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App. 1

[DO NOT PUBLISH]

**In the
United States Court of Appeals
For the Eleventh Circuit**

No. 22-14225
Non-Argument Calendar

DEUTSCHE BANK TRUST
COMPANY AMERICAS, as Trustee,
Plaintiff-Appellee,

versus

CHRISTOPHER M. HUNT,
and All Others,
Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Georgia
D.C. Docket No. 1:22-cv-01173-MHC

(Filed Sep. 1, 2023)

Before LAGOA, BRASHER, and ANDERSON, Circuit Judges.
PER CURIAM.

Christopher M. Hunt, appealing *pro se*, challenges the district court's denial of his motion to recall the remand to state court of an action filed by Deutsche Bank Trust Company Americas ("DBTCA") against

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him arising out of foreclosure proceedings against Hunt's home, which Hunt removed to federal court before the district court *sua sponte* remanded for lack of subject matter jurisdiction. DBTCA moved to dismiss Hunt's appeal of the denial, arguing that we lack jurisdiction to review the district court's denial of Hunt's motion to recall the remand because it was effectively a challenge to the unreviewable remand order. We dismissed Hunt's appeal to the extent that he sought review of the original remand order and carried DBTCA's motion with the case to the extent that Hunt sought review of the district court's order denying his motion to recall the remand. On appeal, Hunt argues that the district court erred in denying his motion because the state court had no jurisdiction over his claims, DBTCA defrauded the court in manufacturing state jurisdiction, Hunt presented constitutional issues that must be decided in federal court, and DBTCA lacks standing to be in any court.

We review *de novo* "a district court's interpretation and application of statutory provisions that go to whether the court has subject matter jurisdiction." *United States v. Tinoco*, 304 F.3d 1088, 1114 (11th Cir. 2002).

Generally, "[a]n order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise." 28 U.S.C. § 1447(d). However, only remand orders issued under 28 U.S.C. § 1447(c) are immune from review under § 1447(d). *Thermtron Prods., Inc. v. Hermansdorfer*, 423 U.S. 336, 346 (1976), *abrogated on other grounds by*

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Quackenbush v. Allstate Ins. Co., 517 U.S. 706, 714-15 (1996); see also *New v. Sports & Recreation, Inc.*, 114 F.3d 1092, 1095-96 (11th Cir. 1997). Remands for which review is barred under § 1447(c) include remands based on lack of subject matter jurisdiction and remands based on a defect in the removal procedure. 28 U.S.C. § 1447(c); *Whole Health Chiropractic & Wellness, Inc. v. Humana Med. Plan, Inc.*, 254 F.3d 1317, 1319 (11th Cir. 2001).

When a district court remands a case to state court for lack of subject matter jurisdiction, it cannot review its decision by entertaining a motion for reconsideration. *Bender v. Mazda Motor Corp.*, 657 F.3d 1200, 1204 (11th Cir. 2011) (holding that § 1447(d) prohibits a district court from reconsidering its remand order because the district court no longer had jurisdiction over the case); *Harris v. Blue Cross/Blue Shield of Ala., Inc.*, 951 F.2d 325, 330 (11th Cir. 1992) (holding that the district court could not reconsider its remand order because it was based on § 1447(c)).

In *In re Loudermilch*, 158 F.3d 1143 (11th Cir. 1998), we held that, while § 1447(d)'s prohibition on appellate review of remand orders was "strict," we nevertheless had jurisdiction to rule on a post-remand mandamus petition because the petition did not involve a review of the remand order itself but was instead "an assessment of the district court's jurisdiction to have reviewed or reconsidered" the remand order. *Id.* at 1145 n.2. Likewise, in *Bender*, we affirmed a district court's denial of a motion for reconsideration of its

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prior order remanding the case for lack of subject matter jurisdiction. *Bender*, 657 F.3d at 1201–04.

Here, while we have jurisdiction to review the district court's denial of Hunt's motion to recall the remand to state court, the district court did not err in finding that it lacked subject matter jurisdiction to reconsider the remand order because it remanded to state court due to lack of subject matter jurisdiction. *See* 28 U.S.C. § 1447(c)–(d); *Bender*, 657 F.3d at 1202–04; *Harris*, 951 F.2d at 330.

AFFIRMED.¹

¹ Hunt's motions "For Leave to File Supplemental Brief of New Supreme Court Ruling and Appellees Fraud on Courts" and "For Leave to File Additional Supplemental Brief Requesting Appellees Prove Standing in Court with Additional Fraud on Courts" are DENIED.

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IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 22-14225-CC

DEUTSCHE BANK TRUST
COMPANY AMERICAS, as Trustee,

Plaintiff - Appellee,

versus

CHRISTOPHER M. HUNT,
and All Others,

Defendant - Appellant.

Appeal from the United States District Court
for the Northern District of Georgia

(Filed Mar. 31, 2023)

Before: WILSON, LUCK, and LAGOA, Circuit Judges.
BY THE COURT:

Appellee's motion to dismiss this appeal for lack of jurisdiction is GRANTED IN PART. To the extent Appellant seeks review of the district court's April 22, 2022 order remanding the case to Georgia state court, we lack jurisdiction because the court based its remand on a lack of federal subject matter jurisdiction. *See* 28 U.S.C. § 1447(c), (d). Accordingly, Appellee's motion to dismiss is granted to that extent.

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To the extent Appellant seeks review of the district court's November 30, 2022 order denying Appellant's emergency motion to recall the remand, we CARRY WITH THE CASE the motion to dismiss that portion of the appeal. The parties may file supplemental briefs, no later than fourteen days from the date of this order and no longer than ten pages, addressing whether we have jurisdiction to consider the appeal from the November 30, 2022 order, and, if so, whether the district court erred in denying the emergency motion to recall the remand.

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

**DEUTSCHE BANK TRUST
COMPANY AMERICAS, as
Trustee,**

Plaintiff,

v.

CHRISTOPHER M. HUNT,

Defendant.

CIVIL ACTION FILE

**NO. 1:22-CV-1173-
MHC-LTW**

ORDER

(Filed Apr. 22, 2022)

Defendant Christopher M. Hunt ("Hunt") filed an application for leave to proceed *in forma pauperis* [Doc. 1] seeking to remove an appeal of a dispossessory action from the Superior Court of DeKalb County, Georgia. The Magistrate Judge granted the application for the purposes of remand only, and issued a Final Report and Recommendation ("R&R") [Doc. 3] that this case be remanded to the Superior Court of DeKalb County based upon untimeliness and the absence of federal subject matter jurisdiction. The Order for Service of the R&R [Doc. 4] provided notice that, in accordance with 28 U.S.C. § 636(b)(1), the parties were authorized to file objections within fourteen (14) days of the receipt of that order. Hunt filed objections to the R&R within the prescribed time period ("Def.'s Objs.") [Doc. 5]. Hunt also filed a document entitled "Amended Objections

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and Corrections to Magistrate [Judge]’s Final Report and Recommendation Rule 60” [Doc. 6] which this Court considers as additional objections.

