

APPENDIX TABLE OF CONTENTS – Continued

	Page
Magistrate Court of Dekalb County, State of Georgia, Amended in Superior Court with Notice of Appeal to U.S. Supreme Court, October 18, 2017	App. 57
Superior Court of Dekalb County, State of Georgia, Defendant's Emergency Motion to Set Aside and Vacate Final Order 2/27/19 and Grant TRO with Hearing Rule NISI, June 27, 2023	App. 62
Email RE: Whistleblower on Nation's Largest Mortgage Scam in Aftermath of Great Recession!	App. 79
Excerpt of Online Docket for Magistrate Court of Dekalb County, State of Georgia, Case No. 17D25385.....	App. 83

App. 1

IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA

DEUTSCHE BANK TRUST)	
COMPANY AMERICAS,)	
AS TRUSTEE,)	CIVIL ACTION
Plaintiff/Appellee,)	FILE NO.
vs.)	18CV4742-2
CHRISTOPHER HUNT,)	
Defendant/Appellant.)	

**ORDER CORRECTING AND
REVISING FINAL ORDER, JUDGMENT,
AND WRIT OF POSSESSION**

(Filed Mar. 17, 2022)

The Court has reviewed the Motion to Correct Final Order, Judgment, and Writ of Possession (the “Motion”) filed by Deutsche Bank Trust Company Americas, as Trustee, pursuant to O.C.G.A. § 9-11-60(g), and the Objections and subsequent filings filed by Christopher Hunt as well as the entire record before the Court, and hereby finds at follows:

1.

The Final Order, judgment, and Writ of Possession (the “Final Judgment and Writ”) was filed with the Clerk of Court on February 28, 2019 but dated February 28, 2018. A true and correct copy of the Final Order

App. 2

and Judgment is attached hereto as Exhibit 1 and incorporated herein by reference.

2.

The Final Judgment and Writ contained two clerical items which should be revised: a) the year for the date of the Final Judgment and Writ is shown as “2018” rather than “2019”; and b) it directs the Marshal of DeKalb County, Georgia to execute the Final Judgment and Writ, rather than the Sheriff, Marshall, or constable of DeKalb County, Georgia or one of his deputies.

It is **HEREBY ORDERED AND ADJUDGED** that as a matter of law:

1. The Final Judgment and Writ of Possession is amended as follows:
 - (a) Paragraph 3 beginning on Page 5 is deleted and inserted in lieu thereof is the following: “Deutsche Bank as Trustee is entitled to immediate possession of the Property, without further delay, and this Order constitutes a Writ of Possession. The Sheriff, Marshall, or Constable of DeKalb County, Georgia or one of his lawful deputies, is hereby commanded to remove Mr. Hunt and any others residing on the property located at 1920 Anastasia Lane, Atlanta, Georgia 30341, together with their personal property from the house and premises located at 1920 Anastasia Lane, Atlanta, Georgia 30341.

App. 3

(b) Page 6 of the Final Judgment and Writ is amended to reflect that it was signed on February 26, 2019.

2. The Final Judgment and Writ, as amended hereby, remains active and enforceable, and shall be enforced **INSTANTER** by the Sheriff, Marshall, or Constable of DeKalb County, Georgia, or one of his lawful deputies without further Order of this or any other Court, and without affidavit or application by Plaintiff.

3. The Amended Order Granting Supersedeas Bond entered on June 21, 2019 remains active and in effect as to any appeals or challenges to the Final Judgment and Writ as amended by this Order, and that to date, the required bond has not been posted.

IT IS SO ORDERED this 17th day of March, 2022.

/s/ Asha F. Jackson
HON. ASHA F. JACKSON
DeKalb County Superior
Court Judge
Division 2

Prepared and presented by:

/s/ Dallas R. Ivey
Dallas R. Ivey
Georgia Bar No. 385145
Attorney for Plaintiff
Fifteen Piedmont Center
3575 Piedmont Road NE
Suite 500
Atlanta, Georgia 30305

App. 4

Phone: (404) 994-7655
Fax: (888) 387-6828
divey@aldridgepite.com

INFORMATION PURSUANT TO UNIFORM SUPERIOR COURT RULE 36.4

Parties: Deutsche Bank Trust Company Americas, as Trustee v. Christopher Hunt

IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA

DEUTSCHE BANK TRUST)	
COMPANY AMERICAS,)	
AS TRUSTEE,)	CIVIL ACTION
Plaintiff/Appellee,)	FILE NO.
vs.)	18CV4742-2
CHRISTOPHER HUNT,)	
Defendant/Appellant.)	

**FINAL ORDER, JUDGMENT,
AND WRIT OF POSSESSION**

(Filed Feb. 28, 2019)

The Court has reviewed the Motion to Dismiss Appeal and Issue Writ of Possession (the “Motion”) filed by Plaintiff, Deutsche Bank Trust Company, as Trustee (“Deutsche Bank as Trustee”), the “Emergency Motion to Deny Both Dismissal of Appeal and Issue Writ of Possession, With Notice of Filing”, “Hunt’s Continued Emergency Motion Mandating Reconsider, Reopen and Deny All Mortgagor’s Dismissals, Etc., Motion Demanding Hearings per Rule 3.3”, “Emergency Motion for Hearing to Quash Per Rule 3.3, Shows Sham Filing and Fraud Upon Courts, Emergency Order Stay/TRO For Instant Case Preserving Original 18CV4916 Stay Date”, “Emergency Motion for Jury Trial if Motion to Quash Dispossessory Order Due Exhibit Proof of NO Jurisdiction is Not Granted” and “Motion to Deny Dismissals with Evidence Proving Lawsuit Valid and

App. 6

Quash Hearing Mandated” filed by Christopher Hunt (“Mr. Hunt”) in response to the Motion, Deutsche Bank as Trustee’s Reply in Support of the Motion, and the entire record before the Court, and hereby finds as follows:

1.

This dispossessory case began in the Magistrate Court of DeKalb County, Georgia (the “Magistrate Court”), Case No. 17D25385, concerning the real property commonly known as 1920 Anastasia Lane, Atlanta, Georgia 30341 (the “Property”). Deutsche Bank as Trustee filed the underlying dispossessory case seeking possession of the Property on the ground that Mr. Hunt is a tenant at sufferance following a non-judicial foreclosure sale of the Property. The record shows the Magistrate Court held a bench trial on October 16, 2017, resulting in an Order and Judgment in favor of Deutsche Bank as Trustee and directing that a writ of possession issue on October 23, 2017 (the “Order and judgment”).

2.

Mr. Hunt filed an appeal of the Order and Judgment with this Court (the “First Appeal”). The First Appeal dismissed by this Court for want of prosecution on December 19, 2017, and the case was remanded to the Magistrate Court, which issued a writ of possession (the “Writ”) in favor of Deutsche Bank as Trustee on January 4, 2018.

3.

On February 27, 2018, an order to stay the Writ (the “Stay Order”) was entered in another civil action before this Court, Christopher M. Hunt, Sr. v. Nationstar Mortgage, LLC et al, Civil Action No. 17CV4916-2, which had previously been removed to the U.S. District Court, Northern District of Georgia (the “District Court”) and docketed as Case No. 1:17-cv-02294-RWS. The Stay Order was vacated on March 29, 2018 by order of this Court because this Court did not have jurisdiction to enter the Stay Order.¹

CITATION TO AUTHORITY AND ARGUMENT

Mr. Hunt completely fails to address Plaintiff’s argument in support of granting the Motion because the First Motion to Reconsider and the Second Motion to Reconsider are untimely and improper as an appeal.

¹ On August 8, 2018, Mr. Hunt filed a document titled “Notice of Removal” in this dispossessory case. This document does not identify a District Court case number showing Mr. Hunt removed this dispossessory case to the District Court in accordance with 28 U.S.C. § 1446. Moreover, the docket for the District Court does not reflect that this case was removed by Mr. Hunt as noted in Deutsche Bank as Trustee’s Brief in Support of the Motion (Br. Supp. Mot. Dis. App. p. 4) and Deutsche Bank as Trustee’s Reply in Support of the Motion (Rep. Supp. Mot. Dis. App. p. 3, EN 1) filed August 24, 2018 and September 26, 2018, respectively. See also Johnson v. Allied Recycling, Inc., 323 Ga. App. 427, 746 S.E.2d 728 (2013) (court may take judicial notice of public proceedings); Mosera v. Davis, 306 Ga. App. 226, 701 S.E.2d 864 (2010); Rothenberg v. Security Management Co., 667 F.2d 958 (11th Cir. 1982). Furthermore, Mr. Hunt filed on December 11, 2018, his Motion to Withdraw Removal.

Rather, Mr. Hunt appears to assert that the First Motion to Reconsider and the Second Motion to Reconsider were filed as motions to set aside the Order to Vacate, the Order and Judgment, or the Writ pursuant to O.C.G.A. § 9-11-60(d).

A judgment may be set aside under limited circumstances:

A motion to set aside may be brought to set aside a judgment based upon:

- (1) Lack of jurisdiction over the person or the subject matter;
- (2) Fraud, accident, or mistake or the acts of the adverse party unmixed with the negligence or fault of the movant; or
- (3) A nonamendable defect which appears upon the face of the record or pleadings. Under this paragraph, it is not sufficient that the complaint or other pleading fails to state a claim upon which relief can be granted, but the pleadings must affirmatively show no claim in fact existed.

O.C.G.A. § 9-11-60(d). *See Kothari v. Tessfaye*, 318 Ga. App. 289, 297, 733 S.E.2d 815, 821 (2012); “The Supreme Court of Georgia has expressly limited judgments void on their faces to those judgments which lack either personal or subject matter jurisdiction.” *Moore v. Mack*, 266 Ga. App. 847, 852, 598 S.E.2d 525, 529-530 (2004) (internal quotations omitted); *C & S Nat'l Bank v. Burden*, 145 Ga. App. 402, 244 S.E.2d 244 (1978) (collateral attack in any court by any person if

App. 9

a judgment is void on the judgment's face; otherwise, judgments are subject to direct attack only in the court of rendition by motions to set aside or for new trial or by complaint in equity).

Mr. Hunt does not identify whether he seeks to set aside the Order to Vacate, the Order and Judgment, or the Writ, and further fails to identify the basis under O.C.G.A. § 9-11-60 on which he seeks relief. It does not appear that Mr. Hunt asserts a lack of personal jurisdiction, a lack of subject matter jurisdiction, or a nonamendable defect on the face of the record, so the Court is left to conclude that Mr. Hunt challenges these orders based on some alleged fraud based on the Response and the documents attached thereto. However, the Response offers only general allegations against Plaintiff and legal conclusions without any discernable specificity necessary to establish fraud as necessary to warrant setting aside any of these orders.²

The record is clear that Plaintiff is entitled to a writ of possession because it is the owner of the Property following the Sale. The records of this Court show that Plaintiff foreclosed on the Property on May 2, 2017, and was the successful bidder as evidenced by the Deed Under Power. Under Georgia law, Mr. Hunt is considered a tenant at sufferance after the foreclosure sale and may be summarily evicted from the foreclosed property. *See Britton v. Fed. Nat. Mortg. Ass'n, 307 Ga.*

² To the extent Mr. Hunt challenges the Order to Vacate, such challenge was not properly filed in this case because this action began in Magistrate Court which was not the court of rendition for the Order to Vacate. See C&S Nat'l Bank, *supra*.

