia grant this Certiorari and void all state nullity orders to bring the current rogue Georgia courts back into conformity with the U.S. Supreme Court, Federal laws, Georgia laws with any and all other favorable rulings per Court's discretion, this 21st day of November, 2022.

Sincerely,



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CERTIFICATION WORD COUNT RULE 24

Filing conforms to Rule 24 in Times New Roman Font 14 having 994 words.

IN THE SUPREME COURT OF GEORGIA

STATE OF GEORGIA

DEUTSCHE BANKTRUST
COMPANY AMERICAS,
AS TRUSTEE

Respondents

v.

CHRISTOPHER M. HUNT, SR.

Petitioner

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NO.: SC221331

SUPREME COURT CASE:
(transferred) S22D1064

COURT OF APPEALS CASE
A22D0447

CERTIFICATE OF SERVICE

I have sent a copy of this petitioner's **NOTICE TO COURT TO SUPPLEMENT THE RECORD FOR CERTIORARI TO THE SUPREME COURT OF GEORGIA** certify there is a prior agreement with Aldridge Pite to allow documents in a .pdf format sent via court electronic email to suffice for service. Rule 6 and will send first class mailed via USPO a copy if requested and this 21st day of November 2022:

Dallas Ivey
Aldridge, Pite, LLP
Fifteen Piedmont Court
3575 Piedmont Road NE Suite 500
Atlanta, GA 30305



Christopher M. Hunt, Sr. Pro Se
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EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CHRISTOPHER M. HUNT, SR.

Plaintiff

V.

NATIONSTAR MORTGAGE, DEUTSCHE
BANK NATIONAL TRUST COMPANY
JAY BRAY CEO NATIONSTAR
THE ALBERTELLI FIRM, PC

Defendants

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CIVIL ACTION NO.
1:20-cv-02359-TWT

DeKalb Case:
20cv3778, Etc.

**NOTICE OF MOTION TO REOPEN CASES USCA11 WITH MOTION TO
VACATE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 59
AND 60(B)(1-6) WITH MOTION FOR STAY OF THE MANDATE &
REMAND**

COMES NOW Plaintiff, Pro Se (solely due unable urgent time to hire counsel and because cannot access \$400,000+ home equity **contemptuously stolen** by Defendants in illegal foreclosure in violation to this Court's order, USCA11 jurisdiction and Rule 28 § 1450 and Fraud Upon the Courts creating numerous defenses cases), before Court and files NOTICE OF MOTION TO REOPEN CASES USCA11 WITH MOTION TO VACATE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 59 AND 60(B)(1-6) WITH MOTION FOR STAY OF THE MANDATE & REMAND and avers per exhibits A & B:

JURISDICTION

All parties are currently submitted to jurisdiction of this honorable Court by history of related cases so jurisdiction for all parties is confirmed. Yet Deutsche per C-I-P has not proven it is legal in USA and Court refused to address how Mortgagees have any standing to enforce contract per District Court Middle Georgia *MALONE* since USCA11 and DCN.GA Judge Story ruled Mortgagees breached contract and “cannot ascertain how Deutsche is associated with loan”. Please read all the fraud and illegal acts in pending USCA11 Motions and in Exhibits A & B.

ASSOCIATED CASES

This Emergency Motion and Stay the Mandate directly effects case 1:20-cv-02359-TWT and all associated DCN.GA cases of parties to date.

LEGAL ARGUMENTS STAY THE MANDATE PER RULE 59 AND 60

Court was honorable to reconsider and void its errant Rule 72 against Homeowner. But then due to the fraud on the courts the Court erred “frivolous” and refused to address any of the Homeowner’s thorough Complaints and Corrections to Magistrates Recommendations. *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238, 245-246 (1944) created the standard for fraud on the court and is perfectly applicable to instant case:

This case involves the power of a Circuit Court of Appeals, upon proof that fraud was perpetrated on it by a successful litigant, to vacate its own judgment entered at

a prior term and direct vacation of a District Court's decree entered pursuant to the Circuit Court of Appeals' mandate.

A final judgment can also be overturned by a motion, pursuant to Federal Rule of Civil Procedure 60(d)(3), as incorporated into the Bankruptcy Rules by Rule 9024, to vacate a where “the integrity of the judicial process ha[s] been fraudulently subverted” and does not include fraudulent conduct that only affects a party to the action. *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238, 245-246 (1944)

Attached are two filings into USCA11 that all matters are incorporated into this filing: Exhibits A for 21-10398 and B for 22-11463 giving law and evidence for Writ of Error and Vacating for Fraud and why this honorable Court needs to Stay the Mandate until there are rulings from USCA11 and U.S. Supreme Court as Exhibit previously filed into this Court: Emergency Application for Writ of Injunction with notice of Certiorari. The evidence emphasizes the fraud in Court.

Federal Rule of Civil Procedure 60 sets forth the grounds under which a judgment may be set aside, but Rule 60(d)(3) states Rule 60 does not limit a court's power to set aside a judgment for fraud on the court. *Ehrenberg v. Roussos (In re Roussos)*, 541 B.R. 721 (Bankr. C.D. Cal. 2015)

Rule 60(d)(3) is the codification of a court's inherent power to investigate whether a judgment was obtained by fraudulent conduct. *Universal Oil Products Co.*

v. *Root Ref. Co.*, 328 U.S. 575, 580 (1946). There is no statute of limitations for a fraud on the court claim and a court may consider such a claim even if no adversarial parties are before the court. *In re Roussos*, 541 B.R. at 729. Homeowner adequately pleads a fraud on the court claim by proving “a scheme by which the integrity of the judicial process had been fraudulently subverted” and involves far more than an injury to only himself *Addington v. Farmer's Elevator Mut. Ins. Co.*, 650 F.2d 663 (5th Cir. 1981). The *Met-L-Wood Corp.*, 861 F.2d at 1016 Case was perfectly aligned with instant case of balancing a possible fraud on the court claim with the policy of protecting statute of limitations of 21-year-old final sale order, equivalent to instant case statute of limitations sealed contract. Exhibits A and B prove applicable to instant case because previous associated cases DCN.GA Judge Story ruled Mortgagees had “breached the contract” and “could not ascertain how Deutsche was associated with loan” so dismissed cases but without prejudice with instructions to serve Mortgagees again solely due fraud on courts prevailing over Mortgagees default of proper service fulfilling *Martina Theatre Corp. v. Schine Chain Theatres, Inc.*, 278 F.2d 798, 801 (2d Cir. 1960): “Fraud on the court will, most often, be found where the fraudulent scheme defrauds the “judicial machinery” or is perpetrated by an officer of the court such that the court cannot perform its function as a neutral arbiter of justice.” Judge Story was for unknown reasons replaced in instant cases by another magistrate judge who also, as was Judge Story, proven adversely effected by a Fraud

directed at the “judicial machinery” can mean conduct that fraudulently coerces or influences the court itself or a member of the court, such that the impartial nature of the court has been compromised i.e.: “Frivolous” “bonds” etc. Magistrate and Court even slanderously ruled Homeowner default on the contract in contradiction to Judge Story and USCA11! *Bulloch v. United States*, 721 F.2d 713, 718 (10th Cir.1983) Homeowner has invoked Candor to the Tribunal innumerous times: “An attorney, as an officer of the court, has a duty of honesty towards the court.” *TRI-CRAN, INC., v. FALLON* Bankruptcy No. 85-1253-CJK. Adv. No. 88-1241. March 17, 1989 . As unpleasant as it is for Court to deal with a pro se proving debt collecting attorneys neglected their duty and obtained judgments based on conduct that actively defrauds the court, such judgment may be attacked, and subsequently overturned, as fraud on the court. *H.K. Porter Co. v. Goodyear Tire & Rubber Co.*, 536 F.2d 1115, 1119 (6th Cir. 1976)

PART 3 - REVOCATION OF CERTIFICATE OF AUTHORITY § 14-2-1530 -
(5) An incorporator, director, officer, or agent of the foreign corporation signed a document he knew was false in any material respect with intent that the document be delivered to the Secretary of State for filing; or

Since Panel II cites Georgia Court of Appeals supporting Homeowner, another cite proving Service per Secretary of State is binding:

THORBURN COMPANY v. ALLIED MEDIA. No. A99A0637. Decided: 4/28/99
The trial court found that “by ~~not~~ serving a summons along with the complaint to either [Allied Media] or the Secretary of State [pursuant to OCGA §§ 9-11-4(d) and 14-2-1510], service was ~~not~~ properly perfected.” Accordingly, there was no error. Judgment affirmed.

Mortgagee should have sued the previous mortgage company instead of Homeowner. Instead unauthorized substituted plaintiff Deutsche committed interstate mortgage fraud and violate banking accounting laws via wrongful in contempt foreclosure of known bad loan with improperly inflated value of illegally increased mortgage payments due, penalties, and with no competing bids bought in for more than advertised to further falsify accounting. Court is liable for participating in fraud if not cure by enforcing ethics. Homeowner is a “whistle blower” (proven correct in Objections and Corrections) of federal banking violations:

The Sarbanes-Oxley Act of 2002 came in response to financial scandals in the early 2000s involving publicly traded companies such as Enron ... auditors, and corporate officers and imposed more stringent recordkeeping requirements. ... disclosure requirements and fairly present in all material aspects ...

4/19/19 Will Kenton of Investopedia

The Dodd-Frank Wall Street Reform and Consumer Protection Act (the “Act”). The Act is meant to overhaul the United States financial oversight regime and is considered to effect the most sweeping change to financial sector regulation since the reforms following the Great Depression.

Fraud on the court can be found where the debtor’s attorney proffers a material misrepresentation in order to obtain a judgment. *In re Tri-Cran*, 98 B.R. at 624. This Court can with all the evidence and case history presented research and see that the fraud, contempt and slander caused the Court errors and exasperated the bias and prejudice that caused so many appeals into USCA11! Not one ruling or recommendation has even addressed the Objections and Corrections but instead on technicalities and legal nepotism has enabled the bad acting debt collectors and abused the 100% legally correct Homeowner trying to rightfully save his home!

Look at all the Homeowner's cited cases and how the defrauded DCN.GA has ruled in contradiction to U.S. Supreme Court *Bankers, Jesinoski, etc.*, District Courts *Malone, Robinson*, itself and Judge Story, etc., O.C.G.A., all fifty state attorney generals fining Mortgagees for same acts and less, and case history of violating federal laws Sarbanes Oxley and Dodd Congress enacted to prevent repeats of what mortgagees did causing the Great Recession and instant case! Here is excerpt from USCA11 concerning DCN.GA 17-02294 about Mortgagees fraud to overcome default and no jurisdiction that due to monopoly of fraud on courts and exasperated prejudice and bias against pro se has made it impossible for justice and truth to prevail to extent filing bonds are imposed on Homeowner instead sanctions on Mortgagees and erroneous "frivolous" against all authorities cited and even DCN.GA Judge Story instead of standing for Court honor and Spirit and intent of law. The infamous judge of Dred Scott were just as wrong but were not honorable as Court was in voiding it's errant Rule 72. Now Court has a life decision to make to be famous for citizens and all homeowner's or infamous. You are granted immunity to stand strong against Mortgagees wrongs, not abuse Homeowner. You personally know I have submitted to everything and remained respectful while sharing truth in love despite my home being stolen (excerpt re: DCN.GA 17-02294):

Court and Justice Carnes rightly ruled Royal Caribbean Cruises responsible to be more diligent in protecting passengers from horrendous gang rape, so

Homeowner needs protection from being legally 'gang raped' by Mortgagees and fraud on courts turning judges against him in error instead of helping per law.

But the principle of party presentation, like any rule, has its exceptions. Chief among these is the threshold requirement of subject matter jurisdiction, which **courts must raise on their own to protect their own jurisdiction.** See, e.g., *Gonzalez v. Thayer*, 132 S. Ct. 641, 648 (2012) (as to subject matter jurisdiction, "courts are obligated to consider *sua sponte* issues that the parties have disclaimed or have not presented"). In addition to subject matter jurisdiction ... Reviewing courts have long raised these issues on their own, since they implicate a court's competency to decide a case ... AND ... At other times, reviewing courts may be more inclined to raise and decide **an issue *sua sponte* if they believe that the issue involves an important public concern or is "in the interests of justice," or even to protect *pro se* litigants.** See, e.g., *Real Estate Bar Ass'n for Mass., Inc. v. Nat'l Real Estate Info. Servs.*, 608 F.3d 110, 125 (1st Cir. 2010) (emphasizing that the issue decided *sua sponte* was significant to the administration of justice in the federal courts); ***Gramegna v. Johnson*, 846 F.2d 675, 677–78 (11th Cir. 1988) (suspending the rules and raising a matter *sua sponte* to protect a *pro se* litigant).**

Per Rule 35 decision of the division conflicts with service jurisdiction laws per very apropos albeit revealing antiquated *Harris v. Hardeman*, 55 U.S. 14 How. 334 334 (1852) showing evolution of proper service to authorized position was "white"; *Don Gible et al., v. Car-lene Research.*, No. A079078 ruling supports Homeowner's En Banc who and how to serve non-compliant companies; O.C.G.A. § 14-2-1530 (5) fraudulently formed companies make applicant personally and corporately liable therefore properly joined void ab initio jurisdiction due no consent, unanimity, etc., additionally Panel II confirmed Mortgagees wrongfully foreclosed in contempt of this Court on page 2 so lawsuit valid on all parties; and

Henderson v. Cherry, Bekaert Holland 932 F.2d 1410, 1411 (11th Cir. 1991) state law is authority until Removal. Removal was after the Default per Exhibit A proper Secretary of State service. A very strong En Banc Court consensus is required to end conflicts: how to apply Spirit and intent of law for *Jesinoski v Countrywide* No. 13-684 public welfare of home ownership; what constitutes agreed all-important binding service because **Panel II's own cite supports Homeowner in conflict to Panel I and proves vacatur**; En Banc correcting Panel II error misapplying Rule 60(b)(4) ends fraud on courts instead of error enablement. "Open your mouth, judge righteously, and plead the cause of the poor and needy." Proverbs 31: 9 per conflicts Supreme Court *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 wherein Panel II errors of Rule 60 in III pages 9-13 III is in conflict and fails to *Hazel*:

Next, because of public policy, the Court rejected the Third Circuit's condonation of Hartford's fraud on the grounds of Hazel's failure to exercise sufficient diligence:

This matter does not concern only private parties. There are issues of great moment to the public in a patent suit. Furthermore, tampering with the administration of justice in the manner indisputably shown here involves far more than an injury to a single litigant. It is a wrong against the institutions set up to protect and safeguard the public, institutions in which fraud cannot complacently be tolerated consistently with the good order of society. Surely it cannot be that preservation of the integrity of the judicial process must always wait upon the diligence of litigants. The public welfare demands that the agencies of public justice be not so impotent that they must always be mute and helpless victims of deception and fraud.

Third, the Court challenged the Third Circuit's argument that the fraudulent conduct was not "basic" to the 1932 decision and the factual allegations in the article were actually true. Hartford persuaded the court of appeals to reverse the district court's judgment on the basis of the article, and is therefore estopped from claiming it was not effective. Moreover: "The article, even if true, should have stood or fallen under the only title it could honestly have been given—that of a brief in behalf of Hartford, prepared by Hartford's agents, attorneys, and collaborators,

There is very strong evidence and serious questions of jurisdiction and nullity orders that need to be addressed by higher courts. Because Homeowner has lost a \$5+MM investor due solely fraud caused errant "court orders posted online" and warning all citizens how bad the mortgagees are, Homeowner is posting his truth and law online website: www.unitedstatesdistrictcourtnortherngeorgia.com.

IN CONCLUSION Homeowner sincerely empathizes with Court to unpleasantness of matters, but asks Court take focus off pro se litigant and prioritize its own honor and per Canons the confidence of citizenry because the Mortgagees are shaming and whoring the courts with only defense being insane circular reasoning of misusing the defrauded Magistrate's erroneous Recommendations and Orders even contradicts case history— which proves monopoly of fraud on the courts! Homeowner in his sincere concern for Court and USA has provided an abundance of law, evidence and case history showing that even the DCN.GA has conflicted itself in rulings by different judges on same cases because of the fraud. Honorable Court has corrected itself on misapplication of Rule 72 and Homeowner hopes in

honor and submission to higher courts, not to pro se Homeowner, and in abundance of caution for Spirit and intent of law and justice to prevail, honorable Court will simply Stay the Mandate until rulings with a final non-appealable final order from higher courts.