In reviewing a Magistrate Judge’s R&R, the district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1). “Parties filing objections to a magistrate’s report and recommendation must specifically identify those findings objected to. Frivolous, conclusive, or general objections need not be considered by the district court.” United States v. Schultz, 565 F.3d 1353, 1361 (11th Cir. 2009) (quoting Marsden v. Moore, 847 F.2d 1536, 1548 (11th Cir. 1988)) (internal quotation marks omitted). Absent objection, the district court judge “may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge,” 28 U.S.C. § 636(b)(1), and need only satisfy itself that there is no plain error on the face of the record in order to accept the recommendation. See United States v. Slay, 714 F.2d 1093, 1095 (11th Cir. 1983). Further, “the district court has broad discretion in reviewing a magistrate judge’s report and recommendation”—it “does not abuse its discretion by considering an argument that was not presented to the magistrate judge” and “has discretion to decline to consider a party’s argument when that argument was not first presented to the magistrate judge.” Williams v. McNeil, 557 F.3d 1287, 1290–92 (11th Cir. 2009). In accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the Court has

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Hunt's \$402.00 filing fee paid on April 4, 2022. Hunt is reminded that his attempted removal of the current action violates the Magistrate Judge's prior recommendation, adopted by the district court, which stated as follows:

[I]f an action between [Hunt] and [Nationstar and/or Deutsche Bank] involving this property is removed to this Court from State court, [Hunt shall] be ordered to post a \$2,000 cash or corporate surety bond within 30 days of removal. The bond in any such case will be used to cover an award of attorneys' fees and sanctions, if warranted. If [Hunt] fails to post the bond, any future suit between [Hunt] and [Nationstar and/or Deutsche bank] involving this property should be dismissed without prejudice.

Hunt v. Nationstar Mortg., LLC, No. 1:20-cv-2359-TWT-LTW (N.D. Ga. Jan. 13, 2021) [Doc. 82]; R&R adopted (N.D. Ga. Feb. 2, 2021) [Doc. 92]. As stated by the Magistrate Judge, in the event Hunt brings additional frivolous filings before this Court, he will be required to post a frivolity bond and may face additional sanctions, including contempt. R&R at 1 n.1.

IT IS SO ORDERED This 22nd day of April, 2022.

/s/ Mark H. Cohen
Mark H. Cohen
United States District Judge

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

DEUTSCHE BANK TRUST
COMPANY AMERICAS,
as Trustee,

Plaintiff,

v.

CHRISTOPHER M. HUNT,
Defendant.

CIVIL ACTION FILE NO.
1:22-cv-01173-MHC-LTW

**MAGISTRATE JUDGE'S FINAL REPORT
AND RECOMMENDATION**

(Filed Mar. 30, 2022)

Defendant, proceeding *pro se*, seeks to remove a dispossessory action from the Superior Court of DeKalb County without prepayment of fees and costs and security therefore, pursuant to 28 U.S.C. § 1915(a)(1). [Docs. 1, 1–1]. The Application for Leave to Proceed in forma pauperis is **GRANTED for purposes of remand only**.¹ [Doc. 1]. For the reasons provided below, the

¹ Defendant Christopher M. Hunt is a serial frivolous filer with cases regarding this same property stretching back over seven and a half years. See Hunt v. Nationstar Mortg., LLC, 1:20-cv-02359-TWT-LTW, [Docs. 82, 92]. For that reason, he is under a filing restriction and would be required to post a \$2,000 frivolity bond if this case were to proceed. Id. Defendant would have to forfeit that bond because, as will be discussed below, this removal is frivolous. Because the undersigned recommends this case be remanded, the issue of the frivolity bond is moot. But if Defendant

Court **RECOMMENDS** this action be **REMANDED** to the Superior Court of DeKalb County.

PROCEDURAL HISTORY

Over four years ago, Plaintiff filed a dispossessory proceeding against Defendant in the Magistrate Court of DeKalb County. [Doc. 1-1 at 21].² Defendant filed an Answer to the dispossessory warrant on October 4, 2017. [Id. at 27–28]. On January 4, 2018, the Magistrate Court of DeKalb County issued a writ of possession, and on February 12, 2018, it denied two of Defendant’s frivolous motions regarding the same. [Id. at 25]. Defendant appealed to the Superior Court of DeKalb County (Case No. 18CV4742-2), and in February 2019 the Superior Court issued a Final Order, Judgment, and Writ of Possession in favor of Plaintiff. [Id. at 58].

Defendant then tried removing the dispossessory action to this Court in July 2019, but the Court remanded, overruling his objections as “frivolous.” Deutsche Bank Trust Company Americas v. Hunt, 1:19-cv-03043-TWT-JCF, [Doc. 14]; see also United States v. Rey, 811 F.2d 1453, 1457 n.5 (11th Cir. 1987) (“A court may take judicial notice of its own records and the records of inferior courts.”). In March 2022, Defendant decided to file a Notice of Removal in a case that is over four years

Hunt brings more frivolous filing before this Court despite repeated admonishments, he will be required to post a frivolity bond and the Court will consider holding him in contempt.

² The citations herein are to the page numbers electronically printed at the top of the document by the CM/ECF system.

old. [Doc. 1-1 at 22]. Defendant argues "Jurisdiction can be attacked at any time!" and asserts, "Therefore, this removal is timely." [*Id.* at 15]. Defendant also asserts the Court has subject-matter jurisdiction over this matter under both diversity jurisdiction and federal question jurisdiction. [*Id.* at 9-15].

LEGAL ANALYSIS

A defendant seeking to remove a case to federal court bears the burden of showing that removal is proper. Williams v. Best Buy Co., 269 F.3d 1316, 1319 (11th Cir. 2001). In considering whether a defendant has satisfied this burden "there is a presumption against the exercise of federal jurisdiction, such that all uncertainties as to removal jurisdiction are to be resolved in favor of remand." Russell Corp. v. Am. Home Assurance Co., 264 F.3d 1040, 1050 (11th Cir. 2001).

First, Defendant's removal is untimely. Defendant filed an Answer to the dispossessory warrant over four years before he tried removing the case (this second time). [Doc. 1-1 at 27-28]. "The notice of removal of a civil action or proceeding shall be filed within 30 days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based. . . ." 28 U.S.C. § 1446(b)(1); see also id. § 1446(b)(2)(B) (providing that the "defendant shall have 30 days after receipt by or service on that defendant of the initial pleading or summons described in paragraph (1) to file the notice of removal"). Defendant's

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CONCLUSION

For the foregoing reasons, the Application for Leave to Proceed in forma pauperis ([Doc:1]) is **GRANTED for purposes of remand only**. The undersigned **RECOMMENDS** that this action be **REMANDED** to the Superior Court of DeKalb County (Case No. 18CV4742-2) pursuant to 28 U.S.C. § 1447(c). As this is a final Report and Recommendation and there are no other matters pending before the Court, the Clerk is directed to terminate the reference to the undersigned.

SO ORDERED, REPORTED AND RECOMMENDED, this 30 day of March, 2022.

/s/ Linda T. Walker.