App. 581, 705 S.E.2d 682 (2011) (“An owner of real property who remains in possession following a foreclosure sale of the property becomes a tenant at sufferance.”); Bellamy v. FDIC, 236 Ga. App. 747, 512 S.E.2d 671 (1999) (tenants at sufferance are subject to being summarily dispossessed by purchaser at foreclosure sale).³

Therefore, it is **HEREBY ORDERED AND ADJUDGED** that as a matter of law:

1. This dispossessory case has not been removed to the District Court in accordance with 28 U.S.C. § 1446, and this Court has jurisdiction over this action;
2. Mr. Hunt is a tenant at sufferance subject to immediate dispossession;
3. Deutsche Bank as Trustee is entitled to immediate possession of the Property, without further delay, and this Order constitutes a Writ of Possession. The Marshal of DeKalb County, Georgia or one of his lawful deputies is hereby commanded to remove Mr. Hunt and any others residing on the property located at 1920 Anastasia Lane, Atlanta, Georgia 30341, together with their personal property from the house and premises located at 1920 Anastasia Lane, Atlanta, Georgia 30341.

³ Defendant has not alleged a tender of amounts due on the subject loan as necessary to set aside the Sale in this *case* or any of the actions he has filed. *See Hill v. Filsoof*, 274 Ga. App. 474, 618 S.E.2d 12 (2005).

App. 11

3. This Order constitutes a Final Judgment and Writ of Possession and the Clerk is hereby instructed to close this case.

SO ORDERED this 26th day of February, 2018.

/s/ Asha F. Jackson
JUDGE ASHA F. JACKSON
DeKalb County Superior Court
Division 2

IN THE MAGISTRATE COURT OF
DEKALB COUNTY
STATE OF GEORGIA

DEUTSCHE BANK

C.A.F.N 17D25385

v.

CHRISTOPHER HUNT

JUDGE'S DIRECTIVE

(Filed Feb. 12, 2018)

Defendant's *Motion to Stay Eviction* and *Emergency Motion to Reopen and Void Ab Initio Eviction* are DENIED. The Writ of Possession signed January 4, 2018, may proceed.

The Court finds the procedural history of the Defendant's cases as follows:

1. **Hunt v. Nationstar C.A.F.N. 17CV4916-2**
Christopher Hunt filed an action in DeKalb County Superior Court on May 2, 2017. Judge Hunter denied Hunt's request For a Temporary Restraining Order in the case. The matter appears to be pending in front of Judge Jackson.
2. **Hunt v. Nationstar C.A.F.N. 1:17CV-02294-RWS**
A Removal action was filed in the Northern District of the United States District Court on August 10, 2017. The removal was denied, and the case was remanded back on or about October 25, 2017. Said removal did not include

App. 13

the dispossessory action since the dispossessory was not filed until after the request for removal.

3. **Deutsche Bank v. Hunt C.A.F.N. 17D25385**
Deutsche Bank filed a dispossessory in DeKalb County Magistrate Court against Christopher Hunt on September 25, 2017. An Order granting a Writ of Possession was issued on October 16, 2017. Hunt filed an appeal to DeKalb County Superior Court (**C.A.F.N. 17MA1165**). Said appeal was dismissed by Judge Johnson on December 19, 2017. A Writ of Possession issued January 4, 2018.

Date: 2/12/18 Judge /s/ [Illegible]

**Court of Appeals
of the State of Georgia**

ATLANTA, July 20, 2022

The Court of Appeals hereby passes the following order:

**A22D0447. CHRISTOPHER M. HUNT, SR. v.
DEUTSCHE BANK TRUST COMPANY.**

This case began as a dispossessory proceeding in magistrate court. Following an adverse ruling, defendant Christopher M. Hunt, Sr. appealed to the superior court. The superior court ruled in favor of the plaintiff Deutsche Bank Trust Company and entered a final judgment and writ of possession on February 28, 2019.¹ March 17, 2022, the superior court entered an order to correct and revise its final order. On May 25, 2022, Hunt filed a document styled as a “Petition for Writ of Certiorari” in the Supreme Court, which docketed the filing as an application for discretionary appeal and transferred it to this Court. We, however, lack jurisdiction.

Pretermitted whether Hunt is entitled to challenge the March 2022 order, his application is untimely. Ordinarily, an application for discretionary review must be filed within 30 days of entry of the order sought to be appealed. See OCGA § 5-6-35 (d). Under OCGA § 44-7-56, however, appeals in dispossessory actions must be filed within seven days of the date the judgment was entered. See *Ray M Wright, Inc. v. Jones*,

¹ Hunt filed a direct appeal from that order, which this Court dismissed for failure to file an application for discretionary appeal. See Case No. A19A2382 (dismissed Aug. 6, 2019).

App. 15

239 Ga. App. 521, 522-523 (521 SE2d 456) (1999); see also Court of Appeals Rule 31 (a). Hunt's application was filed 69 days after the superior court issued its March 17 order and more than three years after the original issuance of the writ of possession. Accordingly, Hunt's application is untimely and is hereby DISMISSED.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, 07/20/2022

I certify that the above ~~49~~ a true extract from the minutes of the Court of Appeals of Georgia.
[SEAL]

Witness my signature and the seal of said court hereto affixed the day and year last above written.

/s/ Stephen E. [Illegible], Clerk.

App. 16

[SEAL] SUPREME COURT OF GEORGIA
Case No. S22C1331

April 04, 2023

The Honorable Supreme Court met pursuant to adjournment. The following order was passed:

CHRISTOPHER M. HUNT, SR. v.
DEUTSCHE BANK TRUST COMPANY.

The Supreme Court today denied the petition for certiorari in this case.

All the Justices concur.

Court of Appeals Case No. A22D0447

SUPREME COURT OF THE
STATE OF GEORGIA
Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

/s/ [Illegible], Clerk

IN THE SUPREME COURT OF GEORGIA
STATE OF GEORGIA

DEUTSCHE BANKTRUST	§ NO.: SC221331
COMPANY AMERICAS,	§ SUPREME
AS TRUSTEEE	§ COURT CASE:
Respondents	§ (transferred)
v.	§ S22D1064
CHRISTOPHER M. HUNT, SR.	§ COURT OF § APPEALS CASE
Petitioner	§ A22D0447

REPLY RULE 42.1 CORRECTED
CERTIORARI WITH EXHIBITS TO
SUPPLMENT THE RECORD

(Filed Aug. 26, 2022)

USCA11 21-10398 AND DEKALB 18cv4742 SHOW HONORABLE COURT THE SEVERITY OF MORTGAGEES ILLEGALLY CREATED CONFLICTS OF JURISDICTION AND IMPORTANCE OF INSTANT CASE FOR HARMONIZING COURTS PER U.S. CONSTITUTION AND SUPREME COURT OF UNITED STATES FOR STANDING IN COURTS. PAGE LIMITS ADHERED.

Petitioner:

Rev. Christopher M. Hunt, Sr. Ph.D. pro se
5456 Peachtree Blvd. 410
Chamblee GA 30341-2235
770-457-3300 1cor13cmh@gmail.com

App. 18

COMES NOW Petitioner "Homeowner" forced pro se due theft of home with \$400,000 equity and files REPLY RULE 42.1 CORRECTED CERTIORARI WITH EXHIBITS TO SUPPLMENT THE RECORD and keeping everything and incorporating from INITIAL CERTIORARI, S22D1064 A22D0447, corrected omitted page 7 added Exhibit 2 USCA11 21-13098 avers page limits adhered:

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

App. 19

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."

HISTORY OF CASE

Homeowner had excellent credit and made all timely payments until Mortgagees committed first breach by radically increasing interest rates so per

PAUL E. MALONE, SR. & FAITH LANIER
MALONE, Plaintiffs, v. FEDERAL HOME
LOAN MORTGAGE CORPORATION and
BANK OF AMERICA, N.A., Defendants. Case
No. 1:14-cv-193 (WLS) United States District

App. 20

Court, M.D. Georgia, Albany Division. May 12, 2016.

For their wrongful foreclosure claim, the plaintiffs sought to set aside the foreclosure in order to recover the property and also sought damages. The Middle Georgia District Court held that the plaintiffs may seek both forms of relief against the defendant bank. The Court also held that the plaintiffs' allegations that they tried to tender full payment to the defendant bank was sufficient to state a claim for equitable relief.

Accordingly, the District Court found that the plaintiffs alleged breach of contract on a sealed instrument. Therefore, the Court held, the breach of contract claim was not barred by the statute of limitations as the 21-year statute applies. And per United States Court of Appeals, Sixth Circuit. CHRYSLER INTERNATIONAL v. CHEROKEE EXPORT COMPANY, No. 96-1747. January 14, 1998 Under the first breach doctrine, if a party to a contract does not live up to their obligations which were owed under the contract, that party may not sue to enforce the contract against the other party. Another way to put it is that if a party committed the first breach, it cannot sue afterwards to enforce the provisions of the contract which were favorable to that party even if there is a subsequent breach by the other party." (Note: Homeowner never breached the contract in any way. This is shared just to show how serious the Mortgagees serious material breach effected their

App. 21

right to try to foreclose. DeKalb properly issued the original TRO!).

Georgia Supreme Court COLLINS ET AL. V. ATHENS ORTHOPEDIC CLINIC, P.A. damages of breach recoverable.

In Georgia, according to the first breach doctrine, “[i]f the nonperformance of a party to a contract is caused by the conduct of the opposite party, such conduct shall excuse the other party from performance.” Ga.Code Ann. § 13-4-23 (2013). The non-breaching party’s performance, however, must have been rendered “useless or impossible” to be excused. *Progressive Elec. Servs. Inc. v. Task Force Constr., Inc.*, No. A140355, 2014 Ga. App. LEXIS 389, at *13 (6/18/4)

Homeowner’s filings cite laws protecting him so proven 100% legally correct by Supreme Court JESINOSKI, Circuit Courts and Districts Courts ROBINSON and MALONE, O.C.G.A. § First Breach federal laws, SarbanesOxley Act and The Dodd-Frank Wall Street Reform and Consumer Protection Act congress passed to make sure nothing like instant case ever occurred again! And even more important than all these is question the proper jurisdiction holding USCA11 has granted a rehearing to address: when does a foreign, international company gain any rights or privileges to do business in USA when it is operating in violation or U.S. Supreme Court *American Bank & Trust Co. v. Federal Reserve Bank*, 256 U.S. 350 (1921), federal banking laws and then breaches contracts, and then while in federal courts after its own removal then violate

App. 22

federal court jurisdiction and in contempt of court orders in both federal and state court (TRO before removal so per 28 USC § 1450 still binding) improperly go into state court and misrepresent jurisdiction and status of case to get nullity orders to destroy the 100% legally right USA citizen and steal home instead of lose in federal court?