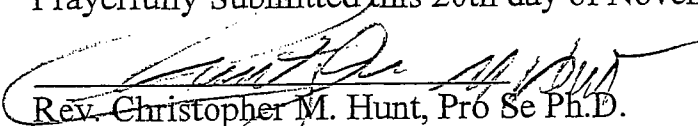
THEREFORE, per exhibits A & B Homeowner prayerfully requests Court:

1. Rule on own to vacate all orders, or at least Stay the Mandate and Remand and hold until a final non-appealable order from the USCA11 and U.S. Supreme Court. Any and all other relief and benefit allowed by law and Court's discretion so justice may prevail for Courts machinery of justice and millions of homeowners.

It's your Court, you decide if Lady Justice and Spirit and intent of law prevails for justice and truth or not; what your legacy will be for true Constitutional USA. You will stand before the ultimate Judge of all creation with eternal life v. hell in the balance. Since my home is used for ministry, please see www.GodIsLove.chURh.

The words of Chief Justice Marshall in Marbury v. Madison, 5 U.S. 137 (1803), must be heeded: "The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection. The government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested right."

Prayerfully Submitted this 20th day of November 2022


Rev. Christopher M. Hunt, Pro Se Ph.D.

5456 Peachtree Blvd, 410

Chamblee, GA 30341-2235

770-457-3300 1cor13cmh@gmail.com

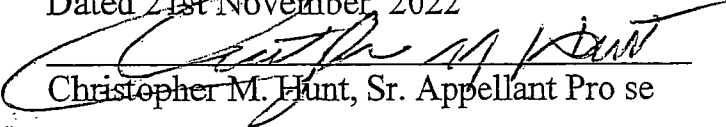
**JURY TRIAL AND APPELLANT REQUESTS ORAL ARGUMENTS IF
REQUIRED**

The Supreme Court, Federal Appeals Courts, and Federal law state that an attorney becomes an independent third party from the client and case when crimes are committed by the client and thereby attorney/client confidentiality is voided, to extent the attorney is even compelled to testify against his/her client! So even more when the attorney, who is sworn to highest ethics and entrusted Officer of the Court is first duty bound by Rule 3.3 Candor to the Tribunal. The issues to be addressed in instant case are the precedent and independent acts made by Mortgagees.

CERTIFICATE OF COMPLIANCE

1. This petition complies with the type-volume limitation of Fed. R. App. P. 35(b)(2)(A) because, excluding the parts of the brief exempted by Fed. R. App. P. 32(f) and 11th Cir. R. 35-1, this brief contains 2,811 words.
2. This brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced, 14-point Times New Roman font.

Dated 21st November, 2022



Christopher M. Hunt, Sr. Appellant Pro se

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CHRISTOPHER M. HUNT, SR.

Plaintiff

V.

NATIONSTAR MORTGAGE, DEUTSCHE
BANK NATIONAL TRUST COMPANY
JAY BRAY CEO NATIONSTAR
CHRISTIAN SEWING CEO DEUTSCHE
THE ALBERTELLI FIRM, PC

Defendants

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CIVIL ACTION NO.
1:20-cv-02359-TWT

DeKalb Case:
20cv3778

CERTIFICATE OF SERVICE

This certifies that today I served a copy of the foregoing NOTICE OF MOTION TO REOPEN CASES USCA11 WITH MOTION TO VACATE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 59 AND 60(B)(1-6) WITH MOTION FOR STAY OF THE MANDATE & REMAND by court electronic system and if requested first-class USPO this 21th day of November 2022 to:

Christopher Anulewicz
BALCH & BINGHAM LLP
30 Ivan Allen Jr. Boulevard, N.W.
Suite 700
Atlanta, Georgia 30308



Christopher Hunt, Pro Se
5456 Peachtree Blvd. 410
Chamblee, GA 30341-2235
(770) 457-3300 1cor13cmh@gmail.com

FRAP 26.1 Certifical Interested Parties (C-I-P)

1:20-cv-02359 C-I-P for Christopher Hunt, Sr. v. Nationstar, Mortgage, LLC, et al.

Pursuant to Federal Court Rules, Christopher M. Hunt, Sr. ("Homeowner"/ Appellant) hereby certify that the following is a complete list of all trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations that have an interest in the outcome of the present appeal, including subsidiaries, conglomerates, affiliates, parent corporations, and publicly held corporations that own 10% or more of the party's stock:

- **Albertelli Law**: Counsel for Mortgagees who participated in crimes by via illegal, contemptuous wrongful foreclosure, was paid % of KNOWN fraudulent inflated debt, violated O.C.G.A. § 14-2-1530 (5) and has defaulted on service for a fourth time after Balch coached how and when to remedy the fraud on courts "Compliant" company, has lost three federal cases as bad acting debt collector. Albertelli is always in CIPs as Defendant and CIP party and Mortgagees admit most questions of case involve mandated joinder party.
- **Aldridge Pite, LLP**: Law Firm of Dallas R. Ivey, Counsel Appellee DBTCA.
- **Anulewicz, Christopher Scott**: Counsel for Appellees Nationstar Mortgage, LLC and DeutscheBank National Trust Companies. "Christ?opher" apparently will do almost anything for bosses to keep "one of our largest clients" as he orchestrates everything from fraud on courts concerning case start of Albertelli's default after original TRO, falsifying "compliance", slandering Homeowner and knowingly citing bad law to bias courts, etc. Refuses to adhere to rules of ethics for federal and state courts.
- **Bray, Jay CEO**: Defendant (~~but—has not~~ wrong Christ?opher!) as CEO of Nationstar was served 6/8/20 so also defaulted since Christ?opher admits has not answered Complaint. Jay has acknowledged his braying and company so bad it has to be transformed beyond just name change.
- **Balch & Bingham LLP**: Law firm of Christopher S. Anulewicz (above), Brooke W. Gram (below), and Patrick N. Silloway (below), counsel for Appellees Nationstar Mortgage, LLC and Deutsche Bank National Trust Companies and have senior partners in prison for corrupting government officials.
- **Cohen, Mark H.**: U.S. District Judge for the Northern District of Georgia.

- **Dear Jackson, LaTisha:** Judge, Superior Court of DeKalb County who started as “court of equity” and granted second proven proper TRO that ended conflict and contempt of federal courts and original TRO, but then proven sold-out to violate laws and rules to make up for TRO to powerful attorneys and big business judges in DeKalb are some of most corrupt and incompetent in nation as many attorneys refuse to practice there.
- **Deutsche Bank National Trust Companies:** Deutsche Bank National Trust Companies is a national banking association organized under the law of the United States to carry on the business of a limited purpose trust company. Deutsche Bank is a wholly owned subsidiary of Deutsche Bank Holdings, Inc., which is a wholly owned subsidiary of Deutsche Bank Trust Corporation, which is a wholly owned subsidiary of Deutsche Bank AG, a banking corporation organized under the laws of the Federal Republic of Germany. No publicly-held company owns 10% or more of the Deutsche Bank AG's stock. Deutsche Bank's main office is in Los Angeles, California. Deutsche Bank's principal office of trust administration is in Santa Ana, California. As a national banking association, Deutsche Bank is operating illegally without being registered in headquarters state with registered agent in violation to U.S. Supreme Court *American Bank & Trust Co. v. Federal Reserve Bank*, 256 U.S. 350 (1921) A federal reserve bank is not a national banking association within § 24, cl. 16, of the Judicial Code, which declares that such associations, for the purposes of suing and being sued, shall (except in certain cases) be deemed citizens of the states where they are located. P. 256 U.S. 357. Christopher never corrected Homeowner filing but still files “~~may do business in all 50 states in the United States without having to be registered as a foreign corporation or otherwise be registered or licensed in any individual state in order to conduct business in the state~~”; Deutsche is one of main culprits causing “Great Recession”, featured bank in movie *The Big Short*, U. S. fined Deutsche \$7.2 Billion, 60 minutes expose \$100+ Billions money laundering, violated banking rules to obtain and maintain known child pedophile sex trading Epstein account, instant case violated federal banking laws, committed first breach, fraud, etc. ***NOTE: CONTRADICTS Aldridge Pite’s 22-11463 Deutsche Bank Trust Company Americas, as Trustee: Appellee. DBTCA is a New York state chartered banking corporation with fiduciary powers duly organized under the laws of the State of New York. DBTCA is a wholly owned subsidiary of Deutsche Bank Trust Corporation, a New York corporation. Deutsche Bank Trust Corporation is a wholly owned subsidiary of DB USA Corporation, a corporation organized and existing under the laws of the State of Delaware. DB USA

Corporation is a wholly owned subsidiary of Deutsche Bank AG. Deutsche Bank AG (DB:U.S.; DBK:GR) is a German multinational investment bank and financial services company headquartered in Frankfurt, Germany, and is dual listed on the Frankfurt Stock Exchanges and the New York Stock Exchange. Deutsche Bank AG is not a subsidiary of any parent corporation, and no publicly held corporations own 10% or more of the stock of Deutsche Bank AG. Is also operating illegally without being registered in headquarters state of New York without a registered agent in violation to U.S. Supreme Court *American Bank & Trust Co. v. Federal Reserve Bank*, 256 U.S. 350 (1921) to avoid taxes and accountability of juries?!!

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Hunt, Sr., Christopher M.: Appellant; "Homeowner" has always been 100% honest, court honoring and legally right per U.S. Supreme Court, DCMG, DCNG, OCGA, federal banking laws, TROs.

KKR Wand Investors Corporation: KKR Wand Investors Corporation, is a Delaware corporation which has no parent corporation and is not publicly held; SEC violations misallocating more than \$17 million in so-called "broken deal" expenses to its flagship private equity funds in breach of its fiduciary duty. KKR agreed to pay nearly \$30 million including a \$10 million penalty.

Mr. Cooper Inc.: Mr. Cooper Inc. (NASDAQ ticker: COOP) is owned by KKR Wand Investors Corporation; is new rebranding attempt AKA Nationstar so corrupt and incompetent that still local Dallas paper was critical of name change without character and performance change.

Nationstar Mortgage LLC: Nationstar Mortgage LLC is wholly owned by Nationstar Sub1 LLC and Nationstar Sub2 LLC. Nationstar Sub1 LLC and Nationstar Sub2 LLC are both wholly owned by Nationstar Mortgage Holdings, Inc., a publicly-traded company. (NYSE ticker: NSM); so bad that even name change cannot transform admitted bad culture and customer abuse and recently lost \$3Millions case on RESPA violations.

Sewing, Christian: ~~Named as Defendant below but did not receive service~~ Plaintiff voluntarily dismissed as a defendant on 8/17/20 after translating Complaint because instant case is won, and he is in so much trouble for other things that more accountability not needed (See Deutsche)

- **Silloway, Patrick N.:** Counsel for Appellees Nationstar Mortgage, LLC and Deutsche Bank National Trust Companies, needs to start making an honest living. These attorneys need to withdraw or stop the bad filings.
 - **Thrash Jr. Thomas W.:** District Judge for the Northern District of Georgia; severely prejudiced by misplaced trust in bad acting debt collector attorneys' slander, bad law cites and Magistrate's erroneous report...
 - **Walker, Linda T.:** Magistrate Judge for the Northern District of Georgia – motion to reconsider proves something seriously wrong...
- Respectfully submitted this 20th day of November 2022.

//Christopher M. Hunt, Sr.// (electronic signature)

Christopher M. Hunt, Sr. forced Pro Se Appellant Homeowner
5456 Peachtree Blvd, #410
Chamblee GA 30341-2235
770-457-3300 1cor13cmh@gmail.com

EXHIBIT A & FYI

INITIAL CERTIORARI GEORGA SUPREME COURT and all the previous filings of S22D1064 and A22D0447 avers: Per Lady Justice “she” Wisdom of Proverbs by wisest judge to ever rule, Biblical Solomon “dividing baby case” proven basis for Spirit and intent of USA law, 18:5 “It is not good to show partiality to the wicked, or to overthrow the righteous in judgment.” While trying to learn how the Certiorari should be formatted, I saw where Court recently granted a Certiorari on a case where a woman with her young kids in the house was raped and scarred by boiling water and the Certiorari was granted to the admitted guilty criminals because of a legal procedure in trial S21C0949, S21G0949 *PALENCIA v. THE STATE*. While incomparable in human suffering of that victim (Jesus please help woman and children heal in every way and criminals repent so not go to hell) to instant case, also incomparable are the severity of instant case violations of laws and procedures to the minor singular procedural error – understanding and agreeing the protection of innocent is important - remembering instant case has 100% legally right Homeowner who built home, raised children, made perfect payments until Mortgagees court affirmed breach of contract represents hundreds of thousands of homeowners in Georgia and millions in USA losing homes to proven sociopathic, greedy, white-collar criminal Mortgagees. Certiorari concern violations of laws and court errors foundational to court procedures for justice to prevail.

Petition for Certiorari is in agreement with U. S. Supreme Court:

The words of Chief Justice Marshall in *Marbury v. Madison*, 5 U.S. 137 (1803),

IN CLOSING it is proven by more than a dozen primal law and court procedures violations the Mortgagees never had standing in the state courts and the state courts never had any jurisdiction on the Mortgagees cases since their removals. **The Supreme Court, Federal Appeals Courts, and Federal law state that an attorney becomes an independent third party from the client and case when crimes are committed by the client and thereby attorney/client confidentiality is voided, to extent the attorney is even compelled to testify against his/her client! So even more when the attorney, who is sworn to highest ethics and entrusted Officer of the Court is first duty bound by Rule 3.3 Candor to the Tribunal. The issues to be addressed in instant case are the precedent and independent acts made by Mortgagees.**

THEREFORE, include and reference all filings in the S22D1064 and Court of Appeals A22D0447. Appellant prayerfully requests the honorary Supreme Court of Georgia grant this Certiorari and void all state nullity orders to bring the current rogue Georgia courts back into conformity with the U.S. Supreme Court, Federal laws, Georgia laws and order the Mortgagees to get their insurance company to put a new roof on my home since they cancelled Homeowner’s more than ten years ...

No. 21-10398-JJ

Related Cases: 22-11463-J 20-12310-J, 20-13439-J, 21-10262-J,

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

CHRISTOPHER M. HUNT, SR.

APPELLANT

V.

**NATIONSTAR MORTGAGE, LLC
DEUTSCHE BANK NATIONAL TRUST COMPANIES
JAY BRAY, CEO Nationstar
THE ALBERTELLI FIRM, P.C.**

APPELLEES

**On Appeal from the United States District Court
For the Northern District of Georgia
1:20-cv-02359-TWT-LTW
DeKalb Case: 20cv3778
Related Case History:
DCNG: 1:14CV03649
DeKalb: 20-3778 & 14CV8532**

**EMERGENCY MOTION TO REOPEN CASE FOR RELIEF PER WRIT OF
ERROR RULE 59(e)(1-4) WITH VACATE DUE TO FRAUD ON COURT
60(b)(1-6) WITH MOTION TO RECALL THE MANDATE**

**APPELLANT/Plaintiff/ "Homeowner"
Rev. Christopher M. Hunt, Sr. Ph.D. Pro Se
5456 Peachtree Blvd. 410
Chamblee, Georgia 30341-2235
1Cor13cmh@gmail.com
770-457-3300**

FRAP 26.1 Certifical Interested Parties (C-I-P)

Appeal 21-10398 Christopher M. Hunt, Sr. v. Nationstar, et al

C-I-P for Christopher Hunt, Sr. v. Nationstar, Mortgage, LLC, et al.

Appeal No. 20-13439-J

Pursuant to Eleventh Circuit Rule 26.1-1, Christopher M. Hunt, Sr.