LINDA T. WALKER
UNITED STATES
MAGISTRATE JUDGE

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IN THE SUPERIOR COURT
OF DEKALB COUNTY
STATE OF GEORGIA
DEUTSCHE BANK TRUST §
COMPANY AMERICAS, §
TRUSTEE §
Plaintiff/Appellee §
vs. §
CHRISTOPHER M. HUNT, SR. §
Defendant/Appellant §
CIVIL ACTION NO.
18CV4742-2

EMERGENCY MOTION TO EXTEND
TIME OF SUPERSEDEAS, EMERGENCY
MOTION TO RECONSIDER ORDER
GRANTING SUPERSEDEAS, NOTICE
OF INTENT TO APPEAL

(Filed Jun. 21, 2019)

COMES NOW Plaintiff ("Homeowner")
pro se and files this

EMERGENCY MOTION TO EXTEND TIME OF
SUPERSEDEAS, EMERGENCY MOTION TO RE-
CONSIDER ORDER GRANTING SUPERSEDEAS,
AND NOTICE OF INTENT TO APPEAL and avers:

1.

EMERGENCY MOTION TO EXTEND
TIME OF SUPERSEDEAS

Exhibit: A proves that either this Court hack dated
the Order granting illegal supersedeas to coincide and

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

/s/

RICHARD W. STORY

United States District Judge

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

DEUTSCHE BANK TRUST)	
COMPANY AMERICAS, AS)	
TRUSTEE,)	
Plaintiff/Appellee,)	CIVIL ACTION 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

**I. INTRODUCTION, STATEMENT OF FACTS,
AND PROCEDURAL HISTORY**

A. Introduction

This action was brought to the Court as an appeal of case no. 17D25385 from the Magistrate Court of DeKalb County, Georgia (the "Magistrate Court"), a dispossessory action concerning the real property commonly known as 1920 Anastasia Lane, Atlanta, Georgia 30341 (the "Property"). [Disp. Aff., Sept. 25, 2017]. The Motion is filed based on the numerous efforts by Defendant, the former owner of the Property and a tenant at sufferance, to delay and stop Plaintiff from exercising its rights to the Property since 2014.

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

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

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“Motion to Deny Dismissals with Evidence Proving
Lawsuit Valid and Quash Hearing Mandated” filed by
Christopher Hunt (“Mr. Hunt”) in response to

* * *

IN THE SUPERIOR COURT
OF DEKALB COUNTY
STATE OF GEORGIA

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

**PLAINTIFF'S RESPONSE IN OPPOSITION TO
DEFENDANT'S EMERGENCY MOTION**

COMES NOW, Deutsche Bank Trust Company Americas, as Trustee, ("Plaintiff"), and files its Response in Opposition to the filing titled, "Emergency Motion to Rule Sua Sponte Void All Orders or Notice Amended Appeal to Consolidate All Orders and Filings Into Existing Appeal With No Transcript (the "Motion") filed by Defendant Christopher Hunt ("Defendant"). In support of the Motion, Plaintiff relies upon the entire record before the Court and shows the Court as follows:

I. BRIEF STATEMENT OF FACTS AND RECENT PROCEDURAL HISTORY

This action arises from the May 2, 2017 non-judicial foreclosure sale (the "Sale") of real property known commonly as 1920 Anastasia Lane, Atlanta, DeKalb

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County, Georgia 30341 (the “Property”). [Br. Supp. Pl.’s Mot. Dis. App., p. 2, Exh. 1]. Plaintiff filed its Motion to Dismiss Appeal and Issue Writ of Possession on August 24, 2018 on the grounds, *inter alia*, that Defendant is a tenant at sufferance. [Br. Supp. Pl.’s Mot. Dis. App., p. 6]. The Court entered a Final Order, Judgment, and Writ of Possession in favor of Plaintiff on February 28, 2019 (the “Final Judgment and Writ”) finding that Defendant is a tenant at sufferance and that Defendant failed to provide any basis for setting aside the prior judgments and writ of possession of the

* * *

App. 28

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

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

**BRIEF IN SUPPORT OF
MOTION FOR SUPERSEDEAS BOND**

COMES NOW, Deutsche Bank Trust Company, as Trustee, ("Plaintiff"), and files its Brief in Support of its Motion for Supersedeas Bond (the "Motion"), pursuant to O.C.G.A. § 5-6-46, requesting that the Court require Defendant Christopher Hunt ("Defendant") to post a supersedeas bond as a condition of, and pending his appeal of, the Final Order, Judgment, and Writ of Possession entered February 28, 2019, in favor of Plaintiff (the "Final Order and Writ"). In support of the Motion, respectfully shows this Honorable Court as follows:

**I. INTRODUCTION, STATEMENT OF FACTS,
AND PROCEDURAL HISTORY**

A. Introduction

This action was brought to the Court as an appeal of case no. 17D25385 from the Magistrate Court of DeKalb County, Georgia (the “Magistrate Court”), a dispossessory action concerning the real property commonly known as 1920 Anastasia Lane, Atlanta, Georgia 30341 (the “Property”). [Disp. Aff., Sept. 25, 2017]. The Motion is filed based on the numerous efforts by Defendant, the former owner of the Property and a tenant at sufferance, to delay and stop Plaintiff from exercising its rights to the Property since 2014.

* * *

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

DEUTSCHE BANK TRUST	§
COMPANY AMERICAS,	§ 22-14225
TRUSTEE	§ DCNG
Plaintiff/Appellee	§ 22-01173
vs.	§ DeKalb
CHRISTOPHER M. HUNT, SR.	§ 18CV4742-2
Defendant/Appellant	§ DeKalb Magistrate
	§ 17D25385
	§

**APPELLANT'S MOTION FOR LEAVE
TO FILE ADDITIONAL SUPPLEMENTAL
BRIEF REQUESTING APPELLEES
PROVE STANDING IN COURT WITH
ADDITIONAL FRAUD ON COURTS**

(Filed Jun. 23, 2023)

COMES NOW Appellant, ("Homeowner") Pro Se and files APPELLANT'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF OF NEW SUPREME COURT RULING AND APPELEES FRAUD ON COURTS and avers:

Homeowner forced pro se by Appellees' ("Mortgagees") temporary illegal and contemptuous theft of home show by this Motion requesting additional leave of Court to file supplemental brief (Exhibit 1) is the illegal and contemptuous and cause and perpetration

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of irreconcilable conflict between federal and state
courts! Submitted this 23rd day of June 2023,

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

Christopher M. Hunt, Pro Se

5456 Peachtree Blvd #410

Atlanta GA 30341-1782 1cor13cmh@gmail.com

770-457-3300

* * *

**EXHIBIT 1 FOR MOTION
UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

DEUTSCHE BANK TRUST	§
COMPANY AMERICAS,	§ 22-14225
TRUSTEE	§ DCNG
Plaintiff/Appellee	§ 22-01173
vs.	§ DeKalb
CHRISTOPHER M. HUNT, SR.	§ 18CV4742-2
Defendant/Appellant	§ DeKalb Magistrate
	§ 17D25385
	§

**APPELLANT'S MOTION FOR LEAVE
TO FILE SUPPLEMENTAL BRIEF
REQUESTING APPELLEES PROVE
STANDING IN COURT WITH
ADDITIONAL FRAUD ON COURTS**

COMES NOW Appellant, ("Homeowner") Pro Se and files this APPELLANT'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF REQUESTING APPELLEES PROVE STANDING IN COURT AND NOT FRAUD COURTS and avers:

1.

