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No. 21-10398-J

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

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

CHRISTOPHER M. HUNT, SR.

APPELLANT

V.

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

APPELLEES

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

1:20-cv-02359-TWT-LTW

DeKalb Case: 20cv3778

Related Case History:

DCNG: 1:14CV03649

DeKalb: 20-3778 & 14CV8532

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

(Filed Nov. 21, 2022)

**APPELLANT/Plaintiff/ “Homeowner”
Rev. Christopher M. Hunt, Sr. Ph.D. Pro Se
5456 Peachtree Blvd. 410**

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FRAP 26.1 Certifical Interested Parties (C-I-P)
Appeal 21-10398 Christopher M. Hunt, Sr. v.
Nationstar, et al

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

Appeal No. 20-13439-J

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

- **Albertelli Law:** Counsel for Mortgagees who participated in crimes by via illegal, contemptuous wrongful foreclosure, was paid% of KNOWN fraudulent inflated debt, violated O.C.G.A. § 14-2-1530 (5) and has defaulted on service for a fourth time after Balch coached how and when to remedy the fraud on courts “Compliant” company, has lost three federal cases as bad acting debt collector. Albertelli is always in CIPs as Defendant and CIP party and Mortgagees admit most questions of case involve mandated joinder party.
- **Aldridge Pite, LLP:** Law Firm of Dallas R. Ivey, Counsel Appellee DBTCA. **Anulewicz, Christopher Scott:** Counsel for Appellees Nationstar Mortgage, LLC and DeutscheBank National Trust

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Companies. “Christ?opher” apparently will do almost anything for bosses to keep “one of our largest clients” as he orchestrates everything from fraud on courts concerning case start of Albertelli’s default after original TRO, falsifying “compliance”, slandering Homeowner and knowingly citing bad law to bias courts, etc. Refuses to adhere to rules of ethics for federal and state courts.

- **Bray, Jay CEO:** Defendant (but has not wrong Christ?opher!) as CEO of Nationstar was served 6/8/20 so also defaulted since Christ?opher admits has not answered Complaint. Jay has acknowledged his braying and company so bad it has to be transformed beyond just name change.
- **Balch & Bingham LLP:** Law firm of Christopher S. Anulewicz (above), Brooke W. Gram (below), and Patrick N. Sillway (below), counsel for Appellees Nationstar Mortgage, LLC and Deutsche Bank National Trust Companies and have senior partners in prison for corrupting government officials.
- **Cohen, Mark H.:** U.S. District Judge for the Northern District of Georgia.
 - **Dear Jackson. LaTisha:** Judge Superior Court of DeKalb County, who as “court of equity” granted second proven proper TRO that ended Mortgagees conflict, contempt of federal courts, original TRO, **and has now by proper order ended subsequent conflict** caused by Mortgagees unethically tricking to void TRO and illegal Supersedeas.
 - **Deutsche Bank National Trust Companies:** Deutsche Bank National Trust Companies is a national banking association organized under the

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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. Christ?opher misleads court as never corrected Homeowner filing but still files lies "may do business in all 50 states in the United States without having to be registered as a foreign corporation or otherwise be registered or licensed in any individual state in order to conduct business in the state"; Deutsche is one of main culprits causing "Great Recession", featured bank in movie *The Big Short*, U. S. fined Deutsche \$7.2Billion, 60 minutes expose \$100+Billions money laundering, violated banking rules to obtain and maintain known child pedophile sex trading Epstein

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account, instant case violated federal banking laws, committed first breach, fraud, slander etc.