("Homeowner"/Appellant) hereby certify that the following is a complete list of all trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations that have an interest in the outcome of the present appeal, including subsidiaries, conglomerates, affiliates, parent corporations, and publicly held corporations that own 10% or more of the party's stock:

- **Albertelli Law:** Counsel for Mortgagees who participated in crimes by via illegal, contemptuous wrongful foreclosure, was paid % of KNOWN fraudulent inflated debt, violated O.C.G.A. § 14-2-1530 (5) and has defaulted on service for a fourth time after Balch coached how and when to remedy the fraud on courts "Compliant" company, has lost three federal cases as bad acting debt collector. Albertelli is always in CIPs as Defendant and CIP party and Mortgagees admit most questions of case involve mandated joinder party.
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- **Anulewicz, Christopher Scott:** Counsel for Appellees Nationstar Mortgage, LLC and DeutscheBank National Trust Companies. "Christ?opher" apparently will do almost anything for bosses to keep "one of our largest clients" as he orchestrates everything from fraud on courts concerning case start of Albertelli's default after original TRO, falsifying "compliance", slandering Homeowner and knowingly citing bad law to bias courts, etc. Refuses to adhere to rules of ethics for federal and state courts.
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- **Cohen, Mark H.:** U.S. District Judge for the Northern District of Georgia.

- **Dear Jackson, LaTisha:** Judge Superior Court of DeKalb County, who as “court of equity” granted second proven proper TRO that ended Mortgagees conflict, contempt of federal courts, original TRO, **and has now by proper order ended subsequent conflict** caused by Mortgagees unethically tricking to void TRO and illegal Supersedeas.

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expose \$100+Billions money laundering, violated banking rules to obtain and maintain known child pedophile sex trading Epstein account, instant case violated federal banking laws, committed first breach, fraud, slander etc.

***NOTE: CONTRADICTS Aldridge Pite's 22-11463 Deutsche Bank Trust Company Americas, as Trustee: Appellee. DBTCA is a New York state chartered banking corporation with fiduciary powers duly organized under the laws of the State of New York. DBTCA is a wholly owned subsidiary of Deutsche Bank Trust Corporation, a New York corporation. Deutsche Bank Trust Corporation is a wholly owned subsidiary of DB USA Corporation, a corporation organized and existing under the laws of the State of Delaware. DB USA Corporation is a wholly owned subsidiary of Deutsche Bank AG. Deutsche Bank AG (DB:U.S.; DBK:GR) is a German multinational investment bank and financial services company headquartered in Frankfurt, Germany, and is dual listed on the Frankfurt Stock Exchanges and the New York Stock Exchange. Deutsche Bank AG is not a subsidiary of any parent corporation, and no publicly held corporations own 10% or more of the stock of Deutsche Bank AG. Is also operating illegally without being registered in headquarters state of New York without a registered agent in violation to U.S. Supreme Court American Bank & Trust Co. v. Federal Reserve Bank, 256 U.S. 350 (1921) to avoid taxes and accountability of New York juries?!!

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- **Sewing, Christian:** ~~Named as Defendant below but did not receive service~~ Plaintiff voluntarily dismissed as a defendant on 8/17/20 after translating Complaint because instant case is won, and he is in so much trouble for other things that more accountability not needed (See Deutsche)
- **Silloway, Patrick N.:** Counsel for Appellees Nationstar Mortgage, LLC and Deutsche Bank National Trust Companies, needs to start making an honest living. These attorneys need to withdraw or stop the bad filings.
- **Thrash Jr. Thomas W.:** District Judge for the Northern District of Georgia; severally prejudiced by misplaced trust in bad acting debt collector attorneys' slander, bad law cites and Magistrate's erroneous report...
- **Walker, Linda T.:** Magistrate Judge for the Northern District of Georgia – motion to reconsider proves something seriously wrong...

Respectfully submitted this 20th day of November, 2022.

//Christopher M. Hunt, Sr.// (electronic signature)

Christopher M. Hunt, Sr. forced Pro Se Appellant Homeowner
5456 Peachtree Blvd, #410
Chamblee GA 30341-2235
770-457-3300 1cor13cmh@gmail.com

**EMERGENCY MOTION TO REOPEN CASE FOR RELIEF PER WRIT OF
ERROR RULE 59(e)(1-4) WITH VACATE DUE TO FRAUD ON COURT
60(b)(1-6) WITH MOTION TO RECALL THE MANDATE**

COMES NOW Petitioner "Homeowner" pro se forced pro se against desires because rogue Respondent Deutsche "Mortgagees" have temporarily stolen \$400,000 in violation of 28 U.S.C. § 1450, in contempt of standing state order TRO against Foreclosure etc., in violation of federal court jurisdiction after Mortgagees partner in crime Nationstar improperly via fraud removed from state the Homeowner's lawsuit after their default, in violation to this Court's jurisdiction, violated RESPA laws as Homeowner is a winning member of class action lawsuit *ROBINSON* and frauded a state magistrate judge and two state superior court judges and all the purely defensive lawsuits caused by Mortgagees illegal actions and fraud incited court errors, and files this **EMERGENCY MOTION TO REOPEN CASE FOR RELIEF PER WRIT OF ERROR RULE 59(e)(1-4) WITH VACATE DUE TO FRAUD ON COURT 60(b)(1-6) WITH MOTOIN TO RECALL THE MANDATE** and avers,

1.

INTRODUCTION

Per Lady Justice "she" Wisdom of Proverbs by wisest judge to ever rule, Biblical Solomon "dividing baby case" proven basis for Spirit and intent of USA law, 18:5 "It is not good to show partiality to the wicked, or to overthrow the

righteous in judgment.” Homeowner must keep his home protected against the white-collar criminal Mortgagees who deceived and manipulated Court by fraud and caused error. Court was recently honorable when Homeowner showed Court there were contradictions in the rules between the lawyers rules and the Pro Se handbook the Court granted the extension and refile. The same needs to done to grant REOPENING CASE AND ADDRESS ALL THE ISSUES for Writ of Error and VACATE DUE TO FRAUD ON COURT 60(b)(1-6).

This honorable Court has not seen all the evidence of WRIT OF ERROR and FRAUD upon the Court that has occurred over the years in the many Mortgagees caused cases at one time so like unconnected pieces to a puzzle has not been able to see the true picture, nor has seen the new evidence not yet ruled upon about Deutsche operating illegally in USA because the monopoly of fraud has prevented even one of the true merits of case to be addressed! The proven new, comprehensive and complete monopoly of fraud upon the courts has created the insane circular reasoning so that this honorable Court erred by unquestioningly upholding the adopted proven defrauded Magistrate’s erroneous Recommendations and Orders that became Mortgagees only cited defense for all their fraud and illegal acts. The Writ of Errors never addressed are so severe they contradict this court and Judge Story of DCN.GA rulings the Mortgagees breached contract by first time ever contradicting case history and slandering Homeowner defaulted!!!

The Court needs to reopen the case and see the completed puzzle proving Writ of Error and Fraud Upon the Court and rule per each never before addressed Homeowner's Objections and Corrections that the absolute monopoly of fraud on courts has created so no truth is accepted nor machinery of justice able to operate. PLEASE for the true Spirit and intent of U.S. Constitution and for Court's honor and per Canons for confidence of the citizens!

An example of just one Writ of Error was in previous case after Court properly ruled the Mortgagees breached the contract Court— as did Judge Story in DCN.GA ruled Mortgagees breached the contract but fraud prevailed in dismissal without prejudice - Court failed to address the timely filed objection as Writ of Error to correct inapplicable *HOLIDAY HOSPITALITY FRANCHISING, LLC V. OAKBROOK REALTY AND INVESTMENTS, LLC*, et al., No. 19-15063 (11th Cir. 2020). *HOLIDAY* had two parties signatures with two classes of signatures sealed and unsealed when instant case has only Homeowner and sealed. The ruling was complete error in contradiction to O.C.G.A. and often cited *MALONE* statute of limitations of 21 years but Court erred due to Fraud by Dismissal without Prejudice with instructions to file Mortgagees again. The fraud causes error of res judicata.

Under Rule 59(e), "a motion to alter or amend a judgment must be filed no later than 28 days after the entry of the judgment." Fed. R. Civ. P. 59(e). A motion to amend a judgment under Rule 59(e) is appropriate if "(1) the motion is necessary to

correct manifest errors of law or fact upon which the judgment is based; (2) the moving party presents newly discovered or previously unavailable evidence; (3) the motion is necessary to prevent manifest injustice; or (4) there is an intervening change in controlling law." *Turner v. Burlington Northern Santa Fe R. Co.*, 338 F.3d 1058, 1063 (9th Cir. 2003) (internal quotation marks omitted). Courts are supposed to look out for pro se and not hold them to technicalities so please this matter needs to be corrected. Homeowner met all requirements in July 21st filing to APPELLANT'S MOTION TO RECONSIDER WITH NOTICE OF INTENT TO EN BANC in 22-11463 that Motion to join never ruled on so puzzle pieces were not connected!

1.

ERROR RULING IN VIOLATION TO U. S. SUPREME COURT

Homeowner believes this honorable Court must be unaware of recent Supreme Court ruling concerning essence of instant case due to its erroneous "lack of subject jurisdiction" in apparent boiler plate cites to inapplicable subordinate cases. Homeowner humbly and prayerfully Motioned this Court to Reconsider its errant ruling of only an extremely narrow repeat of a proven erroneous DCNG order that, like this Court's ruling, is error in contradiction to U.S. Supreme Court ruling by refusing to address any of the legally mandated prevailing entirety of Homeowner's appeal per 14th Amendment and 28 U.S. CODE § 1447(d).

Supreme Court of the United States syllabus *BP P. L. C. ET AL. v. MAYOR AND CITY COUNCIL OF BALTIMORE* CERTIORARI TO THE UNITED STATES

COURT OF APPEALS FOR THE FOURTH CIRCUIT No. 19–1189. Argued January 19, 2021—Decided May 17, 2021:

The Fourth Circuit erred in holding that it was powerless to consider all of the defendants’ grounds for removal under §1447(d). In light of that error, the defendants ask us to consider some of those additional grounds ourselves. That task, however, does not implicate the circuit split that we took this case to resolve and we believe the wiser course is to leave these matters for the Fourth Circuit to resolve in the first instance. See *Brownback v. King*, 592 U. S. ____, ____, n. 4 (2021) (slip op., at 5, n. 4). The judgment of the Fourth Circuit is vacated, and the case is remanded for further proceedings consistent with this opinion. So ordered.

2.

MATTERS FOR GRANTING MOTION

Homeowner appealed per 28 U.S. Code §1447(d) and 14th Amendment the April 21st Order to Remand. Mortgagees apparently are again trying to misuse state courts and Marshals to secretly rush an illegal eviction without a final, non-appealable order! Homeowner by DCNG Order cannot file a motion to reconsider so immediately filed appeal into jurisdiction of 11USCA to prevent illegal acts by Mortgagees in nullity state cases. As forewarned due to Mortgagees fraud and violations of Candor to the Tribunal Court refuses to even uphold its federal court jurisdiction! Also fails to abide by all the cites in Objections of federal laws, authorities and recent cases 100% supporting homeowner! DCN.GA erred “fanciful language” cites of U.S. Supreme Court, U.S. Court of Appeals, District Courts, Federal Laws, State O.G.G.A. §, etc. No federal officer working under

color of authority can act in such conflict to law that it violates the 14th

Amendment Section 1:

... nor shall any State deprive any person of life, liberty, **or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.**

Order of Remand is as fatally flawed as DCN.GA previous misuse of Rule 72 in attempt to abort justice! When Homeowner proved in Motion to Reconsider that was fatally flawed false due to fraud on the courts, DCN.GA similarly improperly refused to address any of the 100% valid Objections by then calling all cited authorities “frivolous”. DCN.GA is like the district court that enabled the gang rape of a female minor on a cruise liner by now enabling the financial gang rape of Homeowner. DCN.GA even falsely claimed no federal laws were cited despite Homeowner’s clear quotes of Mortgagees own filing stating Homeowner claims violations of Sarbanes-Oxley Act and The Dodd-Frank Wall Street Reform and Consumer Protection Act!!! Homeowner still believes 11USCA will rule properly as gang rape case.

Court erroneously claimed “de novo” but refuses to even address “plain error on the face of the record” per cited United States v. Slay 714 F.2d 1093, 1095, (11th Cir. 1983) because it is impossible for Homeowner to be evicted when he is a winning member of class action lawsuit for RESPA violations *Robinson vs Nationstar* that wipes out all already no jurisdiction nullity state orders and any previous federal court rulings! Court’s “de nova” is a clear violation of cited

Williams v. McNeil abuse of way too extreme discretion not to even look at the original foreclosure and all subsequent illegal acts done in the state court being nullities due to committed in violation of federal court 11USCA jurisdiction and in contempt of standing state TRO - Order for Remand violates 28 U.S.C. §1450.

Only ex parte fraud on the presiding judge prevented the Court jurisdiction honoring TRO against foreclosure being issued. The presiding judge, who recognized Homeowner from a previous custody case had unrequested recused herself due bias was derelict in duty after seeing indisputable evidence the foreclosure would be illegal, contemptuous with no jurisdiction violation of standing state TRO and Rule 28 § 1450 gave as her reason the obvious Mortgagees ex parte fraud interference of ongoing federal case default vs fraud no service and said, "You can sue for wrongful foreclosure." This shows the perpetuation of horrendous negative effects of fraud on the courts. This demands thorough de novo review of history of cases to see the truth of completed puzzle of spider web monopoly of fraud on courts exasperating the bias and prejudice of courts against pro se litigants that federal judge Posner cited in reason for resigning.

Fraud is proven by No Order since defrauded Magistrates Recommendations has even addressed one thing the Homeowner filed in Objections and Corrections! Courts due to monopoly of fraud only opine "Frivolous" and/or "Dismiss". The Mortgagees misuse the defrauded Magistrates Recommendations as only defense

creating insane circular reasoning – with my house, court’s honor and thousands of homeowners rights at risk. The fraud and Writ of Errors conflicts with congressional law and jurisdiction:

Congress deprived state courts of the power they normally have - that is, the power to decide their own jurisdiction. *E.g.*, American Fire & Cas. Co. v. Finn, 341 U.S. 6 (1951); Landry v. Cornell Constr. Co., 87 R.I. 4, 137 A.2d 412 (1957). **Federal decisions usually speak of a duty of the court to raise the jurisdictional issue.** *E.g.*, Clark v. Paul Gray, Inc., 306 U.S. 583, 588 (1939); St. Paul. Mercury Indem. Co. v. Red Cab Co., 303 U.S. 283, 287, n.10 (1938).

Order contradicts even cited Mortgagees admission by waiver in 11USCA proving state never had jurisdiction! Page 4 raises concerns of Court’s competency and/or if not having been bribed (as Balch has senior parties in prison for bribing government officials) because the Objections prove that the state dispossessory actions were done in contempt of federal court jurisdiction and the matter of jurisdiction was instantly raised in Homeowner filing! By this fatally flawed Order any mortgage company in federal courts can improperly substitute plaintiffs and counsel (i.e.: Deutsche for Nationstar and Aldridge Pite for Albertelli) , in contempt of federal court jurisdiction, DCN.GA order and violation of 28 U.S.C. §1450 and go into a state court in violation of Candor to Tribunal trick a state court judge during improper ex parte hearing into thinking it has jurisdiction to issue a dispossessory eviction, Mortgagees not give any notice of such a nullity ruling, misuse marshals to help them in felony white-collar crime, etc. **then Mortgagees**

and federal Courts claim nothing can be done by federal courts to right the wrongs in state court, not even uphold the congressional mandated federal

court jurisdiction – because “exclusively a matter of state law”! Homeowner therefore has no more means to undue the illegal acts that deprive Homeowner of Constitutional right of property and 14th Amendment than a slave to free himself or later overcome Jim Crow segregation laws without federal intervention. Order is in conflict and contradicts all cites in Objections.

THEREFORE appeal is proper and mandated per 28 U.S. Code § 1447 (d):

An order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise, except that an order remanding a case to the State court from which it was removed pursuant to section 1442 or 1443 of this title shall be reviewable by appeal or otherwise.