**APPELLES HAVE NO STANDING AND
ADDITIONAL FRAUD ON COURTS**

Honorary Judge Story of DCN.GA in previous cases of wrongful foreclosure dismissed Homeowners appeal and Removal in Order he "could not ascertain

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

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 . . .

**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

**EXHIBIT 1 FOR MOTION
UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

DEUTSCHE BANK TRUST	§
COMPANY AMERICAS,	§ 22-14225
TRUSTEE	§ DCNG
Plaintiff/Appellee	§ 22-01173
vs.	§ DeKalb
	§ 18CV4742-2
CHRISTOPHER M. HUNT, SR.	§ DeKalb Magistrate
Defendant/Appellant	§ 17D25385
	§

**APPELLANT'S MOTION FOR LEAVE
TO FILE SUPPLEMENTAL BRIEF
REQUESTING APPELLEES PROVE
STANDING IN COURT WITH
ADDITIONAL FRAUD ON COURTS**

COMES NOW Appellant, ("Homeowner") Pro Se and files this APPELLANT'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF REQUESTING APPELLEES PROVE STANDING IN COURT AND NOT FRAUD COURTS and avers:

1.

**APPELLES HAVE NO STANDING AND
ADDITIONAL FRAUD ON COURTS**

Honorary Judge Story of DCN.GA in previous cases of wrongful foreclosure dismissed Homeowners appeal and Removal in Order he "could not ascertain

how Deutsche was associated with loan." Homeowner is not asking Court to rule on a previous cases but based on Judge Story's order the directly impacts instant case this Honorary Court must demand the Appellees Deutsche and their counsel clear themselves of fraud on the court **S – both state and federal** – and provide proof they have standing in Court. This is an issue of instant case the DCN.GA refused to address and is all-important matter of instant appeal jurisdiction for USCA11 on instant case and for illegal acts committed in state court that Homeowner has complained about since occurred.

IN CONCLUSION Court must uphold its jurisdiction that was improperly violated by Mortgagees and created and have perpetuated the extreme conflicts of jurisdiction between federal and state courts. Mortgagees have admitted by waiver all the truths and law submitted by Homeowner and mooted the removal process that was correct by per Rule 28 § 1450 and 28 U.S.C. § 1443 as Homeowner explained is a poster child for civil rights and recent *BP L.C. et al* DCNG erred by cite of inapplicable and false issues. Additional concerns that were addressed by Homeowner is Mortgagees and counsel standing in court beyond mandated cured first breach per cited *MALONE*.

COURT IS ASKED TO ORDER THE MORTGAGEES DEUTSCHE AND THEIR PROVEN BY C-I-P BAD ACTING DEBT COLLECTOR COUNSEL ALDRIDGE PITE TO PRODUCE ADDITIONAL EVIDENCE THEY HAD STANDING PER FOLLOWING ACTS as Homeowner is a whistleblower of mortgage fraud per

Sarbanes-Oxley Act and The Dodd-Frank Wall Street Reform and Consumer Protection Act!

THEREFORE Please Court to Reconsider the granting in light of all admissions and facts homeowner prayerfully requests this honorable Court to order per Rule Candor to Tribunal these additional fraud matters to previously filed fraud matters:

1. Mortgagees Deutsche and bill collectors Pite Alridge produce any evidence they had required court(s) approval to be recognized parties in federal or state courts on any matters with Nationstar and Homeowner.
2. Mortgagees produce any evidence that contradicts the Homeowner's filed exhibits that Mortgagees and counsel went rogue into state courts in violation of Judge Story's order all jurisdiction was in DCN.GA and "nothing was to be done" and in a secret ex parte meeting with a DeKalb Magistrate judge misrepresented cases status and jurisdiction to obtain an eviction order that was never served on Homeowner until sheriff's were misused to help them steal home and equity who handed Homeowner order in complete surprise illegal, contemptuous eviction in early morning with twelve illegal immigrants supervised by a Nationstar employee! They did over \$5,000 damages to home and belongings and caused physical damage to Homeowner forced to beat raining and thieves getting everything moved back in before rain and night thieves. The Marshals were excellent once they realized misused to stay and monitor and protect Homeowner until all moved back in. It took weeks to get home back to living condition.

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3. Mortgagees provide proof to Court that they did not knowingly violate Rule 28 § 1450 in attempt to destroy 100% legally correct Homeowner in attempt to moot everything in in federal courts by eviction.
4. Mortgagees provide proof that Deutsche and Nationstar did not commit accounting fraud by bidding in own loan for more than advertised amount despite no competing bids!
5. Mortgagees provide proof of what proper mortgage amount was when the proven first breach occurred many years ago and if all accrued interest, illegal late fees, interest penalties, etc. were removed and an independent a forensic accountant review all documents.
6. Mortgagees provide proof of how Deutsche and bill collectors thought they had obtained any right to directly enforce a contract with Nationstar in any way – even if not illegally in contempt of Court orders Rule 28 § 1450 and jurisdiction of USCA11!

Any and all relief and additional compensation allowed by Court in its discretion. Respectfully Submitted this 23rd day of June, 2023

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

Christopher M. Hunt, Pro Se
5456 Peachtree Blvd #410
Atlanta GA 30341-1782
1cor13cmh@gmail.com 770-457-3300

* * *

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**EXHIBIT 2 Letter to all
fifty states Attorneys General**

All Fifty State Attorneys General 1 May, 2023

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

Attorney 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 Can 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 USCA11 ruled the mortgage company breached the contract. I am winning class #FF64929439 member of *ROBINSON v. NATIONSTAR* TDC14-3667 for RESPA violations but only got a check for \$38 while Deutsche Nationstar stealing my \$1M home with \$400,000+ 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

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

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 . . .

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

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Mortgage to resolve allegations it violated
consumer protection laws.

Sincerely,

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

*(Second page Back of letter that is already
getting replies from Attorneys General)*

Where is Justice for homeowners? Deutsch / Nation-
star 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 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.?

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Homeowner is receiving replies:

[SEAL]

OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA
313 N.E. 21ST STREET OKLAHOMA CITY, OK 73105
(405) 521-3921 FAX: (405) 521-6246

June 5, 2023

Christopher Hunt
1920 Anastasia Lane
Atlanta GA 30341

Dear Mr. Hunt:

Enclosed is the Consumer Complaint Form you requested. Although the Attorney General cannot represent you as a private attorney, we will do all we can to assist you in resolving this complaint. You may also want to consider other remedies such as Early Settlement, small claims court, arbitration or a consultation with a private attorney.

Our complaint process can take at least 30 days from the date our office receives your completed complaint form. Please remember we are only able to proceed as far as our authority under the Oklahoma Consumer Protection Act allows. If we find that your complaint falls under the authority of another agency we will forward it to the appropriate office for your convenience. The complaint process sometimes can be lengthy. Thank you for your cooperation and patience.