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

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

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- **Hunt. Sr.. Christopher M.**: Appellant; “Home-owner” has always been 100% honest, court honoring and legally right per U.S. Supreme Court, DCMG, DCNG, OCGA, federal banking laws, TROs.
- **KKR Wand Investors Corporation**: KKR Wand Investors Corporation, is a Delaware corporation which has no parent corporation and is not publicly held; SEC violations misallocating more than \$17 million in so-called “broken deal” expenses to its flagship private equity funds in breach of its fiduciary duty. KKR agreed to pay nearly \$30 million including a \$10 million penalty.
- **Mr. Cooper Inc.**: Mr. Cooper Inc. (NASDAQ ticker: COOP) is owned by KKR Wand Investors Corporation; is new rebranding attempt AKA Nationstar so corrupt and incompetent that still local Dallas paper was critical of name change without character and performance change.
- **Nationstar Mortgage LLC**: Nationstar Mortgage LLC is wholly owned by Nationstar Sub1 LLC and Nationstar Sub2 LLC. Nationstar Sub1 LLC and Nationstar Sub2 LLC are both wholly owned by Nationstar Mortgage Holdings, Inc., a publicly-traded company. (NYSE ticker: NSM); so bad name change to Mr. Cooper cannot transform admitted bad culture and costumer abuse as recently lost \$3,000,000 case on RESPA violations to Homeowner (no compensation yet), \$90,000,000s in fines on other violations by fifty states attorney generals, lost, etc.
- **Sewing. Christian**: Named as Defendant below but did not receive servicee Plaintiff voluntarily

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dismissed as a defendant on 8/17/20 after translating Complaint because instant case is won, and he is in so much trouble for other things that more accountability not needed (See Deutsche)

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

Respectfully submitted this 20th day of November, 2022.

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

COMES NOW Petitioner "Homeowner" pro se forced pro se against desires because rogue Respondent Deutsche "Mortgagees" have temporarily stolen

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\$400,000 in violation of 28 U.S.C. § 1450, in contempt of standing state order TRO against Foreclosure etc., in violation of federal court jurisdiction after Mortgagees partner in crime Nationstar removed from state the Homeowner's lawsuit, in violation to this Court's jurisdiction violated RESPA laws as Homeowner is a winning member of class action lawsuit *ROBINSION*, and all the purely defensive lawsuits caused by Mortgagees, and files this **EMERGENCY MOTION WRIT OF ERROR RULE 59(e)(1-4) WITH VACATE DUE TO FRAUD ON COURT 60(b)(1-6)** and avers,

1. INTRODUCTION

Per Lady Justice "she" Wisdom of Proverbs by wisest judge to ever rule, Biblical Solomon "dividing baby case" proven basis for Spirit and intent of USA law, 18:5 "It is not good to show partiality to the wicked, or to overthrow the righteous in judgment." Homeowner must keep his home protected against the white-collar criminal Mortgagees who deceived and manipulated Court by fraud and caused error. Court was recently honorable when Homeowner showed Court there were contradictions in the rules between the lawyers rules and the Pro Se handbook the Court granted the extension and refile. The same needs to done to grant Writ of Error and VACATE DUE TO FRAUD ON COURT 60(b)(1-6)

Another Writ of Error was in previous case after Court properly ruled the Mortgagees breached the

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

Under Rule 59(e), “a motion to alter or amend a judgment must be filed no later than 28 days after the entry of the judgment.” Fed. R. Civ. P. 59(e). A motion to amend a judgment under Rule 59(e) is appropriate if “(1) the motion is necessary to correct manifest errors of law or fact upon which the judgment is based; (2) the moving party presents newly discovered or previously unavailable evidence; (3) the motion is necessary to prevent manifest injustice; or (4) there is an intervening change in controlling law.” *Turner v. Burlington Northern Santa Fe R. Co.*, 338 F.3d 1058, 1063 (9th Cir. 2003) (internal quotation marks omitted). Courts are supposed are to look out for pro se and not hold them to technicalities so please this matter needs to be corrected. Homeowner met all requirements in July 21st filing to APPELLANT'S MOTION TO

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RECONSIDER WITH NOTICE OF INTENT TO EN
BANC.

1.