The Mortgagees committed fraud on federal courts to avoid the instant default of mandated Georgia Secretary of State service. Mortgagees refused sheriff service at Cobb County Galleria office then it was discovered they formed their company in perjury and the person who swore was registered agent in Georgia was same person as CEO, etc. always been in Florida. The Atlanta staff per sheriff affidavit of service "he (non-existent registered agent) does not work out of this office" but swore he did when actually was same person as CEO etc. with office address in Florida so never had jurisdiction rights in Georgia. Mortgagees only cured their never-compliant status after the fact of their effecting machinery of justice in courts to avoid default and face jury in Georgia and in becoming compliant proved the fraud on courts to avoid default and remand to Georgia.

With all jurisdictions in federal courts the Mortgagees with no notice to courts or Homeowner started to improperly advertise foreclosure in Georgia. Homeowner filed the appeal of errant DCN.GA order into the USCA11 and Mortgagees knew it but with no order allowing or jurisdiction did an illegal foreclosure in Georgia violating 28 U.S. Code § 1450 wherein the

App. 23

Homeowner by law was protected in Georgia jurisdiction of standing DeKalb TRO that was still in effect until final non-appealable order in federal courts. Therefore, foreclosure had no jurisdiction. Homeowner sued for wrongful foreclosure and Mortgagees removed and there was a standing DCN.GA order all jurisdiction was in DCN.GA with nothing to be done. So, Homeowner was legally protected in state by TRO per 28 U.S.C. § 1450 and DCN.GA order so no jurisdiction for illegal foreclosure.

But then Deutsche went rogue and improperly made unauthorized first appearance in case changing from Nationstar and using improperly changed counsel from Albertelli to Aldridge Pite. Mortgagees Deutsche was so improper the DCN.GA wrote in an order dismissing appeal of foreclosure because he believed everything attorneys wrote instead of Homeowner's exhibits and law cites, "Court cannot ascertain how Deutsche is associated with mortgage"!!! That was because the illegal no Georgia jurisdiction contemptuous move by Deutsche was so outrageous! How bad is Deutsche? Look as never challenged C-I-P and now Deutsche has very serious issues as Homeowner discovered – as he did fraud on courts non-compliant default – that Deutsche does not even have jurisdiction to operate in USA, much less Georgia! Here from federal courts USCA11 21-10398:

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

App. 24

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 falsely claims

“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, slander etc. Instant case violated federal banking laws, committed first breach, fraud, slander, etc. NOW FRAUD ON COURTS TO AVOID TAXES AND CA JURIES? Not Deutsche of C-I-P 22-11463

And per USCA11 21010398 that has been GRANTED
A REHEARING BASED ON HOMEOWNER's re-
search and law cites:

Only this week it was discovered there is more fraud on courts in instant case by international, German Deutsche not being the California based company Homeowner has protested is violating Supreme Court ruling in Balch's C-I-P 21-10398 but a completely different Deutsche per Aldridge Pite's C-I-P in 22-11463 but is a non-registered/non-existent New York based company still violating AMERICAN BANK & TRUST CO.! Homeowner had to stop En Banc to research before filing En Banc to fulfill new law/evidence because the improperly substituted Plaintiff Mortgagee German Deutsche is apparently avoiding California taxes and/or accountability of pro-homeowner courts and juries after Homeowner alerted Attorney Generals and attorneys so is trying to switch from CA to NY! But again, Homeowner helping Court so Mortgagee has been caught and exposed a second time in instant cases. . . . Now Court is faced

App. 26

with whoever the hell Deutsche is destroying USA and Court's international sovereignty and jurisdiction while stealing USA citizens homes – so now En Banc is more about Court!

The fact the USCA11 federal court has granted a rehearing is proof positive the jurisdiction is in federal courts and therefore the Certiorari is mandated to end the mortgagee's illegally created conflict of jurisdiction where the state of Georgia courts are being improperly manipulated to subvert justice in the superior authority federal courts. Instant case is coming from DeKalb County court case 18cv4742 that knew all of this but sadly failed to uphold TRO against foreclosure to void and reverse dispossessory and violated court procedures and laws to protect Mortgagees with proven bad acting debt collector attorneys – Balch has senior partners in prison for corrupting government officials and Aldridge Pite and Albertelli have lost several lawsuits as bad acting debt collectors.

CONCLUSION Rogue Respondent Deutsche "Mortgagees" has 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, violated RESPA laws as Homeowner is a winning member of class action lawsuit *ROBINSION* and has temporarily stolen home with \$400,000 equity via wrongful foreclosure after improperly damaging Homeowner's credit despite making all payments timely until Mortgagees breach of contract, so cannot afford an attorney. Now

Homeowner cannot hire an attorney due to all the purely defensive lawsuits caused by Mortgagees numerous illegal, contemptuous acts. Homeowner And per excellent and apropos: Aaron R. Petty, The Hidden Harmony of Appellate Jurisdiction, 62 S. C. L. Rev. 353 (2010) as instant case after the incorrigibly corrupt Mortgagees did contemptuous and illegal acts (despite having been fined \$Billions for previous misbehaviors!) with no jurisdiction they obtained a legally improper \$300,000+ Supercedeas bond on an illegally inflated false debt that was more than covered by equity in the home Mortgagees had title by wrongful foreclosure! So, in effect it was a final order for eviction thereby triggering mandamus because an interlocutory as final judgments to certain rights.

In Part III, I suggest recasting the requirement that an order be “completely separate from the merits” (or, at least, “conceptually distinct”) to qualify for appeal under the collateral order doctrine. Instead, I propose that, to qualify, an order simply must belong to a class of orders that are unlikely to be mooted by future orders downstream in the litigation. This small change would have several important advantages. First, it would bring the collateral order doctrine back into line with its original principles and with the other practical applications of the final judgment rule. Second, tying the doctrine to a principle rather than to judicial rhetoric provides a basis on which future cases can be soundly decided. Third, it would move a number of issues that are currently heard on petitions for writs of

mandamus into the usual channels for appellate review. This shift would reduce the breadth of appellate mandamus, which has expanded beyond the realm it was initially intended to fill. Thus, a modest change-a simple reassessment of the grounds supporting the collateral order doctrine in light of the other doctrines of finality-has the potential to harmonize much of the current discord of appellate jurisdiction.

Homeowner has always complained of no state jurisdiction and conflicts of Jurisdiction since Mortgagees Removals and Deutsche went rouge from Nationstar in Federal Courts and illegally came into state Courts to try to get illegal eviction after Nationstar wrongful foreclosure! Homeowner is winning member #FF64929439 of class action lawsuit District Court Maryland

Greenbelt *ROBINSON V. NATIONSTAR TDC-14-3667* that has \$70,000,000+- in damages to all homeowners so it is impossible to evict Homeowner until a final non-appealable order from the federal courts!

Instant case can be summarized by Homeowner quote of a law officer who went from supervising illegal eviction to protecting Homeowner – as should Court:

(USCA11 21-10398) “ . . . the officer supervising the illegally obtained, exparte surprise no-notice, contemptuous eviction, after I explained in less than ten minutes what was going on, the officer, correctly replied: “Your mortgage company breached the contract, then

App. 29

fraudulently sold the breached mortgage to your current mortgage company. Your current mortgage company instead of suing the previous mortgage company for fraud thinks it's easier to misuse courts to evict you." Exactly! Worse, Mortgagees in greed violated all the referenced banking laws, recent fines, settled cases are still trying to trick this second highest Court to be accomplices in their attempt to steal house instead of properly cure breach! But finally, thank God, obviously by honorable judges their ruse is now failing!

USCA11 Case: 21-10398 Date Filed: 03/08/2022 Page:
8 of 15 9

ABA Rules 3.3 Candor to Tribunal – Comment:

[1] This Rule governs the conduct of a lawyer who is representing a client in the proceedings of a tribunal.

[2] This Rule sets forth the special duties of lawyers as officers of the court to avoid conduct that undermines the integrity of the adjudicative process. . . . the lawyer must not allow the tribunal to be misled by false statements of law or fact or evidence that the lawyer knows to be false.

[5] Paragraph (a)(3) requires that the lawyer refuse to offer evidence that the Lawyer knows to be false, regardless of the client's wishes. This duty is premised on the lawyer's obligation as an officer of the court to prevent the trier of fact from being misled by false evidence. A lawyer does not violate this Rule if

App. 30

the lawyer offers the evidence for the purpose of establishing its falsity.

[6] If a lawyer knows that the client intends to testify falsely or wants the lawyer to introduce false evidence, the lawyer should seek to persuade the client that the evidence should not be offered. If the persuasion is ineffective and the lawyer continues to represent the client, the lawyer must refuse to offer the false evidence. If only a portion of a witness's testimony will be false, the lawyer may call the witness to testify but may not elicit or otherwise permit the witness to present the testimony that the lawyer knows is false.

[11] The disclosure of a client's false testimony can result in grave consequences to the client, to the client, including not only a sense of betrayal but also loss of the case and perhaps a prosecution for perjury. But the alternative is that the lawyer cooperate in deceiving the court, thereby subverting the truth-finding process which the adversary system is designed to implement. See Rule 1.2(d). Furthermore, unless it is clearly understood that the lawyer will act upon the duty to disclose the existence of false evidence, the client can simply reject the lawyer's advice to reveal the false evidence and insist that the lawyer keep silent. Thus the client could in effect coerce the lawyer into being a party to fraud on the court. (*Note: Deutsche and Nationstar are using force of "largest clients" to make their counsel to violate Rule 3.3 for them!!!*)

App. 31

See Exhibit 1 of recent filing by Mortgagees in Dekalb case trying to subvert Court's jurisdiction that caused a delay in filing this Amended Certiorari. Honorable Court should mandate the Mortgagees proven anything in filing is false.

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 Can-dor 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 insurance policy after wrongful

App. 32

foreclosure and it is passive aggressive malicious not to have an insurance company pay for new roof to protect an asset that benefits whoever prevailing party is because contractor has proof it is hail damage and the leaks can cause structural and mold issues (Mortgagors paid to have a life threatening tree removed by insurance company), with any and all other favorable rulings per Court's discretion, this 26th day of August, 2022.

Sincerely,

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

CERTIFICATION WORD COUNT RULE 24

Filing conforms to Rule 24 in Times New Roman
Font 14 having 3,016 words.