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If you have additional questions or information regarding your complaint, please write to us.

Sincerely,

/s/ Susan Laib

Susan Laib

Consumer Protection Unit

Enclosures: Consumer Complaint Form ;

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No. 22-14225

22-11463 21-10398, 20-12310-J, 20-13439-J, 21-10262-J, 21-10398-J

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

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

APPELLEES

V.

CHRISTOPHER M. HUNT, SR.

APPELLANT

**On Appeal from the United States District Court
For the Northern District of Georgia**

1:22-cv-01173-MHC

DeKalb Case: 20cv3778 & 18cv4742

Related Case History:

DCNG: 1:14CV03649

DeKalb: 20-3778 & 14CV8532

**EMERGENCY PETITION REHEARING
EN BANC CONCERNING MANDATE PER
RULE 41 AND JURISDICTION CERTIORARI
U.S. SUPREME COURT**

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

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

DEUTSCHE BANK TRUST	§	
COMPANY AMERICAS,	§	
TRUSTEE	§	22-14225
Plaintiff/Appellee	§	DCNG
vs.	§	22-01173
	§	DeKalb
CHRISTOPHER M. HUNT,	§	18CV4742-2
SR.	§	DeKalb Magistrate
	§	17D25385
Defendant/Appellant	§	

**EMERGENCY PETITION REHEARING
EN BANC CONCERNING MANDATE PER
RULE 41 AND JURISDICTION CERTIORARI
U.S. SUPREME COURT**

COMES NOW Appellant, ("Homeowner") Pro Se and files this **EMERGENCY PETITION REHEARING EN BANC CONCERNING MANDATE PER RULE 41 AND JURISDICTION CERTIORARI U.S. SUPREME COURT** and avers:

1.

RULE 41 JURISDICTION STILL IN USCA11

Rule 41(c) Effective Date Amendment to subdivision is new:

This amendment is intended to make it clear that the mandate is effective upon issuance and that its effectiveness is not delayed until receipt of the

mandate by the trial court or agency, or until the trial court or agency acts upon it.

Homeowner gave immediate notice to honorable Court [DOC 52] Status Update of Appeal/Certiorari to Supreme Court U.S.. The Homeowner being pro se may have erred on a technicality but this Emergency filing remedies by request for Rehearing En Banc concerning issuance of Mandate and interpretation of new Amendment of Rule 41 as jurisdiction is clearly in Supreme Court as registered mail has shown received Certiorari last week. Also the trial court has not received the Mandate nor acted upon it so the only interpretation is that the Stay must be granted due to enormity of questions of law and Constitutional implications. There is no known clear instructions on date to file:

(d) Staying the Mandate Pending a Petition for Certiorari.

- (1) **Motion to Stay.** A party may move to stay the mandate pending the filing of a petition for a writ of certiorari in the Supreme Court. The motion must be served on all parties and must show that the petition would present a substantial question and that there is good cause for a stay.

2.

QUESTIONS FOR REHEARING EN BANC

Questions of all important law:

1. Should justices sua sponte grant a stay for Mandate after receiving timely notice of Certiorari on obvious matters of international sovereignty of Courts and in light of evidence of a forced pro se

showing instant case concerns largest mortgage fraud in U.S. history and severity of conflict of jurisdiction between federal and state courts and fraud on courts?

2. Does new Amendment to subsection (c) allow for Emergency Motion for Rehearing En Banc while jurisdiction is clearly in U.S. Supreme Court via filed Certiorari and Mandate not yet received/ acted upon by lower courts?

IN CONCLUSION Court must be empowered to uphold its jurisdiction over illegal nullity state orders on same matters of jurisdiction by Mortgagees Removal! Mortgagees improperly violated this honorable Court's jurisdiction by illegally swapping parties and counsel, went into state and misrepresented case status and jurisdiction in a secret ex parte hearing to get nullity orders, then in violation to Rule 3.3. perpetuate extreme conflicts of jurisdiction between federal and state courts !!! Homeowner was never late payment and Mortgagees employees, closing attorney and USCA11 ruled the Mortgagees breached contract! Solely due to fraud and illegal acts have the Mortgagees prevailed to date. DCNG nor USCA11 made a ruling on how a homeowner can be foreclosed and evicted after the Mortgagees breached the contract, violated Rule 28 § 1450, returned contractual proper payments and Homeowner is winning member of *ROBINSON RESPA* violations!!! All nullity state matters are in the Supreme Court of Georgia so justices need to focus on matters. Any and all relief and additional compensation allowed by Court in its

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discretion. Respectfully Submitted this 2nd day of
October, 2023

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

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

5456 Peachtree Blvd #410

Atlanta GA 30341-1782

1cor13cmh@gmail.com 770-457-3300

* * *

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No. 22-14225AA

Related Cases: 21-10398-JJ, 22-11463-J 20-12310-J,
20-13439-J, 21-10262-J,

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

CHRISTOPHER M. HUNT, SR.

APPELLANT

V.

DEUTSCHE BANK TRUST COMPANY
AMERICAS, as Trustee (*DEUTSCHE BANK
NATIONAL TRUST COMPANIES or whoever
fraudulently claim to be per C-I-P*)

APPELLEE

On Appeal from the United States District Court
For the Northern District of Georgia

1:22-cv-01173-MHC

DeKalb Case: 20cv3778

Related Case History:

DCNG: 1:14CV03649

DeKalb: 20-3778 & 14CV8532

APPELLANT'S REPLY BRIEF

APPELLEES OMISSIONS ARE ADMISSIONS -
HOMEOWNERS FINALLY GET JUSTICE

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

* * *

- **Dear Jackson, LaTisha:** Judge, Superior Court of DeKalb County who started as "court of equity" and granted second proven proper TRO that ended conflict and contempt of federal courts and original TRO, but then defrauded to violate laws and rules then properly stayed all action but defrauded again in ruse by Deutsche/Aldridge to make a fifth correction to a final order that was misused violating Rule 28 § 1445 attempt evict!
- **Deutsche Bank National Trust Companies:** Deutsche Bank National Trust Companies is a national banking association organized under the law of the United States to carry on the business of a limited purpose trust company. Deutsche Bank is a wholly owned subsidiary of Deutsche Bank Holdings, Inc., which is a wholly owned subsidiary of Deutsche Bank Trust Corporation, which is a wholly owned subsidiary of Deutsche Bank AG, a banking corporation organized under the laws of the Federal Republic of Germany. No publicly-held company owns 10% or more of the Deutsche Bank AG's stock. Deutsche Bank's main office is in Los Angeles, California. Deutsche Bank's principal office of trust administration is in Santa Ana, California. As a national banking association, Deutsche Bank is operating illegally without being registered in headquarters state with registered agent in violation to U.S. Supreme Court *American Bank & Trust Co. v. Federal Reserve Bank*, 256 U.S. 350 (1921) A federal reserve bank is not a national banking association within § 24, cl. 16, of the Judicial Code, which declares that such associations, for the purposes of suing