28 U.S. Code § 1443 (2) - Civil rights cases

Any of the following civil actions ... commenced in a State court may be removed by the defendant to the district court of the United States for the district and division embracing the place wherein it is pending:

- (1) Against any person who is denied or cannot enforce in the courts of such State a right under any law providing for the equal civil rights of citizens of the United States, or of all persons within the jurisdiction thereof;
- (2) For any act under color of authority derived from any law providing for equal rights, or for refusing to do any act on the ground that it would be inconsistent with such law.

18 U.S. Code § 242 - Deprivation of rights under color of law

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States,

Supreme Court and all courts are upholding the Constitutional right of property per cited *JESINOWSKI, MALONE, ROBINSON*, First Breach of contract, Deutsche standing in USA and Court(s), state jurisdiction of nullity orders, who the hell is Nazi acting German Deutsche per conflicting C-I-Ps (see C-I-P), etc.

3.
CITES OF 11USCA

In respect to Court, addressing the cites:

MSP Recovery Claims, Series LLC v. Hanover Ins. Co., 995F.3d 1289, 1294 (11th Cir. 2021);

The pertinent part is: However, Section 1447(d) renders unreviewable only the kinds of remand orders listed in Section 1447(c): remands "on the basis of any defect **other than lack of subject matter jurisdiction**" that is raised "within 30 days after the filing of the notice of removal." 28 U.S.C. § 1447(c); see *Hunter v. City of Montgomery, Ala.*, 859 F.3d 1329, 1333 (11th Cir. 2017). Consequently, if a remand order is for lack of subject matter jurisdiction or if it follows a timely motion, then "we are precluded from reviewing such a remand order whether or not that order might be deemed erroneous by us." See *Corp. Mgmt. Advisors, Inc. v. Artjen Complexus, Inc.*, 561 F.3d 1294, 1296 (11th Cir. 2009) (cleaned up).

Homeowner asks this Court how this cite applies to instant case in any way other than supporting Homeowner. MSP recovery supports Homeowner in that the state is the one that never had jurisdiction and was in conflict to federal court jurisdiction and orders!!! Instant case is about Homeowner cited congressional and U. S. Supreme Court mandate to uphold federal court jurisdiction. Homeowner cites prove the state courts cannot even decide its own jurisdiction. Didn't the Civil War decide all this many years ago? It is impossible to conceive the 11USCA "is

precluded from reviewing such a remand order whether or not that order might be deemed erroneous by us.” The Supreme Court in 2021 *BP P. L. C. ET AL v BALTIMORE* case solved but USCA11 creates question: to whom per Constitution, U.S. law and courts is a district court judge’s orders accountable and reviewable?

Homeowner has never made a Motion to Remand except in case wherein the Mortgagees defaulted in state but proven fraud on courts effecting the machinery of justice delivered Mortgagees from instant karma default, so we are here today. Now Mortgagees are improperly making Court err wanting remand only because they at best proven improperly compromised (Balch has senior partners in prison for corrupting government officials) state courts to have illegally obtained dispossessory after wrongful contemptuous foreclosure!

1447(c) A motion to remand the case on the basis of any defect other than lack of subject matter jurisdiction must be made within 30 days after the filing of the notice of removal under section 1446(a). If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.

Homeowner’s position is proven by cited U.S. Supreme Court *BP P. L. C. ET AL. v. MAYOR AND CITY COUNCIL OF BALTIMORE* and Homeowner’s clear reference to 1442:

1447(d) An order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise, except that an order remanding a case to the State court from which it was removed pursuant to section 1442 or 1443 of this title shall be reviewable by appeal or otherwise.

Concerning Instant case is proven not to be immune by:

Hunter v. City of Montgomery, Ala., 859 F.3d 329, 1333 (11th Cir. 2017).

see also Quackenbush , 517 U.S. at 711–12, 116 S.Ct. at 1718(explaining that " § 1447(d) must be read in pari materia with § 1447(c), so that only remands based on grounds specified in § 1447(c) are immune from review under § 1447(d)".

4.

VACATE DUE TO FRAUD ON COURT 60(b)(1-6)

Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238, 245-246 (1944)

created the standard for fraud on the court and is perfectly applicable to instant case:

This case involves the power of a Circuit Court of Appeals, upon proof that fraud was perpetrated on it by a successful litigant, to vacate its own judgment entered at a prior term and direct vacation of a District Court's decree entered pursuant to the Circuit Court of Appeals' mandate.

A final judgment can also be overturned by a motion, pursuant to Federal Rule of Civil Procedure 60(d)(3), as incorporated into the Bankruptcy Rules by Rule 9024, to vacate a where “the integrity of the judicial process ha[s] been fraudulently subverted” and does not include fraudulent conduct that only affects a party to the action. *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238, 245-246 (1944)

The filings for USCA11 21-10398 and 22-11463 are Exhibits A and B for DCN.GA 20-cv-02459 giving law and evidence for Writ of Error and Vacating for Fraud and why this honorable Court needs to Stay the Mandate until there are rulings from USCA11 and U.S. Supreme Court as Exhibit previously filed into this Court:

Emergency Application for Writ of Injunction with notice of Certiorari. The evidence emphasizes the fraud in Court.

Federal Rule of Civil Procedure 60 sets forth the grounds under which a judgment may be set aside, but Rule 60(d)(3) states Rule 60 does not limit a court's power to set aside a judgment for fraud on the court. *Ehrenberg v. Roussos (In re Roussos)*, 541 B.R. 721 (Bankr. C.D. Cal. 2015)

Rule 60(d)(3) is the codification of a court's inherent power to investigate whether a judgment was obtained by fraudulent conduct. *Universal Oil Products Co. v. Root Ref. Co.*, 328 U.S. 575, 580 (1946). There is no statute of limitations for a fraud on the court claim and a court may consider such a claim even if no adversarial parties are before the court. *In re Roussos*, 541 B.R. at 729. Homeowner adequately pleads a fraud on the court claim by proving "a scheme by which the integrity of the judicial process had been fraudulently subverted" and involves far more than an injury to only himself *Addington v. Farmer's Elevator Mut. Ins. Co.*, 650 F.2d 663 (5th Cir. 1981). The *Met-L-Wood Corp.*, 861 F.2d at 1016 Case was perfectly aligned with instant case of balancing a possible fraud on the court claim with the policy of protecting statute of limitations of 21-year-old final sale order, equivalent to instant case statute of limitations sealed contract. Exhibits A and B prove applicable to instant case because previous associated cases DCN.GA Judge Story ruled

Mortgagees had “breached the contract” and “could not ascertain how Deutsche was associated with loan” so dismissed cases but without prejudice with instructions to serve Mortgagees again solely due fraud on courts prevailing over Mortgagees default of proper service fulfilling *Martina Theatre Corp. v. Schine Chain Theatres, Inc.*, 278 F.2d 798, 801 (2d Cir. 1960): “Fraud on the court will, most often, be found where the fraudulent scheme defrauds the “judicial machinery” or is perpetrated by an officer of the court such that the court cannot perform its function as a neutral arbiter of justice.” Judge Story was for unknown reasons replaced in instant cases by another magistrate judge who also, as was Judge Story, proven adversely effected by a Fraud directed at the “judicial machinery” can mean conduct that fraudulently coerces or influences the court itself or a member of the court, such that the impartial nature of the court has been compromised i.e.: “Frivolous” “bonds” etc. *Bulloch v. United States*, 721 F.2d 713, 718 (10th Cir.1983) Homeowner has invoked Candor to the Tribunal innumerable times: “An attorney, as an officer of the court, has a duty of honesty towards the court.” *TRI-CRAN, INC., v. FALLON* Bankruptcy No. 85-1253-CJK. Adv. No. 88-1241. March 17, 1989 . As unpleasant as it is for Court to deal with a pro se proving debt collecting attorneys neglected their duty and obtained judgments based on conduct that actively defrauds the court, such judgment may be attacked, and subsequently overturned, as fraud on the court. *H.K. Porter Co. v. Goodyear Tire & Rubber Co.*, 536 F.2d 1115, 1119 (6th Cir. 1976) Fraud on the

court can be found where the debtor's attorney proffers a material misrepresentation in order to obtain a judgment. *In re Tri-Cran*, 98 B.R. at 624.

5.

FRAUD ON THE COURTS

Following are not all the factual acts of Fraud on the Courts fulfilling all the cited mandates due to time constraints to be filed by Monday morning and used to prevent the erroneous Mandate and Remand of DCN.GA into state courts enabling the illegal eviction of 100% legally right Homeowner! Also See Exhibit A1-4 Timeline.

NOT ONE OF MAIN ISSUES OF CASE HAS EVER BEEN ADDRESSED DUE

TO FRAUD. All Dismissed Without Prejudice or erroneous "Frivolous". The

Mortgagees have misused the insanely circular reasoning of citing the DCN.GA

magistrate order obtained by fraud on the courts to justify to this Court their position

instead of legally required answer the questions and present superior law.

- Mortgagees frauded the courts by not informing Courts Homeowner was winning member #FF64929439 in *ROBINSON V. NATIONSTAR MORTGAGE LLC* (8:14-cv-03667 DCMDGreenbelt 2021) all Jurisdictional laws and rules to which the petition is addressed and consideration by the full court is therefore necessary to secure and maintain uniformity of the court's decisions. Mortgagees are operating in bad faith litigation to continue to pursue instant case after losing underlying case that voids all orders as nullities and moots their cases against Homeowner

- Mortgagees frauded Court by misrepresenting to courts that Albertelli was Secretary of State “compliant” so after the attempted sheriff service was unethically rejected, the sheriff affidavit quoted employee instructed to reject service “(Albertelli who is based in Florida but perjured to Secretary of State to form and registered his company to be agent in Georgia) He does not work in this office” proving he was not only not compliant but was formed in perjury and defaulted on service and destroyed diversity. The Federal Courts never had jurisdiction so any claims of res judicata are false. The fraud on those earlier cases not discoverable until they thought they had prevailed then was discoverable proven by changing registered agent from Albertelli to CSC. CSC originally only had a mail slot so required Secretary of State service that was defaulted then only had non-authorized employees so secretary of state service defaulted again. The Writ of Error due the fraud of non-compliant a ruling contradiction of law and all courts rules for service, “They can appoint whoever they want” so mentally impaired, part time minor janitor?! Homeowner recommended foreign service companies must hire court authorized private servers as de facto what they are and provides better jobs. Per Rule 35 decision of the division conflicts with service jurisdiction laws per very apropos albeit revealing antiquated *Harris v. Hardeman*, 55 U.S. 14 How. 334 334 (1852) showing evolution of proper service to authorized position was “white”; *Don Gible et al., v. Car-lene Research.*, No. A079078 ruling supports Homeowner’s En Banc who and how to serve non-compliant companies; O.C.G.A. § 14-2-1530 (5) fraudulently formed companies make applicant personally and corporately liable

therefore properly joined void ab initio jurisdiction due no consent, unanimity, etc., additionally Panel II confirmed Mortgagees wrongfully foreclosed in contempt of this Court on page 2 so lawsuit valid on all parties; and *Henderson v. Cherry, Bekaert Holland* 932 F.2d 1410, 1411 (11th Cir. 1991) state law is authority until Removal. Removal was after the Default per Exhibit A proper Secretary of State service.

- C-I-P for cases 21-10398 and 22-11463 prove Deutsche are operating illegally in USA and have to sanding to enforce contracts. When Homeowner complained that Deutsche was operating in fraud in Violation to United States Supreme Court *AMERICAN BANK & TRUST CO. V. FEDERAL RESERVE BANK*, 256 U.S. 350 (1921) Mortgagees changed Deutsche to another not legally registered in New York! Both frauds are to avoid state taxes and juries. Not one court has addressed this!
- *Fraud in State Courts causing Writ of Error nullity orders: case 18-cv-4005 filing ERRORS IN FRAUDULENTLY OBTAINED ORDER DUE FRAUD UPON COURTS*

The order of 3/27/19 has extreme errors as drafted by the Defendants, Deutsche who was recently fined \$7.2Billions for doing illegal acts similar to what doing in this Court, went rouge from Nationstar, who did illegal foreclosure. Once the appealed wrongful foreclosure has final non-appealable order then it is Nationstar, not Deutsche, is only one who has right to evict and dispossess Homeowner. SEE QUOTE OF FEDERAL JUDGE OPINING DEUTSCHE CANNOT BE INVOLVED IN CASE! *Exhibit A page 29 **BOLD HIGHLIGHT*** So Order contradicts District Court Federal judge ruling!!!!

Deutsche hired Defendants Pite and Wallach who are bad acting debt collector – not just a law firm and an attorney, but acting as debt collector are liable as proven by many federal cases wherein judges are now holding accountable bad acting debt collectors who happen to be attorneys. Pite has lost lawsuits acting as bad debt collector! The Defendants admit the appealed wrongful foreclosure was removed from the jurisdiction of this Court into Federal Court! That is why they are being sued for doing dispossessory and eviction due fraud upon courts per Exhibit A.

See Exhibit A of Federal Court Appellant Reply Brief proving fraud upon the court that is basis instant lawsuit and destroys every lie that the Defendants have perpetrated against this Court to obtain erroneous Order. Homeowner has argued against everything the Order has in it and Exhibit A proves not only jurisdiction but also why they fail!

After three attempts to get bad order to even look legally right, where Defendants keep correcting their own drafted orders because so illegal the Defendants realized they had so manipulated the Court to look incompetent in ruling for them that the orders would not stand up to an appeal and would humiliate this Court! Same with latest Order dated 24th and filed 27th titled “... **WITHOUT PREJUDICE**” but (after all proven false reasons to be appealed if not Reconsidered) on page 12 states “Plaintiff’s Complaint is **DISMISSED WITH PREJUDICE.**”

IN CONCLUSION This Court of equity, forever applauded and often endorsed for proper past TRO, has discretion to rule for all the homeowners in DeKalb and State of Georgia and grant Homeowner’s cited legal relief from the now four final orders due proven fraud upon the court. All matters of this case are independent and free of the jurisdiction of 11th Circuit, or ultimately U.S. Supreme Court, and Georgia Court of Appeals. The Defendants are being held accountable for anarchy in courts.

- Fraud of Aldridge Pite as improperly substituted counsel for Albertelli went with rogue, never court authorized substituted plaintiff Deutsche to illegally and in proven by granting of second state TRO in contempt of federal court jurisdiction and order got and ex parte hearing and defrauded the state magistrate judge concerning the status of case to trick her into thinking she had jurisdiction to grant an eviction/dispossessory order to destroy legally correct Homeowner who was trusting the federal courts for justice. Then compounded the fraud by not informing Homeowner of hearing or order so had a surprise eviction reversed but only after \$5,000+ damage to his home and belongings, personal physical damage and great psychological suffering and emotional duress.
- Fraud to courts instead of informing court of KNOWN clerical order of misfiling the

appeal of nullity illegal eviction into wrong case they had removed the Mortgagees frauded the Superior Court that the case had been Removed by them so there was no jurisdiction for appeal so judge dismissed the appeal due no jurisdiction when fact of law is the was never any jurisdiction for illegal, contemptuous foreclosure they ex parte interfered Homeowner obtaining TRO against foreclosure lying to presiding judge who quoted their reasoning of no service which was the fraud they were perpetrating in federal courts and not required for TRO with only two days notice because Mortgagees somehow knew within day of ruling when and what it would be as had been advertising foreclosure before the order issued that would allow it but Homeowner still appealed erroneous order into USCA11 and Mortgagees knew it so frauded the presiding judge on that as well.