**IN THE SUPREME COURT OF GEORGIA
STATE OF GEORGIA**

DEUTSCHE BANKTRUST	§ NO.: SC221331
COMPANY AMERICAS,	§ SUPREME
AS TRUSTEEE	§ COURT CASE:
Respondents	§ (transferred)
v.	§ S22D1064
CHRISTOPHER M. HUNT, SR.	§ COURT OF
Petitioner	§ APPEALS CASE
	A22D0447

CERTIFICATE OF SERVICE

(Filed Aug. 26, 2022)

I have sent a copy of this petitioner's REPLY RULE 42.1 CORRECTED CERTIORARI WITH EXHIBITS TO SUPPLMENT THE RECORD I certify that I have first class mailed via USPO a copy and there is a prior agreement with Aldridge Pite to allow documents in a .pdf format sent via email to suffice for service. Rule 6 this 26th day of August 2022:

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

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

EXHIBIT 1 MORTGAGEES FILING
SUBVERTING INSTANT CASE

FILED 8/15/2022 7:09 PM CLERK OF
SUPERIOR COURT DEKALB COUNTY GEORGIA

IN THE SUPREME COURT
STATE OF GEORGIA

NATIONSTAR MORTGAGE, §
LLC and DEUTSCHE BANK §
TRUST COMPANY §
AMERICAS, AS TRUSTEE, §
Et. Al. § CIVIL ACTION
Petitioners § FILE NO.:
§ 19CV10619
-versus- §
CHRISTOPHER M. HUNT, Sr. §
Respondent §

AMENDED OBJECTION TO
DISMISSAL OF APPEAL WITH
EXHIBIT S22D1064 of 18CV4742

COMES NOW Respondent (“Homeowner”) pro se
solely due to damages sustained by Petitioner’s Et Al

(“Mortgagees”) contemptuously stealing home with \$400,000 equity and files this **AMENDED OBJECTION TO DISMISSAL OF APPEAL WITH EXHIBIT S22D1064 of 18CV4742** and avers:

1.

DISMISSAL IS IMPROPER PER EXHIBIT 1

Filing on identical matters S22D1064 (Exhibit 1) prove the Mortgagees are trying to trick this honorable Court again. Per saying “Fool me once shame on you, fool me umpteenth time shame on me.” Homeowner is standing for Court’s honor and per Canons the citizens’ confidence in Court.

Again the question for Court to ask itself: why are Mortgagees daring to trick Court again instead of filing a response in S22C1331 case to properly address issues there? Is it because white-collar criminal Mortgagees have no respect for Court after tricking it before?

IN CONCLUSION the Mortgagees per their Removals (albeit improper as 11USCA are investigating), *MALONE, ROBINSON*, Ga. Code § 51-1-6 and 28 US § 1450 have no legal right to be in court to enforce the contract until they cure their federal court recognized breach as the state court recognized by granting first and second TRO, and now Deutsche is proven to have

* * *

EXHIBIT 2 FROM USCA11 21-10398 8/25/22
FILING PROVING AS BALCH HAS
SENIOR PARTNERS IN PRISON FOR
CORRUPTING GOVERNMENT OFFICIALS, THEY
ARE COMPROMISING COURTS INSTANT CASE.

JURISDICTIONAL STATEMENT

The district court had jurisdiction of the case that is docketed as 1:20-cv02359-TWT-LTW pursuant to 28 U.S.C. § 1331 following its removal to federal court pursuant to 28 U.S.C. § 1441. The district court's federal question of jurisdiction is based on a violations of the United States Constitution, U.S. Supreme Court rulings and congressional laws concerning national housing industry and banking. The Mortgagees agree the district court had supplemental jurisdiction of the plaintiffs-appellants' state law claim pursuant to 28 U.S.C. § 1337. A number of the defendants-appellees are proper corporations per C-I-P, but who is Deutsche when compare C-I-P 21-10398 v. 22-11463?!!! The Court of Appeals has jurisdiction of this appeal pursuant to 28 U.S.C. § 1291. The final judgment being appealed disposed of all issues in this cause and was entered on 4/12/21. No motion for a new trial or alteration of the judgment or any other motion that would have tolled the time to appeal was filed. The Notice of Appeal was filed on 4/14/21. This is not an appeal from a decision of a magistrate judge. Appeals of final orders from the District Court are proper per 28. U.S.C. § 1291. Honorable Court granted Amended Petition Rehearing not to exceed 3,900 words.

RULES 35 and 40

Panel ignored Homeowner's cites and true history so conflicts with:

United States Supreme Court *AMERICAN BANK & TRUST CO. V. FEDERAL RESERVE BANK*, 256 U.S. 350 (1921),

JESINOSKI ET UX. v. COUNTRYWIDE HOME LOANS, INC., ET AL. No. 13-684 January 13, 2015,

CARY V. CURTIS, 44 U.S. 3 How. 236 236 (1845), *FELIX V. STATE*, 271 Ga. 534, 538 (523 SE2d 1) (1999),

USCA11 and every court due Mortgagee incited error non-applicable *HOLIDAY HOSPITALITY FRANCHISING, LLC V. OAKBROOK REALTY AND INVESTMENTS, LLC*, et al., No. 19-15063 (11th Cir. 2020)

District courts: *MALONE V. FED. HOME LOAN MORTG. CORP.*, No. 2016 WL 2766644, at *4 (M.D. Ga. May 12, 2016,

ROBINSON V. NATIONSTAR MORTGAGE LLC (8:14-cv-03667) homeowner if winning member #FF64929439 (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

NEW U.S. Supreme Court *BP P.L.C. V. MAYOR AND CITY COUNCIL OF BALTIMORE*, 593 U.S.

2021, was a case in the United States Supreme Court dealing with matters of jurisdiction and review of instant case with state matters. ~~or~~ AND

JURISDICTION Per filing: NOTICE OF FILING: SUPPLEMENT RECORD OF CONSTITUTIONAL QUESTION JURISDICTION OBJECTION TO MOTION TO DISMISS WITH NOTICE APPELLEES C-I-P DEUTSCHE IS ILLEGAL IN USA 21-10398 6 June 22 crossed filed from 22-11463:

When and how does a non-USA based, international foreign company (instant case Deutsche, Germany) come into jurisdiction of USA and a state (instant case Georgia) and then via Removal from a state into Federal Courts DCN.GA & USCA11, when said corporation is operating in violation of U.S. Supreme Court *AMERICAN BANK & TRUST CO. V. FEDERAL RESERVE BANK*, 256 U.S. 350 (1921); violating Congressional Federal Laws of Sarbanes-Oxley Act and Dodd-Frank, violates state laws O.C.G.A. first breach so per *MALONE* no standing in any court to enforce contract until Deutsche cures breach, while not even properly registered in any way (apparently to avoid state taxes and accountability of state juries) acted in brazen contempt of court orders, violated 28 US § 1450, violated Court jurisdiction, perpetrated fraud on courts to obtain nullity orders to steal USA citizens homes in violation to U.S. Constitution?!

How was improperly substituted Plaintiff Deutsche court recognized to have standing to enforce breached contract in contradiction to *MALONE* and *ROGERS V.*

DEUTSCHE BANK NATIONAL TRUST COMPANY
et al. A17A1256?

RES JUDICATA: How and when does Res Judicata apply to a case that 1) never had jurisdiction; 2) the previous case court dismissed without prejudice due to proven fraud on the courts with instructions to serve again because not accepting proven correct and defaulted Secretary of State; 3) the only mention of any potential ruling was proven erroneous, nullity inapplicable case law *HOSPITALITY* conflicting with U. S. Supreme Court *JESINOSKI*, District Court *MALONE*, etc. U.S. CONSTITUTION: How does the Court recognize and cure the same extreme bias/prejudicial error of infamous Dred Scott of instant case due to Mortgagors slandering Homeowner to make case more of a "*legal oligarchy v. pro se*" instead of about law per U.S. Supreme Court website home page opening sentence:

"EQUAL JUSTICE UNDER LAW"-These words, written above the main entrance to the Supreme Court Building, express the ultimate responsibility of the Supreme Court of the United States.

USCA4 has different and superior rules for En Banc – so no uniformity of rules:

1. a material factual or legal matter was overlooked in the decision;
2. a change in the law occurred after the case was submitted and was overlooked by the panel;
3. the opinion is in conflict with a decision of the U.S. Supreme Court, this court or another court of

appeals and the conflict is not addressed in the opinion;
or

4. the proceeding involves one or more questions
of exceptional importance.

Instant case fulfills all 1, 2, 3 & 4!

1. Primary issues, law cites and irrefutable case
history were all ignored.

2. U.S. Supreme Court *BP P.L.C. V. MAYOR AND
CITY COUNCIL OF BALTIMORE*, 593 U.S. 2021 man-
dating review of all matters and jurisdiction.

3. Conflicts with decisions from U.S. Supreme
Court *JESINOSKI*, USCA11 Jurisdiction and statute
of limitations, DCMiddleGA *MALONE* and DCN.GA
upholding *MALONE*, DCMD.Greenbelt *ROBINSON*,
federal laws Sarbanes-Oxley Act and Dodd-Frank Wall
Street Reform and Consumer Protection recently en-
forced by all fifty state attorneys against Mortgagees!

4. All-important legal jurisdiction federal vs.
state, U.S. laws for foreign companies doing business
in USA effecting Constitutional rights of U.S. citizens.

**50 States Reach \$86.3M Settlement Agreement
With Nationstar Mortgage Over Consumer Violations** The attorneys general in all 50 states and the
District of Columbia reached an \$86.3M settlement
Monday morning with Nationstar Mortgage to resolve
allegations it violated consumer protection laws. **De-
cember 07, 2020** at 01:44 PM

App. 41

German company Deutsche with Nationstar/Mr. Cooper's business model, after causing the Great Recession and getting bailed out by homeowners' tax money given by Congress, was to misuse taxpayers' money Congress gave them to buy as many as possible defaulted loans during Mortgagees caused Great Recession at less than 50% value, then violate RESPA laws to illegally foreclose on to steal all the homes equity for exponential ROI!! Innocent homeowners/taxpayers were doubly damaged! Mortgagees greedily abuse homeowners and shame courts by misusing instead of properly renegotiate loans so Homeowners save homes and rebuild lives!