and being sued, shall (except in certain cases) be deemed citizens of the states where they are located. P. 256 U.S. 357. Christopher never corrected Homeowner filing but still files “~~may do business in all 50 states in the United States without having to be registered as a foreign corporation or otherwise be registered or licensed in any individual state in order to conduct business in the state~~”; Deutsche is one of main culprits causing “Great Recession”, featured bank in movie *The Big Short*, U. S. fined Deutsche \$7.2Billion, 60 minutes expose \$100+Billions money laundering, violated banking rules to obtain and maintain known child pedophile sex trading Epstein account, instant case violated federal banking laws, committed first breach, fraud, etc. *****NOTE: CONTRA-DICTS Aldridge Pite’s 22-11463 Deutsche Bank Trust Company Americas, as Trustee: Appellee.** DBTCA is a New York state chartered banking corporation with fiduciary powers duly organized under the laws of the State of New York. DBTCA is a wholly owned subsidiary of Deutsche Bank Trust Corporation, a New York corporation. Deutsche Bank Trust Corporation is a wholly owned subsidiary of DB USA Corporation, a corporation organized and existing under the laws of the State of Delaware. DB USA Corporation is a wholly owned subsidiary of Deutsche Bank AG. Deutsche Bank AG (DB:U.S.; DBK:GR) is a German multinational investment bank and financial services company headquartered in Frankfurt, Germany, and is dual listed on the Frankfurt Stock Exchanges and the New York Stock Exchange. Deutsche Bank AG is not a subsidiary of any parent corporation, and no publicly held

corporations own 10% or more of the stock of Deutsche Bank AG. Is also operating illegally without being registered in headquarters state of New York without a registered agent in violation to U.S. Supreme Court *American Bank & Trust Co. v. Federal Reserve Bank*, 256 U.S. 350 (1921) to avoid taxes and accountability of juries?!!

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

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

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

* * *

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

DEUTSCHE BANK TRUST	§	
COMPANY AMERICAS,	§	No. 22-14225AA
TRUSTEE	§	
	§	DCNG
Plaintiff/Appellee	§	1:22-cv-01173-MHC
	§	DeKalb
vs.	§	18CV4742-2
CHRISTOPHER M. HUNT,	§	DeKalb Magistrate
SR.	§	17D25385
	§	
Defendant/Appellant	§	

COMES NOW Appellant, ("Homeowner") Pro Se
due \$400,000+ home equity temporarily stolen by
Appellees ("Mortgagees") via illegal foreclosure in

contempt to USCA11, no jurisdiction, no standing and files this **APPELLANT'S REPLY BRIEF** and avers:

1.

OMISSIONS ARE ADMISSIONS

Mortgagees counsel are finally showing Court honor and respect due while zealously representing their guilty as hell white-collar criminal clients Mortgagees. While still not forthright abiding by Rule Candor to the Tribunal, the admissions by omission are "conclusively established".

Per Rule 8(b)

(b) DEFENSES; ADMISSIONS AND DENIALS.

(1) *In General.* In responding to a pleading, a party must:

(A) state in short and plain terms its defenses to each claim asserted against it; and

(B) admit or deny the allegations asserted against it by an opposing party.

(6) *Effect of Failing to Deny.* An allegation—other than one relating to the amount of damages—is admitted if a responsive pleading is required and the allegation is not denied. If a responsive pleading is not required, an allegation is considered denied or avoided.

(e) CONSTRUING PLEADINGS. Pleadings must be construed so as to do justice.

Rule 36 Requests for Admissions

(a) Scope and Procedure

(6) *Motion Regarding the Sufficiency of an Answer or Objection.* The requesting party may move to determine the sufficiency of an answer or objection. Unless the court finds an objection justified, it must order that an answer be served. On finding that an answer does not comply with this rule, the court may order either that the matter is admitted or that an amended answer be served. The court may defer its final decision until a pretrial conference or a specified time before trial. Rule 37(a)(5) applies to an award of expenses.

(b) EFFECT OF AN ADMISSION; WITHDRAWING OR AMENDING IT. A matter admitted under this rule is conclusively established unless the court, on motion, permits the admission to be withdrawn or amended. Subject to Rule 16(e), the court may permit withdrawal or amendment if it would promote the presentation of the merits of the action and if the court is not persuaded that it would prejudice the requesting party in maintaining or defending the action on the merits.

The foolish, slanderous comments against Homeowner are a violation of rules and not excusable to avoid admissions and actually show mental incompetence of Mortgagees and counsel not to understand the clearly articulated Appellant Brief. The Admissions will be listed after addressing and correcting the points in Mortgagees' Brief.

2.

REPLY TO APPELLEE BRIEF

Foundational for this Court is filing in original case 18cv4742 11/7/2018 shows ever since first filing in state court the federal court jurisdiction has been recognized and must be enforced as Appellant Brief states:

----- start of quote -----

**CORRECTIONS TO ERROR IN
PLAINTIFF'S BRIEF**

Plaintiff's (hereinafter bad "Mortgagor") in the requested Quash hearing also needs to explain to this court how they got an ex parte hearing and why they did not provide the order so it could be appealed, and the court has admitted to the error they never sent a copy of order to Homeowner, therefore due to ex parte and court error eradicates Plaintiff's 8/24/18 BRIEF IN SUPPORT . . . page 5 II. **CITATION TO AUTHORITY AND ARGUMENT** their own actions and court error eradicated the "seven (7) days" appeal requirement of O.C.G.A. §15-10-41(b)(1) and *Hill v Levenson* 259 GA 395 (1989). Cited *Hill* shows the right to a jury trial that the Homeowner was denied this Constitutional right as the primary issue is jurisdiction and fraud upon the courts never been ruled on, the Homeowner is asking for jury trial in this Court:

"The right to jury trial on appeal is expressly given in OCGA § 5-3-30, which states, "[a]ll appeals to the superior court or state court shall be tried by a jury . . ." Therefore, the appellants are not being denied a jury

trial, but instead, only endure a procedural delay in the magistrate court before receiving a jury trial on appeal to the state or superior court.

AND: Thus, this right (to jury trial) remains inviolate. To hold otherwise would not only deny the litigants a constitutional right, but also produce the inequitable result of allowing dispossessory actions initiated in the magistrate court a de novo appeal with jury trial, whereas, actions brought before the state or superior court could be denied the right to a jury trial on the same issue." *Judgment affirmed. All the Justices concur.*"

The matter of jurisdiction was never properly ruled on before the DeKalb magistrate judge (to clarify since the Plaintiff is in violation and contempt to their Removal wherein there is also a Magistrate in District Court, DCNG had jurisdiction, not the DeKalb magistrate!) see exhibit A that is also in previous filings. Plaintiff's by their filing prove they knew they were in error to even have a Dispossessory hearing without jurisdiction so had the ex parte hearing without ever informing Homeowner because they knew he would appeal 18cv4742 to a jury trial. The argument the pro Bono expert attorney filed on matter of jurisdiction (Exhibit A) precludes any other matters! Plaintiffs know the appeal on jurisdiction is not bound by the seven days and has yet to be addressed – the Quash hearing will resolve all these issues. In the unlikely probability jurisdiction is somehow de novo instead of a Quash hearing to be in the DeKalb Courts, then per seven day notice rule this Court has Constitutional mandate to grant proper jury trial in this Court

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wherein similar questions of Quash will be answered for a jury to rule!!! Regardless, once again the bad Mortgagor's Plaintiff own filing hangs themselves because they refuse to be ethical law abiding so the law catches them in twice the wrongs! See page 6 first paragraph quote of O.C.G.A. § 9-11-60(h) that allows setting aside of orders especially when an innocent Homeowner will be inured otherwise! Therefore this Court must deny the dismissal and granting writ of possession because they are impossible by any legal standards. The lawsuit to and Void the Foreclosure has already been filed 17Cv4916 and Removed and is still pending in jurisdiction of federal courts so impossible to legally obtain a dispossessory and only gained eviction via ex parte with no proper notice to Homeowner of order. This is how white-collar criminal multi-billion dollar Mortgagor operates – with two multistate law firms and six attorneys violating Rule 3.3, etc.! Honest Homeowner has law, Supreme Court, evidence, etc.