- Mortgagees were convicted of violating RESPA regulations against Homeowner and fraud the courts withholding information that they know voids and moots all their current attempts to foreclose and evict!
- Mortgagees frauded the courts by claiming excess debts not due because of their breach of contract and violated Congressional Banking Laws.
- "... invoked Rule 3.3 mandating counsel Balch expose the malicious schemes of their clients' illegal, willful contempt, sham filings and fraud upon courts the Defendants have been perpetrating since 2014 per [Remember Appellees Appendix 18-12593 DOC 24 PP: 4-33] Timeline Illegal Acts Exhibit 1 & Appellant's Brief:

“Every court from DCNG magistrate to this Court have written if there were no registered agents then Homeowner’s Secretary of State service would be correct so now by Mortgagors own filing and all the courts rulings there is no jurisdiction as Homeowner’s filings shows all the defaulted Appellees were in fact non-compliant!” Fraud 18-12348 DOC 1 pp 2-8 vs truth

Appellant’s Reply Brief gave the Appellees’ counsel a gracious out in his

Appellant’s Brief to adhere to Rule 3.3 but it was rejected by Balch, so now all

must be exposed as Balch is obviously the mastermind and get-away car driver for

Appellees. Balch is as sociopathic as Bernie Madoff and Elizabeth Holmes and the

Appellant’s Reply Brief shows what they swept under the rug in Cat In The Hat

cleanup of Appellees mess is stinking to high heaven!

PART 3 - REVOCATION OF CERTIFICATE OF AUTHORITY § 14-2-1530 -

(5) An incorporator, director, officer, or agent of the foreign corporation signed a document he knew was false in any material respect with intent that the document be delivered to the Secretary of State for filing; or

Since Panel II cites Georgia Court of Appeals supporting Homeowner, another cite proving Service per Secretary of State is binding:

THORBURN COMPANY v. ALLIED MEDIA. No. A99A0637. Decided: 4/28/99

The trial court found that “by ~~not~~ serving a summons along with the complaint to either [Allied Media] or the Secretary of State [pursuant to OCGA §§ 9-11-4(d) and 14-2-1510], service was ~~not~~ properly perfected.” Accordingly, there was no error. Judgment affirmed.

Mortgagee should have sued the previous mortgage company instead of Homeowner. Instead unauthorized substituted plaintiff Deutsche committed interstate mortgage fraud and violate banking accounting laws via wrongful in contempt foreclosure of known bad loan with improperly inflated value of illegally increased mortgage payments due, penalties, and with no competing bids bought in for more than advertised to further falsify accounting. Court is liable for participating

in fraud if not cure by enforcing ethics. Homeowner is a “whistle blower” of federal banking violations:

The Sarbanes-Oxley Act of 2002 came in response to financial scandals in the early 2000s involving publicly traded companies such as Enron ... auditors, and corporate officers and imposed more stringent recordkeeping requirements. ... disclosure requirements and fairly present in all material aspects ...

4/19/19 Will Kenton of Investopedia

The Dodd-Frank Wall Street Reform and Consumer Protection Act (the “Act”). The Act is meant to overhaul the United States financial oversight regime and is considered to effect the most sweeping change to financial sector regulation since the reforms following the Great Depression.

IN CONCLUSION to honor U.S. Supreme Court *BP P. L. C. ET AL. v. MAYOR AND CITY COUNCIL OF BALTIMORE* and Homeowner’s clear reference to 1442 for 1447(d) and reopen case for fraud and Writ of Error to prove there are judges who will accept Judge Posner’s resigning challenge to no longer mistreat “pro se litigants as trash” so in bias enable white-collar criminal Mortgagees and their bad acting debt collectors attorneys to steal homes even after attorneys have per Rule 3.3 admitted by waiver the Mortgagees have done contemptuous improper acts (Timeline Exhibit 1) and committed fraud upon the courts to prevail to date. Mortgagees operating illegally in USA frauded all of America to take taxpayers bailout money then buy as many of their illegally caused defaulted loans (including Homeowner’s and others breached loan) of the Great Recession to steal homes at 50 cents on the dollar and less and then also get all the windfall profits of equity for appreciated homes while avoiding paying taxes not being registered in violation to

Supreme Court ruling in *American Bank & Trust Co. v. Federal Reserve Bank*, 256 U.S. 350 (1921). This is not even the complete list of frauds and Writ of Errors caused by fraud! The puzzle is a chaotic mess due to Mortgagees whack-a-mole illegal acts and squirming snake slithering around trying the illegally destroy forced pro se Homeowner to avoid loss in court per C-I-P! PLEASE REOPEN AND GRANT EVIDENTIARY HEARING.

IN CONCLUSION Homeowner is in process of retaining counsel and willing to risk bankruptcy to hire counsel for the approved Reopened Case. Please per:

But the principle of party presentation, like any rule, has its exceptions. Chief among these is the threshold requirement of subject matter jurisdiction, which **courts must raise on their own to protect their own jurisdiction**. See, e.g., *Gonzalez v. Thayer*, 132 S. Ct. 641, 648 (2012) (as to subject matter jurisdiction, “courts are obligated to consider sua sponte issues that the parties have disclaimed or have not presented”). In addition to subject matter jurisdiction ... Reviewing courts have long raised these issues on their own, since they implicate a court’s competency to decide a case . . . AND . . . At other times, reviewing courts may be more inclined to raise and decide **an issue sua sponte if they believe that the issue involves an important public concern or is “in the interests of justice,” or even to protect pro se litigants**. See, e.g., *Real Estate Bar Ass’n for Mass., Inc. v. Nat’l Real Estate Info. Servs.*, 608 F.3d 110, 125 (1st Cir. 2010) (emphasizing that the issue decided *sua sponte* was significant to the administration of justice in the federal courts); ***Gramegna v. Johnson*, 846 F.2d 675, 677–78 (11th Cir. 1988) (suspending the rules and raising a matter sua sponte to protect a pro se litigant)**.

And

The words of Chief Justice Marshall in *Marbury v. Madison*, 5 U.S. 137 (1803), must be heeded: “The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection. The government of the United States has been emphatically termed a government of

laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested right.”

THEREFORE Homeowner prayerfully requests this Court uphold its honor and Canons confidence of citizens by granting the proven need for EMERGENCY MOTION REOPEN CASE FOR WRIT OF ERROR RULE 59(e)(1-4) WITH VACATE DUE TO FRAUD ON COURT 60(b)(1-6) WITH MOTION TO RECALL THE MANDATE to save senior citizen 100% legally correct U.S. citizen from being homeless despite being able to afford proper mortgage contract with an evidentiary hearing and jury trial for all issues to be addressed per rule Candor the Tribunal Rule 3.3 so justice and truth can finally prevail.

Respectfully Submitted this 21st day of November, 2022

//Christopher M. Hunt, Sr.// (electronic signature)

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULES 5.1

1. This petition complies with the type-volume limitation of Fed. R. App. P. 35(b)(2)(A) because, excluding the parts of the brief exempted by Fed. R. App. P. 32(f) and 11th Cir. R. 35-1, body contains 2,963+/- words.
 2. This complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using a 14-point Roman font.
- Dated 21st November, 2022

//Christopher M. Hunt, Sr.// (electronic signature)

Christopher M. Hunt, Sr. Appellant Pro se

JURY TRIAL AND APPELLANT REQUESTS ORAL ARGUMENTS

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

CHRISTOPHER M. HUNT, SR.

Appellant/Plaintiff

V.

**NATIONSTAR MORTGAGE, DEUTSCHE
BANK NATIONAL TRUST COMPANY
JAY BRAY CEO NATIONSTAR
THE ALBERTELLI FIRM, PC**

Appellees/Defendants 14CV8532 & 18CV4742 & 20CV3778

§
§ **CIVIL ACTION NO.**
§ **21-10398**
§ **Related:**
§ **22-11463 21-10262-J**
§ **20-13439J**
§ **20-12310-J**
§ **DCNG**
§ **1:20-cv-02359-TWT**
§ **DeKalb Cases:**

CERTIFICATE OF SERVICE

I have sent a copy of this **EMERGENCY VERIFIED MOTION WRIT OF ERROR RULE 59(e)(1-4) WITH VACATE DUE TO FRAUD ON COURT 60(b)(1-6) C** by court electronic filing system CM/ECF and if requested by US mail after filing with proper first-class postage affixed this 21st November, 2022

Christopher Anulewicz
Balch and Bingham
Counsel for
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Nationstar Mortgage LLC
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// Christopher M. Hunt, Sr. // (electronic signature)

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EXHIBIT 1 TIMELINE

TIMELINE CONTEMPTUOUS, ILLEGAL ACTS BY MORTGAGEES EXHIBIT A

Date MORT = Mortgagee H.O. = Homeowner *MOVIE: THE BIG SHORT*

1999 H.O. BUILT HOME AND RAISED CHILDREN, HAS \$400,000+ EQUITY, GOOD CREDIT
H.O. TIMELY PAID MORTGAGE FOR 6+ YEARS

2005 H.O. REFINANCES HOME TO BUY OUT PARTNER AT START MORT. CAUSED GREAT RECESSION

2005 MORT. BREACHED CONTRACT PER 11TH CIRCUIT RULING, MORT. DOES NOT OBJECT

2005 H.O. FULFILLED SUPREME COURT JESINOSKI v. COUNTRYWIDE
H.O. MAILED PROPER PAYMENT, REQUEST CURE BREACH, MORT. RETURNS PAYMENT
MORT. INSTEAD COMMITS INTERSTATE & BANKING FRAUD SELLS KNOWN BREACHED LOAN

2006-10 H.O. MAILED EACH 3 MORT.S PROPER PAYMENT, REQUEST CURE BREACH
3 MORT.S VIOLATE LAW NOT CURE BREACH, COMMITT BANK INTERSTATE FRAUD
SELLING KNOWN BREACHED BAD MORTGAGE TO EACH OTHER, INTERSTATE BANK FRAUD!!!
MORT. NEVER TRY TO FORECLOSE, JUST GO SILENT.

2010 10cv7429 4TH MORT. AURORA SUES HOMEOWNER TO FILE LOST ORIGINAL CONTRACT!
PROVING BREAK OF TITLE - NONE FRAUD SALES ARE VALID, H.O. PROVE AFFORD
SUPERIOR COURT ACKNOWLEDGES IN ORDER HOMEOWNER FILED BREACH AND FRAUD BUT
REFUSES TO RULE ON ANYTHING BUT FILING COPY LOST PAPERWORK. H.O. APPEALS

2011 S11A0910 H.O. APPEALS, S.C. CLAIMS NO JURISIDCTION TRANSFERS TO GA APPEALS DENIES

2012 H.O. PREPARES LAWSUIT TO PREVENT WRONGFUL FORECLOSURE DUE BREACH AND FRAUD

2012 CHASE 2ND MORT. SEEING BREACH & FRAUD SETTLES, H.O PAYS OFF 2ND NOTE IN FULL.

2012 AUROA INTERSTATE FRAUD AND VIOLATES BANKING REGULATIONS SELLS BAD LOAN
IF MORT. AURORA LEGAL RIGHT, WHY NOT FORELCLOSE?! INTERSTATE FRAUD SELLS NOTE!

TIMELINE CONTEMPTUOUS, ILLEGAL ACTS BY MORTGAGEES

- Date MORT = Mortgagee H.O. = Homeowner *MOVIE: THE BIG SHORT*
- 2014 MORT. NATIONSTAR RETURNS H.O. \$, REFUSES TO CURE BREACH, NOT SUE AURORA FRAUD
- 2014 MORT. DEMANDS FALSE \$300+K THEIR BREACH! FIRST MORT. TO ADVERTISE FORECLOSURE
- 2014 14CV8532 H.O. SUES AND DEKALB PROPERLY GRANTS TRO NO FORECLOSURE
- 2014 14CV8532 MORT.S 60+ DAYS DEFAULT PROPER SERVICE, ONLY POSSIBLE SERVICE DUE
MORT.S PERJURY SOS, OPERATING FRAUD, NO AUTHORITY BUSINESSESS GEORGIA
- 2014 1:14CV03649 DCNG NATIONSTAR ET. AL., FATALLY FLAWED REMOVAL:
NO CONSENT, NO CONSENSUS, NO UNANIMITY! FALSE FACTS & ACCOUNTING IN FILINGS
H.O. FILED SUPERIOR LAW CITES AND FACTUAL EXHIBITS DEFAULT PROPER SERVICE
MORT. START FRAUD COURTS MADOLF PONZIE/ELIZABETH HOLMES THERANOS SCAM
FRAUD UPON COURTS, SHAM & FRIVOLOUS FILINGS TO AVOID DEFAULT AND IMPROPER
REMOVAL DCNG NO JURISDICTION. MORT.'s FRAUD COUR CAUSE ERRANT DCNG ORDERS
- 2014 1:14CV03649 DCNG VIOLATES LAW CITES AND EXHIBITS TO RULE FOR MORT.
*CHOICE IS A) MORT. FRAUD EFFECT MACHINERY JUSTICE, B) DNGC CORRUPT, OR C) BOTH
- 2015 H.O. FILES AFFIDAVIT IN CONCERN OF CANONS AND FEDERAL COURT BIAS
- 2016 MORT. CONTEMPT DCNG THEIR REMOVAL NO NOTICE ADVERTISE FORECLOSURE!
- 2016 1:14CV03649 DCNG DISMISS "NO SERVICE" DESPITE ALL EVIDENCE AND LAW CITES

TIMELINE CONTEMPTUOUS, ILLEGAL ACTS BY MORTGAGEES

Date MORT = Mortgagee H.O. = Homeowner *MOVIE: THE BIG SHORT*

2016 16-12832 H.O. APPEAL DCNG ORDER BALCH KNOWS APPEALED BEFORE FORECLOSURE

2017 MORT. FORECLOSE IN KNOWN CONTEMPT 11TH CIRCUIT JURISDICTION 16-12832 & 18-12593
MORT. EX PARTE INTERFERE PRESIDING JUDGE "NO SERVICE" DENY TRO DESPITE
PROOF CONTEMPT, CASE HISTORY, BINDING DEKALB TRO

2017 17CV4916 H.O. SUES MORT. WRONGFUL FORECLOSURE CONTEMPT 11TH JURISDICTION
MORT. AGAIN DEFAULT SERVICE NO CONSENT, NO UNANIMITY, NO JURIDICITION

2017 1:17CV2294 MORT. IMPOPERLY REMOVES CLOSED DEFAULT CASE 17CV4916 TO DCNG

2017 1:17CV2294 MORT. LYING ABOUT LIES EXPOSES FRAUD COURTS PROVING H.O. CLAIMS
H.O. SERVICE PROVEN PROPER! ONLY FRAUD UPON COURTS PREVENT JUSTICE IN COURTS
DCNG & 11TH RULINGS "IF SOS SERVICE PROPER THEN REMAND NO JURISDUCTION"

2017 1:14CV3649 DCNG H.O. PROPERLY REOPENS ORIGINAL CASE DUE FRAUD, SHAM, RULE 60.

2017 MORT. DESPERATE! IMPROPER SUBSTITUTE PLAINTIFF DEUTSCHE REPLACES NATIONSTAR
(APPELLEE BRIEF 12593 P.4 DCNG "NOT ASCERTAIN HOW DEUTSCHE IS CONNECTED LOAN")
MORT. CONTEMPT 1:17CV2294 & 1:14CV3649 ILLEGALLY TRY WIN DESTROY H.O.

2017 17MA1165 MORT. DEUTSCHE CONTEMPT 11TH & DCNG MISREPRESENTS JURISDICTION

2017 17D25385 MORT. EX PARTE MISREPRESENTS JURISDICTION DCNG ORDER TO MAGISTRATE
DEKALB MAGISTRATE WRIT EVICTION CONTRADICT DCNG ORDER DUE PITE FRAUD COURT

2017 DCNG DENIES REOPEN CASE SO H.O. APPEALS TO 11TH CIRCUIT. CASE JURISIDICITION 11TH

TIMELINE CONTEMPTUOUS, ILLEGAL ACTS BY MORTGAGEES

Date **ALL JURISDICTION IN 11TH CIRCUIT 18-12593 & 18CV12348** *MOVIE: THE BIG SHORT*

- 2017-19 ALL JURISDICTION DCNG/11TH CIRCUIT. MORT. KNOWN CONTEMPT STATE NO JURISDCTION!
- 2018 17D25385 H.O. APPEAL IMPROPER GAINED DISPOSSESSORY CONTEMPT NO JURISDICTION

- 2018 18CV4005 H.O. SUE DEUTSCHE & PITE BAD ACTING DEBT COLLECTOR, KNOWN CONTEMPT DEUTSCHE & PITE NOT REMOVE BECAUSE PROVE CONTEMPT NO JURISDICTION!! PITE, LIKE PREVIOUS ALBERTELLI, HAS LOST BAD DEBT COLLECTOR CASES IN FEDERAL COURTS

- 2018 MORT. DUE EX PARTE FRAUD COURTS NO JURISDICTION, NO NOTICE SURPRISE EVICTION **H.O. GETS PROPER 2ND TRO BUT CLERK ERROR FILES INTO 17CV4916 BECAUSE APPEAL OF 17D25385 NOT YET INTO SUPERIOR COURT. MORT. DESUTSCHE AND PITE CONTEMPT**

- 2018 **MORT. APPELLEE BRIEFS 11TH CIRCUIT PROVE FRAUD COURT DEFAULT = NO JURISDICTION!** H.O. SERVICE PROVEN VALID SO DEFAULT BINDING REMOVALS IMPROPER. H.O. WINS! BUT...