**IN THE COURT OF APPEALS GEORGIA
STATE OF GEORGIA**

DEUTSCHE BANK TRUST	§	COURT OF
COMPANY AMERICAS,	§	APPEALS CASE
AS TRUSTEEE	§	NO.: A22D0447
Respondent	§	SUPREME
v.	§	COURT CASE:
CHRISTOPHER M. HUNT, Sr.	§	(transferred)
Appellant/Petitioner	§	S22D1064

**PETITIONER'S NOTICE
OF INTENT CERTIORARI
TO THE SUPREME COURT OF GEORGIA**

(Filed Jul. 21, 2022)

PETITIONER

Rev. Christopher M. Hunt, Sr. Ph.D. Pro Se
5456 Peachtree Blvd. Ste. 410
Atlanta, GA 30341-2235
770-457-3300
1cor13cmh@gmail.com

COMES NOW Petitioner "Homeowner" pro se
apologetically in respect to this honorable Court and
explains solely because rogue Respondent Deutsche
"Mortgagees" has in violation of 28 U.S.C. § 1450 in
contempt of standing state order TRO against Foreclo-
sure etc., in violation of federal court jurisdiction after
Mortgagees partner in crime Nationstar removed from

App. 43

state the Homeowner's lawsuit, violated RESPA laws as Homeowner is a winning member of class action lawsuit *ROBINSION* and has temporarily stolen home with \$400,000 equity via wrongful foreclosure after improperly damaging Homeowner's credit after he made all payments timely so cannot afford an attorney. Now Homeowner cannot hire an attorney due to all the purely defensive lawsuits caused by Mortgagees, and files this PETITIONER'S NOTICE OF INTENT CERTIORARI TO THE SUPREME COURT OF GEORGIA and 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." Homeowner must keep his home protected against the white-collar criminal Mortgagees who has deceived and manipulated a state judge to change from proper second TPO that was issued upon evidence and order proving contradicting jurisdiction of federal v state. The earlier dated proper order of DCN.GA stating jurisdiction in federal courts and nothing was to be done vs. later DeKalb Magistrate erroneous and improperly obtained eviction order by violations of candor to tribunal during improper ex parte hearing that no notice or certificate of ruling was ever given to Homeowner until handed a copy by marshals being illegally misused to by white-collar criminal Deutsche to help steal 100%

App. 44

legally correct Homeowners home! Instant case proven proper second TPO ended the ongoing eviction but only after \$5,000+ damage to belongings, permanent physical injury to Homeowner after hired laborers had to leave, when forced to move everything back in alone before rain and nightfall. Applause and forever thanks to the marshal who once realized how they have been misused by Mortgagees to help them steal home, stayed parked at site protecting Homeowner from thieves until all was moved back in. When will courts acknowledge they have been deceived like marshals were?!!! As a result of Mortgagees court disrespecting contempt, the Homeowner suffered great public humiliation, psychological and emotional duress that gave minor panic attacks for years when doorbell would ring.

1. ERRORS APPEALS COURT

Instant Appeal is based on Appeals Court errors in Order of 20 July, 2022.

ERROR 1:

Instant case is *DEUTSCHE v. HUNT*, not Hunt v. Deutsche. That was a previous case Homeowner filed per DeKalb Superior Court judge instructions for wrongful foreclosure – which matters are in the federal courts now per Mortgagees uncontested Removal.

App. 45

Clearly error to for Appeals Court not to address the obvious conflict of jurisdiction for a wrongful foreclosure case to be in federal courts by Mortgagees Removal without a final non-appealable order but the conflicting, never any jurisdiction dependent, proven illegally and contemptuously obtained instant Dispossessory case is ongoing in state!

ERROR 2:

“Pretermitted whether Hunt is entitled to challenge the March 2022 order, his application is untimely.”

This despite Homeowner having filed:

This Discretionary Appeals is about state not having any jurisdiction since first TPO against foreclosure after Mortgagees Removal and proven meets all the criteria of Mortgagees page 4 cite Rule 31 (1) (2) AND (3). Timeliness has nothing to do with instant case granting Discretionary Appeal, just like someone on death row for years is finally freed by DNA evidence proving protests of innocence years after conviction and habeas time has expired. All the courts are supporting Homeowner and even federal laws that were passed to prevent what is occurring in instant case. Timeliness has nothing to do with instant case granting Discretionary Appeal just like someone on death row for years is finally freed by DNA evidence proving protests of innocence years after conviction and habeas time has expired. All the courts are supporting Homeowner and even federal laws that were passed to prevent what is occurring in instant case.

ERROR 3:

Court of Appeals ironically states “no jurisdiction” as reason to fail to address the major state no jurisdiction issue of nullity orders.

This case began as a dispossessory proceeding in magistrate court. Following an adverse ruling, defendant Christopher M. Hunt, Sr. appealed to the superior court. The superior court ruled in favor of the plaintiff Deutsche Bank Trust Company and entered a final judgment and writ of possession on February 28, 2019. 1 On March 17, 2022, the superior court entered an order to correct and revise its final order. On May 25, 2022, Hunt filed a document styled as a “Petition for Writ of Certiorari” in the Supreme Court, which docketed the filing as an application for discretionary appeal and transferred it to this Court. We, however, lack jurisdiction.

It is all important for instant appeal that for some reason the Appeals Court can rehearse all the history up to proven nullity, never jurisdiction final order but neglects to address any of Homeowners undisputable evidence and law cites the obliterate each stage the Appeals Court refers. Order should read:

This case was improperly commenced in DeKalb County magistrate court by an improperly substituted Plaintiff (Deutsche for Nationstar) and counsel (Aldridge Pite for Albertelli) in conflict to federal court jurisdiction and order per Mortgagees Removal of wrongful foreclosure case. It began as a dispossessory proceeding in magistrate court despite proven

a DCNGA order stating no actions was to be taken and there never being a final, non-appealable order. Following an adverse ruling – despite defendant pro se Christopher M. Hunt, Sr. having submitted a prevailing Answer that was one time only prepared pro bono by an expert attorney who was appalled at Mortgagees illegal abuses to courts and Homeowner – Homeowner appealed to the superior court. The superior court properly issued a second TPO in favor of Homeowner. Undisputed the clerk in error filed the appeal and TPO order into the wrong case that had been Removed by Mortgagees and then superior court grossly erred by instead of correcting the clerk error the court voided the TPO due “no jurisdiction because removed” (WTF?!) and ignored the appeal filings so ruled in favor of the plaintiff Deutsche Bank Trust Company and entered a final judgment after five fatally flawed version with one illegal back dating corrected, and in violation of federal court orders, jurisdiction and Rule 28 §USC 1450 writ of possession on February 28, 2019. 1 On March 17, 2022, the superior court entered a fifth order to correct and revise its final order. On May 25, 2022, Hunt filed a document styled as a “Petition for Writ of Certiorari” in the Supreme Court, which docketed the filing as an application for discretionary appeal and transferred it to this Court. We, however, lack jurisdiction (never explaining why Appeals Court cannot correct the nullity, no jurisdiction state court orders per law and court procedures in Homeowner’s Discretionary Appeal and Reply to Response and end the

App. 48

Mortgagees illegally created unconstitutional conflict between state and federal courts.

ERROR 4.

Appeals Court acknowledges in footnote page 1 of Order:

¹Hunt filed a direct appeal from that order, which this Court dismissed for failure to file an application for discretionary appeal. See Case No. A19A2382 (dismissed Aug. 6, 2019).

Homeowner forced pro se by Mortgagees illegal acts timely filed an appeal within seven days, but the Appeals Court admits they acted on the technicality of procedure causing appeal to be rejected without Court ever addressing the issues. The Appeals Court never held the timely filing date with instructions to refile but voided and prevented the entire appeal solely on technicality procedures.

2.

QUESTIONS FOR THE SUPREME COURT

QUESTION 1 for the Court:

By law all the state orders are nullities – so to which court does a litigant appeal to obtain a proper ruling to void nullity, never jurisdiction state orders in conflict with ongoing federal court's jurisdiction and orders?

QUESTION 2 for the Court:

Which state court has jurisdiction to void nullity state orders in conflict to federal court orders and jurisdiction?

App. 49

IN CLOSING, Homeowner cannot allow any lapse of protection of appeal due to the illegally obtained, in conflict to federal court jurisdiction state dispossessory order. 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. Aldridge Pite are zealously representing their clients in their lost case:

Homeowner is winning member #FF64929439 of class action lawsuit District Court Maryland Greenbelt *ROBINSON V. NATIONSTAR TDC-14-3667* that has \$70,000,000+- in damages to all homeowners so it is impossible to evict Homeowner until a final non-appealable order from the federal courts!

While Mr. Ivey has been good not to go off into severe misbehavior as before and having admitted by waiver all of Exhibit 1 except from federal court filing, I guess it's the best that can be done by an attorney if client is incorrigibly corrupt greedy. Still the slander is inappropriate as the Homeowner has always been honest and never slandered Mortgagees. Which brings up a several very important legal points mandating the accepting the Discretionary Appeal because Mortgagees ignored to address any issues other than repeat the

App. 50

undisputed results of their illegal, contemptuous and so they have approved everything Homeowner filed and is in Exhibit 1 the clerk asked to be a separate filing, It is indisputable this case is about much more than the illegal contemptuous, court disrespecting foreclosure done by Nationstar, because then Deutsche then illegally worse went rouge into the state with never any jurisdiction so we are here today. I guess Mortgagees had to file an Objection but the fact they refused to even address anything proves Homeowner's case.

THEREFORE, Appellant prayerfully requests the honorary Supreme Court of Georgia grant this Initial Appeal for Discretionary Appeal 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 home, with any and all other favorable rulings per Court's discretion, this 20th day of July.

Sincerely,

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

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

CERTIFICATION WORD COUNT RULE 24

Filing conforms to Rule 24 in Times New Roman Font
14 having 1,588 words.

**IN THE COURT OF APPEALS GEORGIA
STATE OF GEORGIA**

CHRISTOPHER M. HUNT, Sr.	§ SUPREME
Appellant/Petitioner	§ COURT CASE:
	§ transferred
v.	§ S22D1064
DEUTSCHE BANKTRUST	§ COURT OF
COMPANY AMERICAS,	§ APPEALS CASE
AS TRUSTEE	§ NO.: A22D0447
Respondent	§

CERTIFICATE OF SERVICE

I have sent a copy of this PETITIONER'S NOTICE OF INTENT CERTIORARI TO THE SUPREME COURT OF GEORGIA I certify that there is a prior agreement with Aldridge Pite to allow documents in a .pdf format sent via email to suffice for service. Rule 6 this 20th day of July 2022:

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

App. 52

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

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

**IN THE SUPERIOR COURT
OF DEKALB COUNTY
STATE OF GEORGIA**

CHRISTOPHER M. HUNT, SR.,
Petitioner,

v.

NATIONSTAR MORTGAGE, LLC
DEUTCHE BANK NATIONAL
TRUST
COMPANIES, ALBERTELLI
LAW, and
CORPORATION SERVICE
COMPANY,
Respondents.

CIVIL ACTION
FILE NO. 17CV4916-2

ORDER TO STAY

(Filed Feb. 27, 2018)

On February 27, 2018 Petitioner, pro se, appeared before this Court on his Emergency Motion for Protective Order. The Court, having reviewed the limited record finds there is conflicting language in the record as to the status of this litigation in federal court. As this is a court of equity, because it is unclear whether there are identical or similar claims pending in federal court that may or may not contain the dispossessory claim, because the case in federal court appears to have stayed any actions and the stay might possibly include the dispossessory action, and because Plaintiff has made a showing that he may suffer irreparable harm and injury if the dispossessory and eviction continues

App. 54

today, the Court ORDERS that the dispossessory is STAYED for thirty (30) days to allow time for the parties to file motions and responses to address the claims raised in the appropriate court.