2.

NEW EVIDENCE JUST NOW PROVIDED BY
MORTGAGOR PROVES INVALID LOAN

Bad Mortgagor's exhibit 1 **DEED UNDER POWER OF SALE** (Exhibit B) omits critical legal information that the statute of limitations had expired for contract law wherein when Mortgagor knew they had bought a bad loan and the seller had committed fraud against them with only copies, not original three years after contract law statute had expired. But they illegally went after innocent Homeowner instead seller of

known bad loan! Check the advertising dates against bad Mortgagor's own time line exhibits. Clearly shows the case was Removed in DCNG without a ruling and then the illegal foreclosure that was done in contempt of court orders and knowingly without a non-appealable final order in violation of known jurisdiction of 11th Circuit Court of Appeals! And worse done by bad debt collector who had no authority to doing business in Georgia after forming company in perjury and operating in fraud. It is illegal to advertise a foreclosure in contempt of court orders and without jurisdiction!!! Helloooo?! Quash mandated. Then Exhibit B shows accounting fraud by advertising \$540,000 and then bid in and bought by Mortgagor at proven breached contract false high amount of \$682,079.42 to falsely increase the debt and assets on books! This is just as they did on national scale and caused the Great Recession! This is reason Mortgagor was recently fined \$7.2Billions. Mortgagor misused a proven bad debt collector co-defendant in 17CV4916 who was operating in fraud with no authority to do business in Georgia so could not be served. No service was the only reason presiding judge erroneously refused to grant requested TRO against illegal foreclosure! Judge not care about no jurisdiction, contempt and did not accept proven only means of Secretary of State service due solely now proven fraud upon the courts and sham filings. All of this has to be addressed in the requested Quash hearing! The Mortgagor is desperately doing everything beyond even ethical and legal boundaries to prevent having the Quash hearing for all these reasons! Quash

is needed no sooner than January 2019 so Homeowner has prepared counsel.

IN CONCLUSION This court can serve justice in this case and all others by scheduling a Quash hearing for Mortgagor to answer questions that will resolve all issues in every case and every court the white-collar criminal Mortgagor has perpetrated their illegal, contemptuous, etc. acts as they did acts that caused the last Great Recession.

----- end of quote-----

Mortgagees refuse to address any of these state errors in conflict to federal courts jurisdiction.

Mortgagees is C-I-P is still deficient with no explanation as to who Deutsch is, how has legal standing and how in compliance with Supreme Court and state laws:

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.

ERROR:

I. JURISDICTIONAL STATEMENT

Homeowner has proven Court has Congressional mandate to uphold its jurisdiction when the state has none or is in conflict – both of which are true instant case:

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No. 21-10398 (still pending motion to join
22-11463 not ruled)

Related Cases: 20-12310-J, 20-13439-J, 21-10262-J,
1:20-cv-02359-TWT-LTW

DeKalb Case: 20cv3778

Related Case History:

DCNG: 1:14CV03649

DeKalb: 14CV8532 & 18CV4742 & 20CV3778

pp. 9-10

JURISDICTION Per filing: NOTICE OF FILING:
SUPPLEMENT RECORD OF CONSTITUTIONAL
QUESTION JURISDICTION OBJECTION TO MO-
TION 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 an international non-USA
based foreign company (instant case Deutsche, Ger-
many) come into jurisdiction of USA and a state (in-
stant case Georgia) and then per UNCONTESTED BY
HOMEOWNER Removal from a state into Federal
Courts DCN.GA & USCA11, when said corporation is
operating in violation of U.S. Supreme Court rulings,
violating Congressional Laws and state laws, while not
even properly registered in any way to avoid taxes and
accountability of state juries has breached contract,
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
ever court recognized per Rogers v. Deutsche Bank
National Trust Company et al. A17A1256

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p. 18 Homeowner hates the Mortgagees have forced him to be pro se due to their illegal acts and temporarily stealing \$400,000+ home equity in contempt of court orders and USCA11 jurisdiction and **violation of 28 U.S.C. 1450** (!!!)

pp. 25-26

Homeowner appealed into Georgia Supreme Court for protection in state even though it is impossible for a state to ever have jurisdiction over matters of instant case and impossible for federal courts not to uphold its jurisdiction: In Cary v. Curtis "[T]he judicial power of the United States, although it has its origin in the Constitution, is (except in enumerated instances applicable exclusively to this court), dependent for its distribution and organization, and for the modes of its exercise, entirely upon the action of Congress, who possess the sole power of creating tribunals (inferior to the Supreme Court), for the exercise of the judicial power, and of investing them with jurisdiction either limited, concurrent, or exclusive, and of withholding jurisdiction from them in the exact degrees and character which to Congress may seem proper for the public good." Five years later, the validity of the assignee clause of the Judiciary Act of 1789 was placed in issue in Sheldon v. Sill, in which diversity of citizenship had been created by assignment of a negotiable instrument. It was argued that, because the right of a citizen of any state to sue citizens of another flowed directly from Article III, Congress could not restrict that right. Unanimously, the Court rejected this contention and held that because the Constitution did not create inferior federal courts but rather authorized Congress to create them, Congress was also empowered to define their jurisdiction and to withhold jurisdiction of any of the enumerated cases and controversies in Article III.

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The case and the principle have been cited and reaffirmed numerous times, including in a case under the Voting Rights Act of 1965. Power of Congress to Control The Federal Courts Justia law <https://law.justia.com/constitution/us/article-3/35-the-theory-of-plenarycongressional-control.html#fn-1243>

And per Congressional law and Federal Court superiority:

See *Kalb v. Fuerstein*, 308 U.S. 433 (1940). This case is often interpreted as creating a judicial exception to the bootstrap principle when policy is strong against the court's acting beyond its jurisdiction. Cf. RESTATEMENT, JUDGMENTS § 10 (1942). But it appears to be simply a case in which Congress deprived state courts of the power they normally have - that is, the power to decide their own jurisdiction. E.g., *American Fire & Cas. Co. v. Finn*, 341 U.S. 6 (1951); *Landry v. Cornell Constr. Co.*, 87 R.I. 4, 137 A.2d 412 (1957). Federal decisions usually speak of a duty of the court to raise the jurisdictional issue. E.g., *Clark v. Paul Gray, Inc.*, 306 U.S. 583, 588 (1939); *St. Paul. Mercury Indem. Co. v. Red Cab Co.*, 303 U.S. 283, 287, n.10 (1938). State courts often say only that they "may" or "can" raise the jurisdictional issue at any time on their own motion. E.g., *Masone v. Zoning Bd.*, 148 Conn. 551, 172 A.2d 891 (1961); *Landry v. Cornell Constr. Co.*, *supra*.