- 2019 11TH CIRCUIT DELAYS RULING ON OBVIOUS MORT. FRAUD COURTS, SHAM, DEFAULT SO ?? MORT. CAN ILLEGALLY MANIPULATE STATE COURTS EVICT THEN WILL TRY MOOT??

- 2019 17D25385 APPEAL IN SUPERIOR COURT ERROR DENY TRANSFER 4916 FILINGS INTO 4742
- 2019 18CV4742 H.O. APPEAL DENIED CONSTITUTIONAL JURY TRIAL, QUASH HEARING, DISMISSED
- 2019 18CV4005 LAWSUIT DENIED QUASH, JURY, VIOLATION RULE 3.3 JUDGE DISMISSED
- 2019 MORT. TRICK JUDGE ASHA JACKSON "NO JURISDICTION" TO CORRECT 17D25385 ERROR ORDER CONTEMPT NO JURISDICTION! VACATES PROPER TRO SOLELY DUE "NO JURISDICTION TO HEAR MATTER" CONTRARY U.S. SUPREME COURT STATE ENFORCE FEDERAL JURISDCTION!
- 2019 H.O. APPEALS ALL STATE ERRONEOUSLY DISMISSED CASES CAUSED BY FRAUD UPON COURTS

TIMELINE CONTEMPTUOUS, ILLEGAL ACTS BY MORTGAGEES *MOVIE: THE BIG SHORT*

ALL JURISDICTION IN 11TH CIRCUIT 18-12593 & 18CV12348

Date

- 2019 MORT. 45 DAYS AFTER APPEAL GETS STATE COURT ERROR GRANT SUPERSEDEAS BOND
- MORT. FILINGS DCNG & 11TH NO BOND HOME VALUE \$200+K > INFLATED FALSE DEBT
- MORT. HAS TITLE NO NEED BOND. H.O FAMILY WILL BE HOMELESS IRREPARABLY DAMAGED!!
- 2019 A19E0061 H.O. GA APPEALS DENY NO REASON ERROR - NO JURISDICTION OVERRULES ORDER
- 2019 S19C1440 H.O. WRIT CERTIORARI GA SUPREME COURT, DUE 7/2 DEADLINE H.O. REMOVES
- 2019 1:19CV3043 H.O. REMOVAL ALL JURISDICTION TO DCNG BEFORE 7/2 DEADLINE
- 2019 H.O. 7/2 REMOVAL FROM DCNG, ETC. INTO 11TH CIRCUIT ALL ISSUES IDENTICAL CONTEMPT
- 2019 H.O. APPEAL 1:19CV4043 DENIAL TRO & ENTIRE CASE INTO 11TH CIRCUIT JURISDICTION
- 2019 H.O. EMERGENCY EN BANC 11TH CIRCUIT TO UPHOLD JURISDICTION AND U.S. SUPREME CT
- RULINGS CONTINUITY COURTS FROM COUNTY MAGISTRATE TO STATE TO DCNG TO 11TH
- TO U.S. SUPREME COURTS. PLEASE TRO/STAY F NO WAY SHOULD AN IMPROPERLY
- SUBSTITUTED PLAINITFF MORTGAGEE DEUTSCHE VIA A BAD ACTING DEBT COLLECTOR PITE
- IN CONTEMPT COURT ORDERS & 11TH JURISDICTIONS FILE INTO STATE VIA FRAUD &
- SHAM FILINGS TO IRREPARABLY DAMAGE EVICT 100% IN THE RIGHT HOMEOWNER WAITING
- FEDERAL COURTS TO RULE WITH NON-APPEALABLE FINAL ORDER! OFFICERS OF THE COURTS
- ARE PROVEN PERPETRATING FRAUD UPON THE COURTS. 11TH AND DCNG ARE HOLDING
- RULING ON APPEALS WHILE REFUSE TRO PROVEN ERRANT NO JURISIDCTION STATE ORDER
- SUPERSEADAS BOND THAT IS BASED ON NO JURISDCTION, CONTEMPTUOUS FILINGS!
- 2019 18CV4742 H.O FILES EMERGENCY MOTION STAY STATE COURT ASHA JACKSON VOLUNTARILY
- CONFORMITY WITH FEDERAL COURTS JURISDICTION. MORT. REMOVALS DCNG IN 11TH CIRCUIT
- OBVIOUS MORT. FRAUD OBTAIN ALL ORDERS IN STATE COURT HAS NO JURISDICTION = STAY.
- 2019 HOMEOWNER SUBMITS TO COURTS AND FILES NEW CASE AND FIRST TIME ABLE TO SERVE
- MORTGAGEES DIRECTLY INSTEAD OF SOS BECAUSE CURE THEIR FRAUD SOS AND COURTS!

TIMELINE CONTEMPTUOUS, ILLEGAL ACTS BY MORTGAGEES *MOVIE: THE BIG SHORT*

ALL JURISDICTION IN FEDERAL COURTS & GA SUPREME

Date

2020 HOMEOWNER FILES THREE CASES INTO US SUPREME COURT BUT DUE PRINTER ERRORS NOT ACCEPTED. BECAUSE DCMG CASE MALONE RULED PER HO NO NEED TO APPEAL ANYMORE. PER MALONE, FIFTY STATE ATTORNEY GENERALS, SEVERAL MORE NEW CASES, MORTGAGEES' COURT SHAMING, CONTEMPTUOUS, FRAUD ON COURTS, ILLEGAL SCHEMES ARE OVER, LOST

2021 DEKALB ON OWN INITIATIVE CLOSES MORTGAGEES ILLEGALLY, CONTEMPTUOUSLY CAUSED STATE CASES SO THAT ALL JURISDICTION PROPERLY IN 11USCA VIA 21-10398 11USCA HAS RULED MORTGAGEES BREACHED , AS DID DCNG SO PER DCMG AND OTHER CASES BY BOTH LENDERS AND BORROWERS A SEALED CONTRACT STATUTE IS 20 YEARS HOMEOWNER 100% RIGHT PER FEDERAL, STATE, US SUPREME COURTS, ATTORNEY GENERALS WINNING MEMBER #FF64929439 CLASS ACTION LAWSUIT DISTRICT COURT MD GREENBELT IMPOSSIBLE EVICT UNTIL FINAL NON-APPEALABLE ORDER FEDERAL COURTS JURISDICTION

2022 MORT TRICK DEKALB CORRECT TO ORDER MISUSE 28 U.S.C.§1450 VERY RULE THEY VIOLATED ALL CASES PROPERLY IN JURISDICTION USCA11 21-10398 22-11463 AND GA SUPREME COURT DEUTSCHE THIRD ACT FRAUD ON COURTS C-I-P CONFLICTS 21-10398 V 22-11463 MORT ADMITTED BY WAIVER ALL ACTS SO COUNSEL MUST EXPLAIN TRUTH OR WITHDRAW MORT FRAUD ON COURTS CREATE IRRECONCILABLE CONFLICTS BETWEEN FEDERAL STATE JURISDICTION WITH LATEST FRAUD BEING DEUTSCHE OPERATING ILLEGALLY IN USA NORT ONLY DEFENSE AGAINST FRAUD IS INSANE CIRCULAR REASONING MISUSING DEFRAUDED MAGISTRATE ERRONEOUS ORDER NEVER ADDRESSING LAW AND ACTS COMMITTED NOW STATE CASES IN SUPREME COURT GEORGIA SC221331 NUMEROUS FEDERAL CASES CAUSED BY MORT. MANY BAD ACTS & INCITED COURT ERRORS

EXHIBIT B

No. 21-10398-JJ

Related Cases: 22-11463-J 20-12310-J, 20-13439-J, 21-10262-J,

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

CHRISTOPHER M. HUNT, SR.

APPELLANT

V.

**NATIONSTAR MORTGAGE, LLC
DEUTSCHE BANK NATIONAL TRUST COMPANIES
JAY BRAY, CEO Nationstar
THE ALBERTELLI FIRM, P.C.**

APPELLEES

**On Appeal from the United States District Court
For the Northern District of Georgia
1:20-cv-02359-TWT-LTW
DeKalb Case: 20cv3778
Related Case History:
DCNG: 1:14CV03649
DeKalb: 20-3778 & 14CV8532**

**EMERGENCY MOTION TO REOPEN CASE FOR RELIEF PER MOTION
WRIT OF ERROR RULE 59(e)(1-4) WITH VACATE DUE TO FRAUD ON
COURT 60(b)(1-6)**

**APPELLANT/Plaintiff/ "Homeowner"
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No. 21-10398-J

Related Cases: 22-11463 20-12310-J, 20-13439-J, 21-10262-J,

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

CHRISTOPHER M. HUNT, SR.

APPELLANT

V.

**NATIONSTAR MORTGAGE, LLC
DEUTSCHE BANK NATIONAL TRUST COMPANIES
JAY BRAY, CEO Nationstar
THE ALBERTELLI FIRM, P.C.**

APPELLEES

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For the Northern District of Georgia
1:20-cv-02359-TWT-LTW
DeKalb Case: 20cv3778
Related Case History:
DCNG: 1:14CV03649
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**EMERGENCY VERIFIED MOTION WRIT OF ERROR RULE 59(e)(1-4)
WITH VACATE DUE TO FRAUD ON COURT 60(b)(1-6)**

**APPELLANT/Plaintiff/ "Homeowner"
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FRAP 26.1 Certificial Interested Parties (C-I-P)

Appeal 21-10398 Christopher M. Hunt, Sr. v. Nationstar, et al

C-I-P for Christopher Hunt, Sr. v. Nationstar, Mortgage, LLC, et al.

Appeal No. 20-13439-J

Pursuant to Eleventh Circuit Rule 26.1-1, Christopher M. Hunt, Sr.

("Homeowner"/Appellant) hereby certify that the following is a complete list of all trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations that have an interest in the outcome of the present appeal, including subsidiaries, conglomerates, affiliates, parent corporations, and publicly held corporations that own 10% or more of the party's stock:

- **Albertelli Law:** Counsel for Mortgagees who participated in crimes by via illegal, contemptuous wrongful foreclosure, was paid % of KNOWN fraudulent inflated debt, violated O.C.G.A. § 14-2-1530 (5) and has defaulted on service for a fourth time after Balch coached how and when to remedy the fraud on courts "Compliant" company, has lost three federal cases as bad acting debt collector. Albertelli is always in CIPs as Defendant and CIP party and Mortgagees admit most questions of case involve mandated joinder party.
- **Aldridge Pite, LLP:** Law Firm of Dallas R. Ivey, Counsel Appellee DBTCA.
- **Anulewicz, Christopher Scott:** Counsel for Appellees Nationstar Mortgage, LLC and DeutscheBank National Trust Companies. "Christ?opher" apparently will do almost anything for bosses to keep "one of our largest clients" as he orchestrates everything from fraud on courts concerning case start of Albertelli's default after original TRO, falsifying "compliance", slandering Homeowner and knowingly citing bad law to bias courts, etc. Refuses to adhere to rules of ethics for federal and state courts.
- **Bray, Jay CEO:** Defendant (~~but—has not~~ wrong Christ?opher!) as CEO of Nationstar was served 6/8/20 so also defaulted since Christ?opher admits has not answered Complaint. Jay has acknowledged his braying and company so bad it has to be transformed beyond just name change.
- **Balch & Bingham LLP:** Law firm of Christopher S. Anulewicz (above), Brooke W. Gram (below), and Patrick N. Silloway (below), counsel for Appellees Nationstar Mortgage, LLC and Deutsche Bank National Trust Companies and have senior partners in prison for corrupting government officials.
- **Cohen, Mark H.:** U.S. District Judge for the Northern District of Georgia.

- **Dear Jackson, La Tisha:** Judge Superior Court of DeKalb County, who as “court of equity” granted second proven proper TRO that ended Mortgagees conflict, contempt of federal courts, original TRO, **and has now by proper order ended subsequent conflict** caused by Mortgagees unethically tricking to void TRO and illegal Supersedeas.

- **Deutsche Bank National Trust Companies:** Deutsche Bank National Trust Companies is a national banking association organized under the law of the United States to carry on the business of a limited purpose trust company. Deutsche Bank is a wholly owned subsidiary of Deutsche Bank Holdings, Inc., which is a wholly owned subsidiary of Deutsche Bank Trust Corporation, which is a wholly owned subsidiary of Deutsche Bank AG, a banking corporation organized under the laws of the Federal Republic of Germany. No publicly-held company owns 10% or more of the Deutsche Bank AG's stock. Deutsche Bank's main office is in Los Angeles, California. Deutsche Bank's principal office of trust administration is in Santa Ana, California. As a national banking association, Deutsche Bank is operating illegally without being registered in headquarters state with registered agent in violation to U.S. Supreme Court *American Bank & Trust Co. v. Federal Reserve Bank*, 256 U.S. 350 (1921) A federal reserve bank is not a national banking association within § 24, cl. 16, of the Judicial Code, which declares that such associations, for the purposes of suing and being sued, shall (except in certain cases) be deemed citizens of the states where they are located. P. 256 U.S. 357. Christopher misleads court as never corrected Homeowner filing but still files lies “~~may do business in all 50 states in the United States without having to be registered as a foreign corporation or otherwise be registered or licensed in any individual state in order to conduct business in the state~~”; Deutsche is one of main culprits causing “Great Recession”, featured bank in movie *The Big Short*, U. S. fined Deutsche \$7.2 Billion, 60 minutes expose \$100+ Billions money laundering, violated banking rules to obtain and

maintain known child pedophile sex trading Epstein account, instant case violated federal banking laws, committed first breach, fraud, slander etc.

***NOTE: CONTRADICTS Aldridge Pite's 22-11463 Deutsche Bank Trust Company Americas, as Trustee: Appellee. DBTCA is a New York state chartered banking corporation with fiduciary powers duly organized under the laws of the State of New York. DBTCA is a wholly owned subsidiary of Deutsche Bank Trust Corporation, a New York corporation. Deutsche Bank Trust Corporation is a wholly owned subsidiary of DB USA Corporation, a corporation organized and existing under the laws of the State of Delaware. DB USA Corporation is a wholly owned subsidiary of Deutsche Bank AG. Deutsche Bank AG (DB:U.S.; DBK:GR) is a German multinational investment bank and financial services company headquartered in Frankfurt, Germany, and is dual listed on the Frankfurt Stock Exchanges and the New York Stock Exchange. Deutsche Bank AG is not a subsidiary of any parent corporation, and no publicly held corporations own 10% or more of the stock of Deutsche Bank AG. Is also operating illegally without being registered in headquarters state of New York without a registered agent in violation to U.S. Supreme Court American Bank & Trust Co. v. Federal Reserve Bank, 256 U.S. 350 (1921) to avoid taxes and accountability of New York juries?!!

- **Gram, Brooke Walker:** Counsel for Appellees Nationstar Mortgage, LLC and Deutsche Bank National Trust Companies who conveniently used to work in federal court judge's office.

- **Hunt, Sr., Christopher M.:** Appellant; "Homeowner" has always been 100% honest, court honoring and legally right per U.S. Supreme Court, DCMG, DCNG, OCGA, federal banking laws, TROs.