ERROR RULING IN VIOLATION
TO U. S. SUPREME COURT

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

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

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

The Fourth Circuit erred in holding that it was powerless to consider all of the defendants’ grounds for removal under §1447(d). In light of that error, the defendants ask us to consider some of those additional grounds ourselves. That task,

however, **does not implicate the circuit split that we took this case to resolve and we believe the wiser course is to leave these matters for the Fourth Circuit to resolve in the first instance.** See Brownback v. King, 592 U. S. ___, ___, n. 4 (2021) (slip op., at 5, n. 4). **The judgment of the Fourth Circuit is vacated, and the case is remanded for further proceedings consistent with this opinion. So ordered.**

2.

MATTERS FOR GRANTNG MOTION

Homeowner appealed per 28 U.S. Code § 1447(d) and 14th Amendment the April 21st Order to Remand. Mortgagees apparently are again trying to misuse state courts and Marshals to secretly rush an illegal eviction without a final, non-appealable order! Homeowner by DCNG Order cannot file a motion to reconsider so immediately filed appeal into jurisdiction of 11USCA to prevent illegal acts by Mortgagees in nullity state cases. As forewarned due to Mortgagees fraud and violations of Candor to the Tribunal Court refuses to even uphold its federal court jurisdiction! Also fails to abide by all the cites in Objections of federal laws, authorities and recent cases 100% supporting homeowner! DCN.GA erred “fanciful language” cites of U.S. Supreme Court, U.S. Court of Appeals, District Courts, Federal Laws, State O.G.G.A. §, etc. No federal officer working under color of authority can act in such conflict to law that it violates the 14th Amendment Section 1:

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

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

Court erroneously claimed "de novo" but refuses to even address "plain error on the face of the record" per cited *United States v. Slay* 714 F.2d 1093, 1095, (11' Cir. 1983) because it is impossible for Homeowner to be evicted when he is a winning members of class action lawsuit for RESPA violations *Robinson vs Nationstar* that wipes out all already no jurisdiction nullity state orders and any previous federal court rulings! Court's "de nova" is a clear violation of cited *Williams v. McNeil* abuse of way too extreme discretion not to even look at the original foreclosure and all subsequent illegal acts

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done in the state court being nullities due to committed in violation of federal court 11USCA jurisdiction and in contempt of standing state TRO - Order for Remand violates 28 U.S.C. § 1450. Order did not even address one thing the Homeowner filed in Objections, and conflicts with cite of congressional law and jurisdiction:

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

Order contradicts even cited Mortgagees admission by waiver in 11USCA proving state never had jurisdiction! Page 4 raises concerns of Court's competency and/or if not having been bribed (as Balch has senior parties in prison for bribing government officials) because the Objections prove that the state dispossessory actions were done in contempt of federal court jurisdiction and the matter of jurisdiction was instantly raised in Homeowner filing! By this fatally flawed Order any mortgage company in federal courts can improperly substitute plaintiffs and counsel (i.e.: Deutsche for Nationstar and Aldridge Pite for Albertelli), in contempt of federal court jurisdiction, DCN.GA order and violation of 28 U.S.C. §1450 and go into a state court in violation of Candor to Tribunal

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trick a state court judge during improper ex parte hearing into thinking it has jurisdiction to issue a dispossessory eviction, Mortgagees not give any notice of such a nullity ruling, misuse marshals to help them in felony white-collar crime, etc. **then Mortgagees and federal Courts claim nothing can be done by federal courts to right the wrongs in state court, not even uphold the congressional mandated federal court jurisdiction** – because “exclusively a matter of state law”! Homeowner therefore has no more means to undue the illegal acts that deprive Homeowner of Constitutional right of property and 14th Amendment than a slave to free himself or later overcome Jim Crow segregation laws without federal intervention. Order is in conflict and contradicts all cites in Objections.

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

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

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

Any of the following civil actions . . . commenced in a State court may be removed by the defendant to the

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district court of the United States for the district and division embracing the place wherein it is pending:

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

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

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

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

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3.