This from State filing that has no jurisdiction and cannot even rule on jurisdiction per congress and mandates the federal courts intervene for jurisdiction . . .

The Appellee Brief is fatally flawed erroneous in issue of jurisdiction! Instant case is about Mortgagees violating all federal court jurisdiction after their own (improper due default) Removal and doing illegal acts in

contempt of federal court orders and rules 28 § 1450 binding state orders.

II. STATEMENT OF THE ISSUE

ERROR by waiver admissions and originally stated in case and per previous quote from case 18cv4742. Instant case started with an illegal wrongful foreclosure in contempt of federal court jurisdiction and in violation to U.S. Code 28 § 1450 binding state orders original TPO per Appellant appendix by an improperly substituted plaintiff and counsels committing fraud in state court which never had jurisdiction. Per Appendix the act was so egregious the only pro Bono help Homeowner received was Answering showing court orders and jurisdiction was in federal courts but state DeKalb County (so corrupt and incompetent many attorneys refuse to practice there after the sheriff elect who had run on promise to clean up court and police corruption was murdered by incumbent sheriff) magistrate court judge disregarded law and evidence and filing by an expert attorney in bias to multibillion (corrupt per C-I-P) mortgagee Deutsche and bad acting (lost lawsuits as such) large multi-state bill/debt collector attorneys at hearing.

III. STATEMENT OF THE CASE

ERROR: Everything the Mortgagee share is mooted by the Homeowner's cite of just last year ruling U.S. Supreme Court BP P. L. C. ET AL. v. MAYOR AND CITY COUNCIL OF BALTIMORE CERTIORARI TO THE

UNITED STATES COURT OF APPEALS FOR THE
FOURTH CIRCUIT No. 19-1189. Argued January 19,
2021—Decided May 17, 2021 - another of several court
rulings supporting Homeowner's original case – sadly
proving **“Posner: Most judges regard pro se liti-
gants as ‘kind of trash not worth the time’”** BY
DEBRA CASSENS WEISS 9/11/17 ABA Journal Here
is chance for Court's redemption from Mortgagee's
fraud:

STATEMENT OF THE STANDARD OF REVIEW

ERROR: Again, instant case is all about honorable
Court upholding its proper standards of jurisdiction
against a proven no jurisdiction, contemptuous, nullity
state order. Or, please excuse ordained pro se exasper-
ation rebuke to Mortgagees in support of USCA11 per
Canons. Mortgagees counsels are asking justices to
give these white-collar criminal mortgagees and their
bastard to Bar bill collectors head (reasoning of law in
violation to Spirit and intent of law) and to now to
swallow! Homeowner will have to appeal to U.S. Su-
preme Court and join other case to solve this once and
for all for all of USA.

IV. SUMMARY OF THE ARGUMENT

ERROR: by waiver admissions and originally stated in
case and per previous quote from case 18cv4742 show-
ing DC.GA erred due to being deceived in monopoly
of fraud on the courts and in proven extreme misuse
of discretion avoiding addressing even one legal

mandated issue due proven bias against pro se Homeowner. The Mortgagees slander the federal courts as schizophrenic not recognizing and upholding the jurisdiction by Mortgagees Removal but instead allow blatant open contemptuous acts! True Summary is will USCA11 enable contemptuous, illegal acts in states on matters that are in conflict federal courts jurisdiction and law by illegally operating international foreign corporations?

V. ARGUMENT AND CITATION OF AUTHORITY

ERROR: Homeowner's appeal is proven by all the recent court rulings supporting Homeowner original Complaint that was properly given a TPO the Mortgagees violated 28 § 1450 causing instant case, is determined action to uphold the honor and jurisdiction of Court against the proven monopoly of fraud against the courts – both federal and state and creating conflict against each other, U.S. Supreme Court, federal courts and state laws and all fifty states attorney generals. If instead of pro se the Homeowner had an attorney this would have been decided for Homeowner long ago!

VII. CONCLUSION

ERROR: Mortgagees have failed to do anything but regurgitate the results of their contemptuous, illegal, fraud on state courts, nullity orders!!! Not once have the Mortgagees provided any evidence to overcome all the evidence in Homeowner's Brief nor provide superior law cites and authorities.

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**The true conclusion is by following admissions
and Exhibit 1 HOMEOWNER IS BEYOND
EXHAUSTED AND MUST COMPLETE AND
FILE CERTIORARI TO U.S. SUPREME COURT**

* * *

App. 66

Appeal No. 22-14225

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

**CHRISTOPHER M. HUNT,
Defendant – Appellant,**

v.

**DEUTSCHE BANK TRUST COMPANY
AMERICAS, AS TRUSTEE,
Plaintiff – Appellee.**

**On Appeal from the United States District Court
For the Northern District Court of Georgia
(District Court Docket No. 1:22-cv-01173-MHC)**

**APPELLEE DEUTSCHE BANK TRUST
COMPANY, AMERICAS AS TRUSTEE'S
SUPPLEMENTAL BRIEF IN SUPPORT OF
MOTION TO DISMISS APPEAL**

(Filed Apr. 13, 2023)

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**Attorneys for Appellee Deutsche Bank Trust
Company, Americas as Trustee**

* * *

COMES NOW, Appellee Deutsche Bank Trust
Company Americas, as Trustee ("DBTCA"), and files

this Supplemental Brief in Support of its Motion to Dismiss the Appeal and in response to this Court's Order entered March 31, 2023 in which the Court granted DBTCA's Motion to Dismiss Appeal in part as to the Order entered April 22, 2022 (the "First Remand Order") [Doc. 7] by the U.S. District Court, Northern District of Georgia (the "District Court") and carrying with the case the issue of review of the District Court's November 30, 2022 Order (the "Second Remand Order") [Doc. 18] denying Appellant Christopher Hunt ("Mr. Hunt")'s Motion to Recall the Remand (the "Recall Motion") [Doc. 17], respectfully showing this Court as follows:

ARGUMENT AND CITATION OF AUTHORITY

The District Court's Second Remand Order denying Mr. Hunt's frivolous Recall Motion is not reviewable on appeal. It is well established that "[a]n order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise, except that an order remanding a case to the State court from which it was removed pursuant to section 1442 or 1443 of this title shall be reviewable by appeal or otherwise." 28 U.S.C. § 1447(d)¹. The Supreme Court has interpreted § 1447(d) to preclude appellate review of remands for lack of subject

* * *

¹ This is a dispossessory case which was not removed by Mr. Hunt defending claims under 28 U.S.C. § 1442 (federal officers or agencies) or 28 U.S.C. § 1443 (civil rights).