IT SO ORDERED, This 27th day of February, 2018.

/s/ Asha F. Jackson
ASHA F. JACKSON
Judge, Superior Court
of DeKalb County
Division 2

Hunt v. Nationstar Mortg LLC,
Civil Action No. 1:17-CV-022 (N.D. Ga. Oct. 25, 2017)

* * *

III. Other Motions

In the Order to Show Cause [5], the Court stayed all proceedings pending a determination of whether the Court has subject matter jurisdiction in this case. Since June 23, 2017, when that order was entered, Plaintiff has filed a motion for default and to remand [8] and a motion to recuse, for default summary judgment; to remand, and to void foreclosure [11]. These motions should not have been filed while this case was stayed. They are therefore **DENIED** without prejudice, and Plaintiff has leave to refile these motions.

Conclusion

In accordance with the foregoing, the Court finds that it has jurisdiction over this matter. Plaintiff's Motion for Contempt [4] is **DENIED**. Plaintiff's Motion for Default and Motion to Remand [8] and Motion to Recuse, Motion for Default Summary Judgment and Motion to Remand; Motion to Void Foreclosure [11] are **DENIED without prejudice** with leave to refile. Pursuant to this Court's Standing Order no. 14-01, this case is **REFERRED** to the next available Magistrate Judge for hearing and determining pretrial [illegible] matters pending before the Court.

App. 56

SO ORDERED, this 25th day of October, 2017.

/s/

RICHARD W. STORY
United States District Judge

**IN THE SUPERIOR MAGISTRATE COURT OF
DEKALB COUNTY STATE OF GEORGIA**

DEUTSCHE BANK TRUST
COMPANY AMERICAS, AS
TRUSTEE, FIFTEEN PIED-
MONT CENTER,

Plaintiff,

vs.

CHRISTOPHER MICHAEL
HUNT,

Defendant,

Civil Action No.:

17D25385

Cross Filed: 2:15-cv-
620-FtM-38MRM

**AMENDED IN SUPERIOR COURT WITH NOTICE
OF APPEAL TO U.S. SUPREME COURT**

(Filed Oct. 18, 2017)

Defendant, CHRISTOPHER MICHAEL HUNT SR., via P.O.A., JOHN DAVID HUNT, files this emergency motion to reconsider denial of Defendant's dismissal, motion for dismissal with prejudice and shows the court as follows:

1.

**LAW AND COURT PROCESS
RULES MANDATE DISMISSAL**

Per previously filed on October 4th, motion to dismiss, and Plaintiff's council ("Balch Bingham LLP", "Christopher S. Anulewicz", "Jeremy W. Gregory", "R. Maximo Galiana"), admitted to Magistrate Judge

App. 58

during the hearing on October 16th (Exhibit A Affidavit) that there are Federal Court proceedings that legally prohibit the act of Dispossessory and Eviction.

2.

DISMISSAL OF PREJUDICE REQUIRED

The Plaintiff's council ("Balch & Bingham LLP", "Christopher S. Anulewicz", "Jeremy W. Gregory", "R. Maximo Galiana") are acting as "debt collectors", not just attorneys representing their client, therefore incurring great liability per *Adams v. Albertelli, P.A.*, Case No. 2:15-cv-620-FtM-38MRM. Yes, the same Albertelli, Defendant, that a Federal Court ruled against, so had to settle due to unethical and illegal acts as "debt collectors" similar to how ("Balch & Bingham LLP", "Christopher S. Anulewicz", "Jeremy W. Gregory", "R. Maximo Galiana") are doing in this instant case with illegal and abusive Dispossessory and Eviction!

3.

WISE PEACEFUL CLOSURE

Homeowner Defendant, CHRISTOPHER MICHAEL HUNT SR., is an ordained minister and thinks that ("Balch & Bingham LLP", "Christopher S. Anulewicz", "Jeremy W. Gregory", "R. Maximo Galiana") are just following instructions, not aware of the seriousness, liabilities, and consequences, so is offering this opportunity for them to exonerate themselves.

App. 59

With wise, peaceful closure by informing this court by Thursday, October 19th at 4 p.m. via phonecall and email ("cc:" Homeowner at 1cor13cmh@gmail.com). It does not object to dismissal of prejudice and request the granting with prejudice and requests this court to grant said dismissal of prejudice by noon Friday, October 20th.

The Plaintiff, NATIONSTAR, DEUTSCHE BANK TRUST COMPANY AMERICAS and ALBERTELLI, are wrong for foreclosure and illegal debt collection and have this history:

1. Breached mortgage contract, with written acknowledgment by their own employees that the contract was breached.
2. Refused proper payments from Defendant, CHRISTOPHER MICHAEL HUNT SR., trying to honor the correct amount of mortgage due, free of their breach.
3. Have wrongfully foreclosed and are unauthorized to do business in Georgia because they did four of the five things wrong that other mortgage companies had to settle for \$25 billion!
4. They are unauthorized to do business in Georgia because they perjured on their Secretary of State Corporation forming papers, proven by their own employee acknowledging such.
5. Therefore, since they are unauthorized to do business in Georgia and having done so many unethical and illegal acts, they had no right to

App. 60

foreclose. Therefore, the foreclosure is voided and is in Federal Court on these matters right now.

6. Because the foreclosure was illegal, the 2nd act of this Dispossessory and Eviction, which is based on the wrongful foreclosure, is voided.
7. The debt collectors, (“Albertelli”, “Balch & Bingham LLP”, “Christopher S. Anulewicz”, “Jeremy W. Gregory”, “R. Maximo Galiana”), are violating law through this Dispossessory based on the wrongful foreclosure. Therefore, it must be dismissed with prejudice for them to exonerate themselves.

In conclusion, the wisest and peaceful act of closure of dismissal with prejudice exonerates (“Balch & Bingham LLP”, “Christopher S. Anulewicz”, “Jeremy W. Gregory”, “R. Maximo Galiana”) complies with law, but the Federal Courts have jurisdiction of this matter right now.

THEREFORE, Defendant, CHRISTOPHER MICHAEL HUNT SR., asks this court:

1. Dismiss with prejudice the Plaintiff’s motion for Dispossessory and Eviction.
2. In the alternative, this is Notice of Appeal to the Superior Court if the dismissal of prejudice is not granted by noon Friday October 20th, 2017.
3. Any and all other relief beneficial to the Homeowner Defendant that this court can grant with its discretion.

App. 61

Prayerfully submitted October 18, 2017

/s/ Christopher M. Hunt, Sr.

Christopher M. Hunt, Sr., Defendant
via John D. Hunt P.O.A.
1920 Anastasia Lane
Atlanta, GA 30341
(404) 932-7417

IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA

DEUTSCHE BANK TRUST	§	
COMPANY AMERICAS,	§	
TRUSTEE	§	
Plaintiff/Appellee	§	
vs.	§	CIVIL ACTION
CHRISTOPHER M. HUNT,	§	NO. 18CV4742-2
SR.	§	Cross Filed
Defendant/Appellant	§	17D25385

**DEFENDANT'S EMERGENCY MOTION
TO SET ASIDE AND VACATE FINAL
ORDER 2/27/19 AND GRANT TRO
WITH HEARING RULE NISI**

(Filed Jun. 27, 2023)

COMES NOW Plaintiff (“Homeowner”) forced pro se by Plaintiff (“Mortgagee”) contemptuous, illegal temporary theft of home with \$5000,000+ equity that could hire attorneys and files **DEFENDANT'S EMERGENCY VERIFIED MOTION TO SET ASIDE AND VACATE FINAL ORDER 2/27/19 AND GRANT TRO WITH HEARING RULE NISI** and incorporates and makes reference to previously filed **DEFENDANT'S EMERGENCY MOTION TRO WITH NOTICE JURISDICTION IN U.S. SUPREME COURT, USCA11 & GEORGIA SUPREME COURT and in standing for Court's honor per Canons avers:**

1.

EMERGENCY MOTION SET ASIDE
AND VOID FINAL ORDER 2/27/19

The wisest judge in history Solomon who presided over “Dividing Baby Case” and was correct by “she” Wisdom AKA Lady Justice in Proverbs 29:2 “When the righteous are in authority, the people rejoice; But when a wicked man rules, the people groan”

This honorable Court’s Final Order of 2/27/19 is a nullity that must be voided for several legal reasons caused by Mortgagee’s illegal, contemptuous acts and fraud on the court(s) per O.C.G.A. § 9-12-16:

Validity of Judgment When Court Does Not Have Jurisdiction. The judgment of a court having no jurisdiction of the person or the subject matter or which is void for any other cause is a mere nullity and may be so held in any court when it becomes material to the interest of the parties to consider it.

All parties are to be Court ordered bound to Rule 3.3 Candor to Tribunal and any violations to be sanctioned with disbarment. Instant case and Mortgagees have such a bad history of Court disrespecting fraud that is must be ended so Court’s machinery of justice can operate freely for truth and justice per law to prevail.

“A void Judgement is entitled to no respect whatsoever because it does not affect, impair, or create legal rights.” Ex parte Seidel, 39 S.W.3d 221, 225 (Tex. Crim. App. 2001). Since the trial court’s dismissal “with

prejudice" was void, it may be attacked either by direct appeal or collateral attack *Ex parte Williams*, No. 73,845 (Tex.Cnm.App. 04/11/2001). "Avoid judgment is a nullity from the beginning, and is attended by none of the consequences of a valid judgment. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." *Ex parte Spaulding*, 687 S.W.2d at 745 (Teague, J., concurring). A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. A void judgment which includes judgment entered by a court which lacks jurisdiction over the parties or the subject matter, or lacks inherent power to enter the particular judgment, or an order procured by fraud, can be attacked at any time, in any court, either directly or collaterally, provided that the party is properly before the court. See *Long v. Shorebank Dev. Corp.*, 182 F.3d 548 (C.A. 7 Ill. 1999).

A. JURISDICTION

Mortgagee must prove DeKalb County and the state courts ever had jurisdiction for any of the illegal and contemptuous acts committed by itself and Nationstar:

1. Prove to Court the wrongful foreclosure was not illegally done in violation to jurisdiction of USCA11 as Homeowner complained with exhibit proof.
2. Prove the dispossessory based on nullity wrongful foreclosure was not a nullity in itself due no jurisdiction and conducted in contempt

to DCN.GA jurisdiction as Homeowner complained with exhibit proof.

3. Prove the ex parte hearing had any jurisdiction to grant the eviction order that was never served on Homeowner who was oblivious to looming disaster of eviction while feeling safe awaiting justice in DCN.GA federal courts jurisdiction as exhibits showed.
4. Prove to the Court that Deutsche as a foreign company is operating legally in the USA per Supreme Court so DeKalb Courts can have jurisdiction to grant any relief to Mortgagee by proving it is properly registered in any state:

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.