- **KKR Wand Investors Corporation:** KKR Wand Investors Corporation, is a Delaware corporation which has no parent corporation and is not publicly held; SEC violations misallocating more than \$17 million in so-called "broken deal" expenses to its flagship private equity funds in breach of its fiduciary duty. KKR agreed to pay nearly \$30 million including a \$10 million penalty.

- **Mr. Cooper Inc.:** Mr. Cooper Inc. (NASDAQ ticker: COOP) is owned by KKR Wand Investors Corporation; is new rebranding attempt AKA Nationstar so corrupt and incompetent that still local Dallas paper was critical of name change

without character and performance change.

- **Nationstar Mortgage LLC:** Nationstar Mortgage LLC is wholly owned by Nationstar Sub1 LLC and Nationstar Sub2 LLC. Nationstar Sub1 LLC and Nationstar Sub2 LLC are both wholly owned by Nationstar Mortgage Holdings, Inc., a publicly-traded company. (NYSE ticker: NSM); so bad name change to Mr. Cooper cannot transform admitted bad culture and costumer abuse as recently lost \$3,000,000 case on RESPA violations to Homeowner (no compensation yet), \$90,000,000s in fines on other violations by fifty states attorney generals, lost, etc.
- **Sewing, Christian:** ~~Named as Defendant below but did not receive service~~ Plaintiff voluntarily dismissed as a defendant on 8/17/20 after translating Complaint because instant case is won, and he is in so much trouble for other things that more accountability not needed (See Deutsche)
- **Silloway, Patrick N.:** Counsel for Appellees Nationstar Mortgage, LLC and Deutsche Bank National Trust Companies, needs to start making an honest living. These attorneys need to withdraw or stop the bad filings.
- **Thrash Jr. Thomas W.:** District Judge for the Northern District of Georgia; severally prejudiced by misplaced trust in bad acting debt collector attorneys' slander, bad law cites and Magistrate's erroneous report...
- **Walker, Linda T.:** Magistrate Judge for the Northern District of Georgia – motion to reconsider proves something seriously wrong...

Respectfully submitted this 20th day of November, 2022.

//Christopher M. Hunt, Sr.// (electronic signature)

Christopher M. Hunt, Sr. forced Pro Se Appellant Homeowner
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**EMERGENCY VERIFIED MOTION WRIT OF ERROR RULE 59(e)(1-4)
WITH VACATE DUE TO FRAUD ON COURT 60(b)(1-6)**

COMES NOW Petitioner "Homeowner" pro se forced pro se against desires because rogue Respondent Deutsche "Mortgagees" have temporarily stolen \$400,000 in violation of 28 U.S.C. § 1450, in contempt of standing state order TRO against Foreclosure etc., in violation of federal court jurisdiction after Mortgagees partner in crime Nationstar removed from state the Homeowner's lawsuit, in violation to this Court's jurisdiction violated RESPA laws as Homeowner is a winning member of class action lawsuit *ROBINSON*, and all the purely defensive lawsuits caused by Mortgagees, and files this

**EMERGENCY MOTION WRIT OF ERROR RULE 59(e)(1-4) WITH
VACATE DUE TO FRAUD ON COURT 60(b)(1-6)** and avers,

1.
INTRODUCTION

Per Lady Justice "she" Wisdom of Proverbs by wisest judge to ever rule, Biblical Solomon "dividing baby case" proven basis for Spirit and intent of USA law, 18:5 "It is not good to show partiality to the wicked, or to overthrow the righteous in judgment." Homeowner must keep his home protected against the white-collar criminal Mortgagees who deceived and manipulated Court by fraud and caused error. Court was recently honorable when Homeowner showed Court there were contradictions in the rules between the lawyers rules and the Pro Se

handbook the Court granted the extension and refile. The same needs to done to grant Writ of Error and VACATE DUE TO FRAUD ON COURT 60(b)(1-6)

Another Writ of Error was in previous case after Court properly ruled the Mortgagees breached the contract Court- as did Judge Story in DCN.GA ruled Mortgagees breached the contract but fraud prevailed in dismissal without prejudice - Court failed to address the timely filed objection as Writ of Error to correct inapplicable HOLIDAY HOSPITALITY FRANCHISING, LLC V. OAKBROOK REALTY AND INVESTMENTS, LLC, et al., No. 19-15063 (11th Cir. 2020) that had two parties signatures with two classes of signatures sealed and unsealed when instant case has only Homeowner and sealed. The ruling was complete error in contradiction to O.C.G.A. and often cited *MALONE* statute of limitations of 21 years but Court erred due to Fraud by Dismissal without Prejudice with instructions to file Mortgagees again.

Under Rule 59(e), "a motion to alter or amend a judgment must be filed no later than 28 days after the entry of the judgment." Fed. R. Civ. P. 59(e). A motion to amend a judgment under Rule 59(e) is appropriate if "(1) the motion is necessary to correct manifest errors of law or fact upon which the judgment is based; (2) the moving party presents newly discovered or previously unavailable evidence; (3) the motion is necessary to prevent manifest injustice; or (4) there is an intervening change in controlling law." *Turner v. Burlington Northern Santa Fe R. Co.*, 338 F.3d 1058,

1063 (9th Cir. 2003) (internal quotation marks omitted). Courts are supposed are to look out for pro se and not hold them to technicalities so please this matter needs to be corrected. Homeowner met all requirements in July 21st filing to APPELLANT'S MOTION TO RECONSIDER WITH NOTICE OF INTENT TO EN BANC.

1.

ERROR RULING IN VIOLATION TO U. S. SUPREME COURT

Homeowner believes this honorable Court must be unaware of recent Supreme Court ruling concerning essence of instant case due to its erroneous "lack of subject jurisdiction" in apparent boiler plate cites to inapplicable subordinate cases.

Homeowner humbly and prayerfully Motioned this Court to Reconsider its errant ruling of only an extremely narrow repeat of a proven erroneous DCNG order that, like this Court's ruling, is error in contradiction to U.S. Supreme Court ruling by refusing to address any of the legally mandated prevailing entirety of Homeowner's appeal per 14th Amendment and 28 U.S. CODE § 1447(d).

Supreme Court of the United States syllabus *BP P. L. C. ET AL. v. MAYOR AND CITY COUNCIL OF BALTIMORE* CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT No. 19–1189. Argued January 19, 2021—Decided May 17, 2021:

The Fourth Circuit erred in holding that it was powerless to consider all of the defendants' grounds for removal under §1447(d). In light of that error, the defendants ask us to consider some of those additional grounds ourselves. That task, however, **does not implicate the circuit split that we took this case to resolve and we believe the wiser course is to leave these matters for the Fourth**

Circuit to resolve in the first instance. See *Brownback v. King*, 592 U. S. ___, ___, n. 4 (2021) (slip op., at 5, n. 4). **The judgment of the Fourth Circuit is vacated, and the case is remanded for further proceedings consistent with this opinion. So ordered.**

2.

MATTERS FOR GRANTING MOTION

Homeowner appealed per 28 U.S. Code §1447(d) and 14th Amendment the April 21st Order to Remand. Mortgagees apparently are again trying to misuse state courts and Marshals to secretly rush an illegal eviction without a final, non-appealable order! Homeowner by DCNG Order cannot file a motion to reconsider so immediately filed appeal into jurisdiction of 11USCA to prevent illegal acts by Mortgagees in nullity state cases. As forewarned due to Mortgagees fraud and violations of Candor to the Tribunal Court refuses to even uphold its federal court jurisdiction! Also fails to abide by all the cites in Objections of federal laws, authorities and recent cases 100% supporting homeowner! DCN.GA erred “fanciful language” cites of U.S. Supreme Court, U.S. Court of Appeals, District Courts, Federal Laws, State O.G.G.A. §, etc. No federal officer working under color of authority can act in such conflict to law that it violates the 14th

Amendment Section 1:

... nor shall any State deprive any person of life, liberty, **or property**, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Order of Remand is as fatally flawed as DCN.GA previous misuse of Rule 72 in attempt to abort justice! When Homeowner proved in Motion to Reconsider

that was fatally flawed false due to fraud on the courts, DCN.GA similarly improperly refused to address any of the 100% valid Objections by then calling all cited authorities “frivolous”. DCN.GA is like the district court that enabled the gang rape of a female minor on a cruise liner by now enabling the financial gang rape of Homeowner. DCN.GA even falsely claimed no federal laws were cited despite Homeowner’s clear quotes of Mortgagees own filing stating Homeowner claims violations of Sarbanes-Oxley Act and The Dodd-Frank Wall Street Reform and Consumer Protection Act!!! Homeowner still believes 11USCA will rule properly as gang rape case.

Court erroneously claimed “de novo” but refuses to even address “plain error on the face of the record” per cited United States v. Slay 714 F.2d 1093, 1095, (11th Cir. 1983) because it is impossible for Homeowner to be evicted when he is a winning members of class action lawsuit for RESPA violations *Robinson vs Nationstar* that wipes out all already no jurisdiction nullity state orders and any previous federal court rulings! Court’s “de nova” is a clear violation of cited *Williams v. McNeil* abuse of way too extreme discretion not to even look at the original foreclosure and all subsequent illegal acts done in the state court being nullities due to committed in violation of federal court 11USCA jurisdiction and in contempt of standing state TRO - Order for Remand violates 28 U.S.C. §1450.

Order did not even address one thing the Homeowner filed in Objections, and conflicts with cite of congressional law and jurisdiction:

Congress deprived state courts of the power they normally have - that is, the power to decide their own jurisdiction. *E.g.*, American Fire & Cas. Co. v. Finn, 341 U.S. 6 (1951); Landry v. Cornell Constr. Co., 87 R.I. 4, 137 A.2d 412 (1957). **Federal decisions usually speak of a duty of the court to raise the jurisdictional issue.** *E.g.*, Clark v. Paul Gray, Inc., 306 U.S. 583, 588 (1939); St. Paul Mercury Indem. Co. v. Red Cab Co., 303 U.S. 283, 287, n.10 (1938).

Order contradicts even cited Mortgagees admission by waiver in 11USCA proving state never had jurisdiction! Page 4 raises concerns of Court's competency and/or if not having been bribed (as Balch has senior parties in prison for bribing government officials) because the Objections prove that the state dispossessory actions were done in contempt of federal court jurisdiction and the matter of jurisdiction was instantly raised in Homeowner filing! By this fatally flawed Order any mortgage company in federal courts can improperly substitute plaintiffs and counsel (i.e.: Deutsche for Nationstar and Aldridge Pite for Albertelli) , in contempt of federal court jurisdiction, DCN.GA order and violation of 28 U.S.C. §1450 and go into a state court in violation of Candor to Tribunal trick a state court judge during improper ex parte hearing into thinking it has jurisdiction to issue a dispossessory eviction, Mortgagees not give any notice of such a nullity ruling, misuse marshals to help them in felony white-collar crime, etc. **then Mortgagees and federal Courts claim nothing can be done by federal courts to righttheh**

wrongs in state court, not even uphold the congressional mandated federal

court jurisdiction – because “exclusively a matter of state law”! Homeowner therefore has no more means to undue the illegal acts that deprive Homeowner of Constitutional right of property and 14th Amendment than a slave to free himself or later overcome Jim Crow segregation laws without federal intervention. Order is in conflict and contradicts all cites in Objections.

THEREFORE appeal is proper and mandated per 28 U.S. Code § 1447 (d):

An order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise, except that an order remanding a case to the State court from which it was removed pursuant to section 1442 or 1443 of this title shall be reviewable by appeal or otherwise.

28 U.S. Code § 1443 (2) - Civil rights cases

Any of the following civil actions ... commenced in a State court may be removed by the defendant to the district court of the United States for the district and division embracing the place wherein it is pending:

- (1) Against any person who is denied or cannot enforce in the courts of such State a right under any law providing for the equal civil rights of citizens of the United States, or of all persons within the jurisdiction thereof;
- (2) For any act under color of authority derived from any law providing for equal rights, or for refusing to do any act on the ground that it would be inconsistent with such law.

18 U.S. Code § 242 - Deprivation of rights under color of law

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States,

Supreme Court and all courts are upholding the Constitutional right of property per cited *JESINOWSKI, MALONE, ROBINSON*, First Breach of contract, Deutsche

standing in USA and Court(s), state jurisdiction of nullity orders, who the hell is Nazi acting German Deutsche per conflicting C-I-Ps (see C-I-P), etc.

3.
CITES OF 11USCA

In respect to Court, addressing the cites:

MSP Recovery Claims, Series LLC v. Hanover Ins. Co., 995F.3d 1289, 1294 (11th Cir. 2021);

The pertinent part is:

However, Section 1447(d) renders unreviewable only the kinds of remand orders listed in Section 1447(c) : remands "on the basis of any defect **other than lack of subject matter jurisdiction**" that is raised "within 30 days after the filing of the notice of removal." 28 U.S.C. § 1447(c) ; see *Hunter v. City of Montgomery, Ala.* , 859 F.3d 1329, 1333 (11th Cir. 2017). Consequently, if a remand order is for lack of subject matter jurisdiction or if it follows a timely motion, then "we are precluded from reviewing such a remand order whether or not that order might be deemed erroneous by us." See *Corp. Mgmt. Advisors, Inc. v. Artjen Complexus, Inc.* , 561 F.3d 1294, 1296 (11th Cir. 2009) (cleaned up).

Homeowner asks this Court how this cite applies to instant case in any way other than supporting Homeowner. MSP recovery supports Homeowner in that the state is the one that never had jurisdiction and was in conflict to federal court jurisdiction and orders!!! Instant case is about Homeowner cited congressional and U. S. Supreme Court mandate to uphold federal court jurisdiction. Homeowner cites prove the state courts cannot even decide its own jurisdiction. Didn't the Civil War decide all this many years ago? It is impossible to conceive the 11USCA "is precluded from reviewing such a remand order whether or not that order might be deemed erroneous by us." This creates the question: to whom per Constitution and

history of U.S. law and courts is a district court judge's orders accountable and reviewable?

Homeowner has never made a Motion to Remand except in case wherein the Mortgagees defaulted in state but proven fraud on courts effecting the machinery of justice delivered Mortgagees from instant karma default, so we are here today. Now Mortgagees are improperly making Court err wanting remand only because they at best proven improperly compromised (Balch has senior partners in prison for corrupting government officials) state courts to have illegally obtained dispossessory after wrongful contemptuous foreclosure!

1447(c) A motion to remand the case on the basis of any defect other than lack of subject matter jurisdiction must be made within 30 days after the filing of the notice of removal under section 1446(a). If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.

Homeowner's position is proven by cited U.S. Supreme Court *BP P. L. C. ET AL. v. MAYOR AND CITY COUNCIL OF BALTIMORE* and Homeowner's clear reference to 1442:

1447(d) An order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise, except that an order remanding a case to the State court from which it was removed pursuant to section 1442 or 1443 of this title shall be reviewable by appeal or otherwise.

Concerning Instant case is proven not to be immune by:

Hunter v. City of Montgomery, Ala., 859 F.3d 329, 1333 (11th Cir. 2017).

see also Quackenbush , 517 U.S. at 711–12, 116 S.Ct. at 1718(explaining that " § 1447(d) must be read in pari materia with § 1447(c); so that only remands based on grounds specified in § 1447(c) are immune from review under § 1447(d)".

4.

VACATE DUE TO FRAUD ON COURT 60(b)(1-6)

Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238, 245-246 (1944)

created the standard for fraud on the court and is perfectly applicable to instant case:

This case involves the power of a Circuit Court of Appeals, upon proof that fraud was perpetrated on it by a successful litigant, to vacate its own judgment entered at a prior term and direct vacation of a District Court's decree entered pursuant to the Circuit Court of Appeals' mandate.