5. Prove to Court that Mortgagee has fulfilled judgment to have standing in court die DeKalb to have jurisdiction to grant any relief as Homeowner is winning member #FF64929439 of class action lawsuit in DCMGreenbelt *ROBINSON v. NATION-STAR* on subordinate RESPA violations as in instant case so makes eviction impossible until full compensation is given for subsequent

App. 66

damages and those acts that are able to be reversed can be so eviction is 100% impossible.

6. Prove to Court that Mortgagee has cured the courts ruled breach of contract so has standing for DeKalb to ever have jurisdiction to grant Mortgagee any relief per *MALONE V. FED. HOME LOAN MORTG. CORP.* CASE NO.: 1:14-cv-193 (WLS) 2016

“The Court finds that the Malones have stated a wrongful foreclosure claim for breach of the duty of good faith. In sum, the Malones have alleged Bank of America breached its duty to foreclose in good faith and that this breach caused the Malones’ damages and have thus stated a claim for wrongful foreclosure.”

This not a complete list of jurisdictional concerns but sufficient to warrant TRO and grant Rule NiSi hearing

The law is well-settled that a void order or judgement is void even before reversal”, VALLEY v. NORTHERN FIRE & MARINE INS. CO., 254 U.S. 348, 41 S. Ct. 116 (1920) “Courts are constituted by authority and they cannot go beyond that power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgements and orders are regarded as nullities; they are not voidable, but simply void, and this even prior to reversal.” WILLIAMSON v. BERRY, 8 HOW. 945, 540 12 L. Ed. 1170, 1189 (1850). It has also been held that”It is not necessary to take any steps to have a void judgment reversed, vacated, or set aside, It may be

impeached in any action direct or, collateral.’ Holder v. Scott, 396 S.W.2d 906, (Tex.Civ.App., Texarkana, 1965, writ ref., n.r.e.). A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. It is clear and well established law that a void order can be challenged in any court”, OLD WAYNE MUT. L. ASSOC. v. McDONOUGH, 204 U. S. 8,27 S. Ct. 236 (1907). Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4),28 U.S.C.A., U.S.C.A. Const.

B. PARTY

Mortgagee must prove to Court per Jurisdiction items 4 - 6 that Mortgagee has any standing in Court to be a party that can be granted any relief.

1. Prove to Court when and how Deutsche became a court authorized party to properly replace Nationstar and Aldridge Pite to replace Albertelli and Balch per:

12 U.S. Code § 2605: Servicing of mortgage loans and administration of escrow accounts: Federal Rule of Civil Procedure 17(a)(1) which requires that “[a]n action must be prosecuted in the name of the real party in interest.” See also, In re Jacobson, 402 B.R. 359, 365-66 (Bankr.W.D. Wash. 2009); In re Hwang, 396 B.R. 757, 766-67 (Bankr. C.D. Cal. 2008). Federal Rule of Civil Procedure 17(a)(1) which requires that “[a]n action must be prosecuted in the name of the real party in interest.” See

also, *In re Jacobson*, 402 B.R. 359, 365-66 (Bankr. W.D. Wash. 2009); *In re Hwang*, 396 B.R. 757,766-67 (Bankr. C.D. Cal. 2008). Mortgage Electronic Registration Systems, Inc. v. Chong, 824 N.Y.S.2d 764 (2006). MERS did not have standing as a real party in interest under the Rules to file the motion. The declaration also failed to assert that MERS, FMC Capital LLC or Homecomings Financial, LLC held the Note.

C. FRAUD ON COURTS

Mortgagee must prove there was ever any jurisdiction and party rights and did not fraud the courts:

1. Prove to the Court that Homeowner was ever late on a payment and that Mortgagees did not breach contract.
2. Prove to the Court that Albertelli was a company allowed to do business in Georgia and practice law in Georgia and was not operating illegally after perjuring on Secretary of State corporate application to be a recognized business with legal rights as such in Georgia to sue and foreclose.
3. Prove to the Court that there was no fraud on court perpetrated in Dispossessory hearing by misrepresenting to DeKalb magistrate judge that DeKalb had any jurisdictional rights to grant a dispossessory order.
4. Prove to the Court that there was no fraud on court perpetrated in ex parte hearing by misrepresenting to DeKalb magistrate judge that

App. 69

DeKalb had any jurisdictional rights to grant an eviction order.

5. Prove to the Courts that there was no fraud on the Court when preventing the correction of clerical error of putting appeal of nullity Dispossessory into wrong case file that resulted in court error of voiding the TRO that was honoring the still binding original TRO against foreclosure until a final non-appealable order in federal courts.
6. Prove there was no fraud on courts when it advertised and violated the still binding TRO of original case.
7. Prove to the Court that Mortgagees have informed the Marshals and Sheriffs that the Mandate and Supersedeas the Final Order is reliant are presently in the jurisdiction of Supreme Court of Georgia S23D0960.
8. Prove there was no fraud on Court when Mortgagee misrepresenting value of home to be awarded a first time ever request a supersedeas (never requested in federal courts and contradicted federal court filings) months after fact and that fraud for supersedeas bond did not cause Court to err granting an order that violates O.C.G.A § (therefore nullity):

O.C.G.A. 5-6-46 (2010) 5-6-46. Operation of notice of appeal as supersedeas in civil cases; requirement of supersedeas bond or other form of security; fixing of amount . . .

- (a) In civil cases, the notice of appeal filed as provided in Code Sections 5-6-37 and 5-6-38

shall serve as supersedeas upon payment of all costs in the trial court by the appellant and it shall not be necessary that a supersedeas bond or other form of security be filed; provided, however, that upon motion by the appellee, made in the trial court before or after the appeal is docketed in the appellate court, the trial court shall require that supersedeas bond or other form of security be given with such surety and in such amount as the court may require, conditioned for the satisfaction of the judgment in full, together with costs, interest, and damages for delay if the appeal is found to be frivolous. When the judgment is for the recovery of money not otherwise secured . . .

O.C.G.A. 5-6-46 (e) . . . nor deprive the appellate courts of the power to grant supersedeas in such manner as they may determine to meet the ends of justice.

There is no way for Homeowner to access his now \$500,000 in equity for counsel or per:

O.C.G.A. 5-6-46 (f) dissipating or secreting its assets, or diverting assets outside the ordinary course of business to avoid payment of a judgment, a court may require the appellant to post a bond or other form of security in an amount not to exceed the total amount of the judgment.

These are not all the issues but enough to mandate a TRO and hearing Rule NiSi.

2.
TRO AGAINST EVICTION

Homeowner is a senior citizen with homebased business that all will be destroyed by completely unjustified and unnecessary illegal eviction in violation of U.S. Supreme Court Jurisdiction and Supreme Court of Georgia. The Mortgagees will not have any negative effect as Homeowner is taking excellent care of his home that is appreciating. The TRO is only advantageous for all parties, and even this Court as Court of Equity bound by Canons and jurisdiction of federal courts and congress and does no harm to anyone. Conversely the enabling of a proven illegal, contemptuous eviction will embolden more homes to be stolen, per Canons destroy any confidence in courts and create utter distain and irreparable reputation damage, magnify illegal conflict in jurisdiction and absolutely per O.C.G.A. § 9-11-65 and Exhibits:

- (1) It clearly appears from specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant . . .

Even the Mortgagees by proof of their own federal court accepted Removals prove there are federal questions of law that mandate this subordinate Court of Equity grant TRO in deference to federal jurisdiction as Mortgagees acknowledge issues are congressional laws Sarbanes-Oxley Act and The Dodd-Frank Wall Street Reform and Consumer Protection Act, etc.

Because no jurisdiction, no party standing in DeKalb and fraud on courts mandate the nullity Final Order be set aside and vacated, there needs to be a TRO granted and since Emergency Motion Set Aside and Vacate can be heard by a proper court the Presiding Judge Brian Lake can grant TRO.

Presiding Judge Brian Lake per email to DMWarner@DeKalbCountyGA.gov is proper person instead of coming in person as Homeowner intended.

3.

RULE NiSi HEARING

Because no jurisdiction, no party standing in court and fraud on court mandate the nullity Final Order be set aside and vacated, there needs to be a Rule NiSi hearing per Court's previous requests for Rule NiSi hearing it is necessary for this Court or since this Emergency Motion can be heard by any proper court the Presiding Judge Brian Lake schedule a Rule Nisi hearing in his court.

The Mortgagee admitted to Court it did not have jurisdiction to have a hearing but now is wanting to enforce the Final Order that the Homeowner objected to Court warning it would be misused, there needs to be a hearing with Mortgagee providing all the requested answers/proof.

Presiding Judge Brian Lake per email to DMWarner@DeKalbCountyGA.gov is proper person instead of coming in person as Homeowner intended.

App. 73

IN CONCLUSION: The TRO proves Unbiased Court of Equity and ends incorrigible Mortgagees ongoing Tort duress and anxiety of more illegal abuse of Homeowner attempting to fraud court and marshals in another illegal eviction in contempt of federal courts jurisdictions and orders! It will actually be a favor and lessen liabilities of debt collectors and Mortgagees and save proven by courts' rulings 100% legally protected Homeowner from irreparable damage. Homeowner will hire counsel for the Rule Nisi Hearing to prove TRO was properly granted today.

THERFORE Homeowner prayerfully requests this Court honor federal courts and

1. GRANT THE TRO/STAY ATTACHED ORDER AGAINST ANY EVICTION SO SHERIFF HAS CLEAR INSTUCTIONS UNTIL a final non-appealable order from federal courts and all is Moot per outcome of Rule NiSi hearing.
2. AND MANDATE A HEARING WITH BOTH PARTIES PRESENT SO A JUDGE CAN MAKE A RULING AS OBJECTIVE COURT OF EQUITY ON TRUTH.

Any and all other just relief and compensation this Court may deem appropriate per law and its discretion.

Prayerfully and Respectfully and Submitted this 27th day of June 2023

//Christopher M. Hunt, Sr.//
Christopher M. Hunt, Pro Se
5456 Peachtree Blvd. #410
Atlanta GA 30341-2235
770-457-3300

**IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA**

DEUTSCHE BANK TRUST	§	
COMPANY AMERICAS,	§	
AS TRUSTEE	§	CIVIL ACTION
Plaintiff,	§	FILE NO.
vs.	§	18CV4742
CHRISTOPHER HUNT,	§	Appeal of No.
Defendant.	§	17D25385

VERIFICATION

COMES NOW CHRISTOPHER HUNT, Respondent in this action, and after first being duly sworn states that he has prepared and read the foregoing filing **DEFENDANT'S EMERGENCY MOTION TRO WITH NOTICE JURISDICTION IN U.S. SUPREME COURT, USCA11 & GEORGIA SUPREME COURT** and has personal knowledge of the facts recited in it, and states that each such fact is true, correct and complete.

App. 75

Further Affiant Sayeth Not.

/s/ Christopher M. Hunt, Sr.
Christopher M. Hunt, Sr.

Sworn to and Subscribed before me
This 26 day of June, 2023

/s/ Kelisha S. Elliott Grant
Notary Public

My commission expires: 12/15/2023 [SEAL]

IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA

DEUTSCHE BANK TRUST	§	
COMPANY AMERICAS,	§	
TRUSTEE	§	
Plaintiff/Appellee	§	
vs.	§	CIVIL ACTION
CHRISTOPHER M. HUNT,	§	NO. 18CV4742-2
SR.	§	
Defendant/Appellant	§	

ORDER

This case came to be heard on June 26, 2023 on Defendant Christopher M. Hunt, Sr.'s **DEFENDANT'S EMERGENCY MOTION TO SET ASIDE AND**

VACATE FINAL ORDER 2/27/19 AND GRANT TRO WITH HEARING RULE NISI, the Court finds:

1. Plaintiff has shown that immediate and irreparable injury, loss and damage will result to the Plaintiff before Plaintiff/s or their attorneys can be heard in opposition;
2. Only the entry of a Temporary Restraining Order will adequately protect Defendant's legitimate rights and to prevent the imminent and irreparable injury, loss and damage to Defendant; and
3. The harm to Defendant, should this Court decline to grant Defendant's Complaint for a Temporary Restraining Order, outweighs any harm that Plaintiff's may incur in the event this Court grants Defendant's relief.

NOW IT IS THEREFORE ORDERED THAT DEFENDANT'S EMERGENCY MOTION TO SET ASIDE AND VACATE FINAL ORDER 2/27/19 AND GRANT TRO WITH HEARING RULE NISI is granted pursuant to O.C.G.A. §9-11-65(b), and the Plaintiff/s and all persons or entities acting on their behalf are hereby temporarily restrained as follows until further orders of the court: Defendants, its agents, servants, employees, representatives, subsidiaries, and affiliates, and any parties acting in active concert or participation with any of the foregoing are ordered to cease and desist and otherwise refrain from evicting Defendant and/or selling the property located at 1920 Anastasia Lane, Atlanta, 30341, DeKalb County, Georgia from this day June 27, 2023 forward

App. 77

until this Order is voided by this Court or another Court of equal or higher authority.

SO ORDERED this _____ Day of _____
2023, at _____ a.m./p.m.

Hon. Judge
DeKalb County Superior Court
Stone Mountain Judicial Circuit

**IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA**

DEUTSCHE BANK TRUST	§	
COMPANY AMERICAS,	§	
AS TRUSTEE	§	
Plaintiff/Appellee	§	
vs.	§	CIVIL ACTION
CHRISTOPHER M. HUNT,	§	NO. 18CV4742-2
SR.	§	Cross Filed
Defendant/Appellant	§	17D25385

CERTIFICATE OF SERVICE

I have sent a copy of this **DEFENDANT'S EMERGENCY MOTION TO SET ASIDE AND VACATE FINAL ORDER 2/27/19 AND GRANT TRO WITH HEARING RULE NISI** filed via Odyssey Court system and if requested U.S. mail with proper first-class postage affixed this 27th June, 2023 to:

App. 78

Christopher Anulewicz * FIRED FROM BALCH
DUE CASES!!!

Balch and Bingham
30 Ivan Allen Jr. Blvd. NW Suite 700
Atlanta, GA 30308

Dallas Ivey * Proven Fraud on Court to get
Dispossessory then Eviction via Ex Parte Hearing.
Aldridge, Pite, LLP
Fifteen Piedmont Court
3575 Piedmont Road NE Suite 500
Atlanta, GA 30305

Sincerely,
//Christopher M. Hunt, Sr.//
Christopher M. Hunt, Pro Se
5456 Peachtree Blvd. #410
Atlanta GA 30341-2235
770-457-3300

App. 79

All Fifty State Attorneys General 1 May, 2023
(Per mailing list sent certified mail)

RE: Whistleblower on Nation's Largest Mortgage Scam in Aftermath of Great Recession!

Attorneys General,

Thank you for excellent work in holding mortgage companies accountable for unethical, illegal, greedy business practices preying on innocent homeowners per Exhibit 1.

Y'all missed the heart of watermelon of abuses and did nothing to help the homeowners with restitution by what I can tell. Here is your chance to make it right. I have written Attorney General of Georgia Chris Carr at least three times! Maybe he is doing things in background . . . I was never late on a payment, the original mortgage company's employees and closing attorney in writing admitted the mortgage company breached the contract and I filed as exhibits so the USCA1 1 ruled the mortgage company breached the contract. I am winning class #FF64929439 member of *ROBINSON v. NATIONSTAR* TDC 14-3667 for RESPA violations but only got a check for \$38 while Deutsche Nationstar stealing my \$1M home with \$500,000+ equity because of fraud on courts!!! My cases have revealed the truth and magnitude of the nation's largest white-collar criminal mortgage scam! Here is cliff notes truth revealed on website:

www.EleventhCircuitCourtAppeals.us

The mortgage companies caused the Great Recession by unethical, illegal business practices. The

App. 80

taxpayers bailed them out with monies, many being homeowners. The mortgage companies misused the homeowners' bailout monies to buy as many of mortgagees caused defaulted mortgage loans as possible for pennies on the dollar. Then the mortgage companies, especially Deutsche that is a foreign international company operating illegally in USA per my filings^{*1}, purposefully violated the congressional laws and RESPA^{*2} to steal the homes with all the equity and appreciation and misused tax write-offs of false accounting^{*3} to make exponential windfall profits! Here is an analogy I used in my filing: An evil man rapes an adolescent girl. The girl is given money to get counseling and medical treatment. The evil man goes back to young girl and steals the money then shoots her in the head.

Sincerely,

Rev. Christopher M. Hunt, Sr. Ph.D.
5456 Peachtree Blvd Ste 410 Chamblee GA 30341-2235
770-457-3300 1cor13cmh@gmail.com
CC: Joe Rogan, 60 Minutes, etc.

¹ Racketeer Influenced and Corrupt Organizations § 16-14-3. Definitions Universal Citation: GA Code § 16-14-3 (2020) The "Georgia Residential Mortgage Fraud Act" in violation of Article 5 of Chapter 8 of this title. . .

² **50 States Reach \$86.3M Settlement Agreement With Nationstar Mortgage Over Consumer Violations**

³ The attorneys general in all 50 states and the District of Columbia reached on \$86.3M settlement Monday morning with Nationstar Mortgage to resolve allegations it violated consumer protection laws.

**EXHIBIT 1 Where is Justice for homeowners?
Deutsch & Nationstar making \$Billions in crimes!**

1. Violations of U.S. and judicial international sovereignty: When and how does a non-USA based, international foreign company (Deutsche, Germany) come into jurisdiction of USA and a state (Georgia) and then via Removal from a state into Federal Courts (DCN.GA & USCA11), when said foreign corporation is operating in violation of U.S. Supreme Court *AMERICAN BANK & TRUST CO. V. FEDERAL RESERVE BANK*, 256 U.S. 350 (1921) and Congressional Laws Sarbanes-Oxley Act and Dodd-Frank? Homeowner is a whistleblower.
2. Conflict of Uniformity of Federal Courts: How is a federal court in one state to recognize and incorporate another federal court (DCN.GA/USCA11 recognize *ROBINSON v. NATIONSTAR* Case No. 8:14-cv-03667-TDC DCMDGreenbelt) ruling of exact same parties on subordinate but all-important matters that occurred during the instant case legal battle? The conflict is not about identical matters of established rulings, but rather how is a court to incorporate and credit lesser parts of another state federal court's ruling while the instant case was still in progress? How can anyone lose their home after never default on payments and being a winning member of class action RESPA violations case?!
3. When must courts recognize and grant proper Whistleblower protection for homeowners who are suing per Sarbanes-Oxley Act and the Dodd-Frank Wall

App. 82

Street Reform and Consumer Protection Act? How are courts to rule ending the conflict between the federal financial laws Sarbanes-Oxley Act of 2002 created to prevent the repeat of the financial scandals this case is a carry over and the Dodd-Frank Wall Street Reform and Consumer Protection Act that overhauled the United States financial oversight regime to protect homeowners, etc.?

[excerpt of online docket for Magistrate Court of
DeKalb County, Georgia, Case No. 17D25385,
showing that no "Order and Judgment"
dated 10-23-2017 was issued]

Deutsche Bank Trust Company Americas, as Trustee Fifteen Piedmont Center VS CHRISTOPHER HUNT 17D25385

* * *

Date	Event Type	Comments	Docu- ments	Pages	Price
9/26/2017	Filing Dispos- sory War- rant		[ICON] 6 SM Dis- pos- sess...		Free Owned
9/28/2017	Filing Tack and Mail Service		[ICON] 1 SM Dis- pos- sess...		Free Owned
9/28/2017	Filing Tack and Mail Service		[ICON] 1 SM Dis- pos- sess...		Free Owned
10/4/2017	Filing Dispos- sory Answer		[ICON] 1 SM Dis- pos- sess...		Free Owned

App. 84

10/16/2017	Hear-	Dispos-	-	-	-	-
	ing	sessory				
		Attor-				
		ney				
10/16/2017	Hear-	Dispos-	-	-	-	-
	ing	sessory				
		Attor-				
		ney				
10/19/2017	Filing	Motion	Emer-	[ICON] 4	Free	Owned
		gency	SM			
		Motion	Dis-			
		to [Il-	pos-			
		legible]	sess...			
10/19/2017	Filing	Ap-		[ICON] 4	Free	Owned
		pealed	SM			
		to Su-	Dis-			
		perior	pos-			
		Co[Il-	sess...			
		legible]				
10/19/2017	Filing	Judge's	Treat	[ICON] 1	Free	Owned
		Direc-	filng	SM		
		tive	as ap-	Dis-		
			peal to	pos-		
				sess...		
10/20/2017	Filing	To	Judge	[ICON] 15	Free	Owned
		Judge	Leshaw	SM		
				Dis-		
				pos-		
				sess...		
10/24/2017	Filing	Judge's	This is	[ICON] 1	Free	Owned
		Direc-	put on	SM		
		tive	appeal	Dis-		
			to	pos-		
				sess...		

App. 85

10/31/2017 Filing Ap- OF [ICON] 1 Free Owned
pealed DEK- SM
to Su- ALB Dis-
perior COUN pos-
Co[Il- TY sess...
legible]
10/31/2017 Filing Miscel- AP- [ICON] 1 Free Owned
laneous PEAL SM
RE- Dis-
CEIVE pos-
D IN sess...
11/17/2017 Filing Miscel- initial [ICON] 4 Free Owned
laneous filing: SM
am- Dis-
mendedpos-
in sess...

* * *