A final judgment can also be overturned by a motion, pursuant to Federal Rule of Civil Procedure 60(d)(3), as incorporated into the Bankruptcy Rules by Rule 9024, to vacate a where "the integrity of the judicial process ha[s] been fraudulently subverted" and does not include fraudulent conduct that only affects a party to the action. *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238, 245-246 (1944)

The filings for USCA11 21-10398 and 22-11463 are Exhibits A and B for DCN.GA 20-cv-02459 giving law and evidence for Writ of Error and Vacating for Fraud and why this honorable Court needs to Stay the Mandate until there are rulings from USCA11 and U.S. Supreme Court as Exhibit previously filed into this Court: Emergency Application for Writ of Injunction with notice of Certiorari. The evidence emphasizes the fraud in Court.

Federal Rule of Civil Procedure 60 sets forth the grounds under which a judgment may be set aside, but Rule 60(d)(3) states Rule 60 does not limit a court's power to set aside a judgment for fraud on the court. *Ehrenberg v. Roussos (In re Roussos)*, 541 B.R. 721 (Bankr. C.D. Cal. 2015)

Rule 60(d)(3) is the codification of a court's inherent power to investigate whether a judgment was obtained by fraudulent conduct. *Universal Oil Products Co. v. Root Ref. Co.*, 328 U.S. 575, 580 (1946). There is no statute of limitations for a fraud on the court claim and a court may consider such a claim even if no adversarial parties are before the court. *In re Roussos*, 541 B.R. at 729. Homeowner adequately pleads a fraud on the court claim by proving "a scheme by which the integrity of the judicial process had been fraudulently subverted" and involves far more than an injury to only himself *Addington v. Farmer's Elevator Mut. Ins. Co.*, 650 F.2d 663 (5th Cir. 1981). The *Met-L-Wood Corp.*, 861 F.2d at 1016 Case was perfectly aligned with instant case of balancing a possible fraud on the court claim with the policy of protecting statute of limitations of 21-year-old final sale order, equivalent to instant case statute of limitations sealed contract. Exhibits A and B prove applicable to instant case because previous associated cases DCN.GA Judge Story ruled Mortgagees had "breached the contract" and "could not ascertain how Deutsche was associated with loan" so dismissed cases but without prejudice with instructions to serve Mortgagees again solely due fraud on courts prevailing over Mortgagees default

of proper service fulfilling *Martina Theatre Corp. v. Schine Chain Theatres, Inc.*, 278 F.2d 798, 801 (2d Cir. 1960): “Fraud on the court will, most often, be found where the fraudulent scheme defrauds the “judicial machinery” or is perpetrated by an officer of the court such that the court cannot perform its function as a neutral arbiter of justice.” Judge Story was for unknown reasons replaced in instant cases by another magistrate judge who also, as was Judge Story, proven adversely effected by a Fraud directed at the “judicial machinery” can mean conduct that fraudulently coerces or influences the court itself or a member of the court, such that the impartial nature of the court has been compromised i.e.: “Frivolous” “bonds” etc. *Bulloch v. United States*, 721 F.2d 713, 718 (10th Cir.1983) Homeowner has invoked Candor to the Tribunal innumerous times: “An attorney, as an officer of the court, has a duty of honesty towards the court.” *TRI-CRAN, INC., v. FALLON* Bankruptcy No. 85-1253-CJK. Adv. No. 88-1241. March 17, 1989 . As unpleasant as it is for Court to deal with a pro se proving debt collecting attorneys neglected their duty and obtained judgments based on conduct that actively defrauds the court, such judgment may be attacked, and subsequently overturned, as fraud on the court. *H.K. Porter Co. v. Goodyear Tire & Rubber Co.*, 536 F.2d 1115, 1119 (6th Cir. 1976) Fraud on the court can be found where the debtor’s attorney proffers a material misrepresentation in order to obtain a judgment. *In re Tri-Cran*, 98 B.R. at 624.

FRAUD ON THE COURTS

Following are not all the factual acts of Fraud on the Courts fulfilling all the cited mandates due to time constraints to be filed by Monday morning and used to prevent the erroneous Mandate and Remand of DCN.GA into state courts enabling the illegal eviction of 100% legally right Homeowner! Also See Exhibit A1-4 Timeline.

NOT ONE OF MAIN ISSUES OF CASE HAS EVER BEEN ADDRESSED DUE

TO FRAUD. All Dismissed Without Prejudice or erroneous "Frivolous". The

Mortgagees have misused the insanely circular reasoning of citing the DCN.GA magistrate order obtained by fraud on the courts to justify to this Court their position instead of legally required answer the questions and present superior law.

- Mortgagees frauded the courts by not informing Courts Homeowner was winning member #FF64929439 in *ROBINSON V. NATIONSTAR MORTGAGE LLC* (8:14-cv-03667 DCMDGreenbelt 2021) all Jurisdictional laws and rules to which the petition is addressed and consideration by the full court is therefore necessary to secure and maintain uniformity of the court's decisions. Mortgagees are operating in bad faith litigation to continue to pursue instant case after losing underlying case that voids all orders as nullities and moots their cases against Homeowner
- Mortgagees frauded Court by misrepresenting to courts that Albertelli was Secretary of State "compliant" so after the attempted sheriff service was unethically rejected, the sheriff affidavit quoted employee instructed to reject service "(Albertelli who is based in Florida but perjured to Secretary of State to form and registered his company to be

agent in Georgia) He does not work in this office” proving he was not only not compliant but was formed in perjury and defaulted on service and destroyed diversity. The Federal Courts never had jurisdiction so any claims of res judicata are false. The fraud on those earlier cases not discoverable until they thought they had prevailed then was discoverable proven by changing registered agent from Albertelli to CSC.

- C-I-P for cases 21-10398 and 22-11463 prove Deutsche are operating illegally in USA and have to sanding to enforce contracts. When Homeowner complained that Deutsche was operating in fraud in Violation to United States Supreme Court *AMERICAN BANK & TRUST CO. V. FEDERAL RESERVE BANK*, 256 U.S. 350 (1921) Mortgagees changed Deutsche to another not legally registered in New York! Both frauds are to avoid state taxes and juries.

- *Fraud in State Courts causing nullity orders: case 18-cv-4005 filing*
ERRORS IN FRAUDULENTLY OBTAINED ORDER DUE FRAUD UPON COURTS

The order of 3/27/19 has extreme errors as drafted by the Defendants, Deutsche who was recently fined \$7.2Billions for doing illegal acts similar to what doing in this Court, went rouge from Nationstar, who did illegal foreclosure. Once the appealed wrongful foreclosure has final non-appealable order then it is Nationstar, not Deutsche, is only one who has right to evict and dispossess Homeowner. SEE QUOTE OF FEDERAL JUDGE OPINING DEUTSCHE CANNOT BE INVOLVED IN CASE! *Exhibit A page 29* **BOLD HIGHLIGHT** So Order contradicts District Court Federal judge ruling!!!!

Deutsche hired Defendants Pite and Wallach who are bad acting debt collector – not just a law firm and an attorney, but acting as debt collector are liable as proven by many federal cases wherein judges are now holding accountable bad acting debt collectors who happen to be attorneys. Pite has lost lawsuits acting as bad debt collector! The Defendants admit the appealed wrongful foreclosure was removed from the jurisdiction of this Court into Federal Court! That is why they are being sued for doing dispossessory and eviction due fraud upon courts per Exhibit A.

See Exhibit A of Federal Court Appellant Reply Brief proving fraud upon the court that is basis instant lawsuit and destroys every lie that the Defendants have perpetrated against this Court to obtain erroneous Order. Homeowner has argued against everything the Order has in it and Exhibit A proves not only jurisdiction but also why they fail!

After three attempts to get bad order to even look legally right, where Defendants keep correcting their own drafted orders because so illegal the Defendants realized they had so manipulated the Court to look incompetent in ruling for them that the orders would not stand up to an appeal and would humiliate this Court! Same with latest Order dated 24th and filed 27th titled “... **WITHOUT PREJUDICE**” but (after all proven false reasons to be appealed if not Reconsidered) on page 12 states “Plaintiff’s Complaint is **DISMISSED WITH PREJUDICE.**”

IN CONCLUSION This Court of equity, forever applauded and often endorsed for proper past TRO, has discretion to rule for all the homeowners in DeKalb and State of Georgia and grant Homeowner’s cited legal relief from the now four final orders due proven fraud upon the court. All matters of this case are independent and free of the jurisdiction of 11th Circuit, or ultimately U.S. Supreme Court, and Georgia Court of Appeals. The Defendants are being held accountable for anarchy in courts.

- Fraud of Aldridge Pite as improperly substituted counsel for Albertelli went with rogue, never court authorized substituted plaintiff Deutsche to illegally and in proven by granting of second state TRO in contempt of federal court jurisdiction and order got and ex parte hearing and defrauded the state magistrate judge concerning the status of case to trick her into thinking she had jurisdiction to grant an eviction/dispossessory order to destroy legally correct Homeowner who was trusting the federal courts for justice. Then compounded the fraud by not informing Homeowner of hearing or order so had a surprise eviction reversed but only after \$5,000+ damage to his home and belongings, personal physical damage and great psychological suffering and emotional duress.
- Fraud to courts instead of informing court of KNOWN clerical order of misfiling the

appeal of nullity illegal eviction into wrong case they had removed the Mortgagees frauded the Superior Court that the case had been Removed by them so there was no jurisdiction for appeal so judge dismissed the appeal due no jurisdiction when fact of law is the was never any jurisdiction for illegal, contemptuous foreclosure they ex parte interfered Homeowner obtaining TRO against foreclosure lying to presiding judge who quoted their reasoning of no service which was the fraud they were perpetrating in federal courts and not required for TRO with only two days notice because Mortgagees somehow knew within day of ruling when and what it would be as had been advertising foreclosure before the order issued that would allow it but Homeowner still appealed erroneous order into USCA11 and Mortgagees knew it so frauded the presiding judge on that as well.

- Mortgagees were convicted of violating RESPA regulations against Homeowner and fraud the courts withholding information that they know voids and moots all their current attempts to foreclose and evict!
- Mortgagees frauded the courts by claiming excess debts not due because of their breach of contract and violated Congressional Banking Laws.
- "... invoked Rule 3.3 mandating counsel Balch expose the malicious schemes of their clients' illegal, willful contempt, sham filings and fraud upon courts the Defendants have been perpetrating since 2014 per [Remember Appellees Appendix 18-12593 DOC 24 PP: 4-33] and Appellant's Brief:

“Every court from DCNG magistrate to this Court have written if there were no registered agents then Homeowner’s Secretary of State service would be correct so now by Mortgagors own filing and all the courts rulings there is no jurisdiction as Homeowner’s filings shows all the defaulted Appellees were in fact non-compliant!” Fraud 18-12348 DOC 1 pp 2-8 vs truth
Appellant’s Reply Brief gave the Appellees’ counsel a gracious out in his

Appellant’s Brief to adhere to Rule 3.3 but it was rejected by Balch, so now all must be exposed as Balch is obviously the mastermind and get-away car driver for Appellees. Balch is as sociopathic as Bernie Madoff and Elizabeth Holmes and the Appellant’s Reply Brief shows what they swept under the rug in Cat In The Hat cleanup of Appellees mess is stinking to high heaven!

PART 3 - REVOCATION OF CERTIFICATE OF AUTHORITY § 14-2-1530 -

(5) An incorporator, director, officer, or agent of the foreign corporation signed a document he knew was false in any material respect with intent that the document be delivered to the Secretary of State for filing; or

Since Panel II cites Georgia Court of Appeals supporting Homeowner, another cite proving Service per Secretary of State is binding:

THORBURN COMPANY v. ALLIED MEDIA. No. A99A0637. Decided: 4/28/99
The trial court found that “by ~~not~~ serving a summons along with the complaint to either [Allied Media] or the Secretary of State [pursuant to OCGA §§ 9-11-4(d) and 14-2-1510], service was ~~not~~ properly perfected.” Accordingly, there was no error. Judgment affirmed.

Mortgagee should have sued the previous mortgage company instead of Homeowner. Instead unauthorized substituted plaintiff Deutsche committed interstate mortgage fraud and violate banking accounting laws via wrongful in contempt foreclosure of known bad loan with improperly inflated value of illegally increased mortgage payments due, penalties, and with no competing bids bought in for more than advertised to further falsify accounting. Court is liable for participating

in fraud if not cure by enforcing ethics. Homeowner is a “whistle blower” of federal banking violations:

The Sarbanes-Oxley Act of 2002 came in response to financial scandals in the early 2000s involving publicly traded companies such as Enron ... auditors, and corporate officers and imposed more stringent recordkeeping requirements. ... disclosure requirements and fairly present in all material aspects ...

4/19/19 Will Kenton of Investopedia

The Dodd-Frank Wall Street Reform and Consumer Protection Act (the “Act”). The Act is meant to overhaul the United States financial oversight regime and is considered to effect the most sweeping change to financial sector regulation since the reforms following the Great Depression.

IN CONCLUSION to honor U.S. Supreme Court *BP P. L. C. ET AL. v.*

MAYOR AND CITY COUNCIL OF BALTIMORE and Homeowner’s clear reference to 1442 for 1447(d) and reconsider its ruling, or, there are a few judges who will accept Judge Posner’s resigning challenge to no longer mistreat “pro se litigants as trash” so in bias enable white-collar criminal Mortgagees and their bad acting debt collectors attorneys to steal homes even after attorneys have per Rule 3.3 admitted by waiver the Mortgagees have done contemptuous improper acts and committed fraud upon the courts to prevail to date. The fraud to take bailout money then buy as many defaulted loans caused by their illegal acts creating the Great Recession to steal homes at 50 cents on the dollar and less and then also get all the equity for windfall profits while avoiding paying taxes not being registered in violation to Supreme Court ruling in *American Bank & Trust Co. v. Federal Reserve Bank*, 256 U.S. 350 (1921)

THEREFORE Homeowner prayerfully requests this honorable Court grant the proven need for EMERGENCY MOTION WRIT OF ERROR RULE 59(e)(1-4) WITH VACATE DUE TO FRAUD ON COURT 60(b)(1-6).

Respectfully Submitted this 20th day of November, 2022

//Christopher M. Hunt, Sr.// (electronic signature)

Christopher M. Hunt, Pro Se

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULES 5.1

1. This petition complies with the type-volume limitation of Fed. R. App. P. 35(b)(2)(A) because, excluding the parts of the brief exempted by Fed. R. App. P. 32(f) and 11th Cir. R. 35-1, body contains 2,783+/- words.

2. This complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using a 14-point Roman font.

Dated 20th November, 2022

//Christopher M. Hunt, Sr.// (electronic signature)

Christopher M. Hunt, Sr. Appellant Pro se

JURY TRIAL AND APPELLANT REQUESTS ORAL ARGUMENTS IF

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

DEUTSCHE BANK TRUST COMPANY	§	
AMERICAS, TRUSTEE	§	22-11463
	§	DCNG
Plaintiff/Appellee	§	21-10398
vs.	§	DeKalb
	§	18CV4742-2
CHRISTOPHER M. HUNT, SR.	§	DeKalb Magistrate
	§	17D25385
Defendant/Appellant	§	

CERTIFICATE OF SERVICE

I have sent a copy of this via electronic filings system and if requested by US mail after filing with proper first-class postage affixed this 20th day of November 2022:

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**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

CHRISTOPHER M. HUNT, SR.

Appellant/Plaintiff

V.

**NATIONSTAR MORTGAGE, DEUTSCHE
BANK NATIONAL TRUST COMPANY
JAY BRAY CEO NATIONSTAR
THE ALBERTELLI FIRM, PC**

Appellees/Defendants 14CV8532 & 18CV4742 & 20CV3778

§
§ **CIVIL ACTION NO.**
§ **21-10398**
§ **Related:**
§ **22-11463 21-10262-J**
§ **20-13439J**
§ **20-12310-J**
§ **DCNG**
§ **1:20-cv-02359-TWT**
§ **DeKalb Cases:**

CERTIFICATE OF SERVICE

I have sent a copy of this **EMERGENCY VERIFIED MOTION WRIT OF ERROR RULE 59(e)(1-4) WITH VACATE DUE TO FRAUD ON COURT 60(b)(1-6) C** by court electronic filing system CM/ECF and if requested by US mail after filing with proper first-class postage affixed this 20th November, 2022

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