CITES OF 11USCA

In respect to Court, addressing the cites:

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

The pertinent part is:

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

Homeowner asks this Court how this cite applies to instant case in any way other than supporting Homeowner. MSP recovery supports Homeowner in that the state is the one that never had jurisdiction and was in conflict to federal court jurisdiction and orders!!! Instant case is about Homeowner cited congressional and U. S. Supreme Court mandate to uphold federal court jurisdiction. Homeowner cites prove the state courts cannot even decide its own jurisdiction.

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Didn't the Civil War decide all this many years ago? It is impossible to conceive the 11USCA "is precluded from reviewing such a remand order whether or not that order might be deemed erroneous by us." This creates the question: to whom per Constitution and history of U.S. law and courts is a district court judge's orders accountable and reviewable?

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

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

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

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

Concerning Instant case is proven not to be immune by:

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

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

4.

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

Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238, 245-246 (1944) created the standard for fraud on the court and is perfectly applicable to instant case:

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

A final judgment can also be overturned by a motion, pursuant to Federal Rule of Civil Procedure 60(d)(3), as incorporated into the Bankruptcy Rules by

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Rule 9024, to vacate a where “the integrity of the judicial process ha[s] been fraudulently subverted” and does not include fraudulent conduct that only affects a party to the action. *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238, 245-246 (1944)

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

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

Rule 60(d)(3) is the codification of a court’s inherent power to investigate whether a judgment was obtained by fraudulent conduct. *Universal Oil Products Co. v. Root Ref. Co.*, 328 U.S. 575, 580 (1946). There is no statute of limitations for a fraud on the court claim and a court may consider such a claim even if no adversarial parties are before the court. *In re Roussos*, 541 B.R. at 729. Homeowner adequately pleads a fraud on the court claim by proving “a scheme by which the integrity of the judicial process had been fraudulently

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subverted" and involves far more than an injury to only himself *Addington v. Farmer's Elevator Mut. Ins. Co.*, 650 F.2d 663 (5th Cir. 1981). The *Met-L-Wood Corp.*, 861 F.2d at 1016 Case was perfectly aligned with instant case of balancing a possible fraud on the court claim with the policy of protecting statute of limitations of 21-year-old final sale order, equivalent to instant case statute of limitations sealed contract. Exhibits A and B prove applicable to instant case because previous associated cases DCN.GA Judge Story ruled Mortgagees had "breached the contract" and "could not ascertain how Deutsche was associated with loan" so dismissed cases but without prejudice with instructions to serve Mortgagees again solely due fraud on courts prevailing over Mortgagees default of proper service fulfilling *Martina Theatre Corp. v. Schine Chain Theatres, Inc.*, 278 F.2d 798, 801 (2d Cir. 1960): "Fraud on the court will, most often, be found where the fraudulent scheme defrauds the "judicial machinery" or is perpetrated by an officer of the court such that the court cannot perform its function as a neutral arbiter of justice." Judge Story was for unknown reasons replaced in instant cases by another magistrate judge who also, as was Judge Story, proven adversely effected by a Fraud directed at the "judicial machinery" can mean conduct that fraudulently coerces or influences the court itself or a member of the court, such that the impartial nature of the court has been compromised i.e.: "Frivolous" "bonds" etc. *Bullock v. United States*, 721 F.2d 713, 718 (10th Cir.1983) Homeowner has invoked Candor to the Tribunal innumerable times: "An attorney, as an officer of the court, has a duty of

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honesty towards the court.” *TRI-CRAN, INC., v. FAL-LON* Bankruptcy No. 85-1253-CJK. Adv. No. 88-1241. March 17, 1989. As unpleasant as it is for Court to deal with a pro se proving debt collecting attorneys neglected their duty and obtained judgments based on conduct that actively defrauds the court, such judgment may be attacked, and subsequently overturned, as fraud on the court. *H.K. Porter Co. v. Goodyear Tire & Rubber Co.*, 536 F.2d 1115, 1119 (6th Cir. 1976) Fraud on the court can be found where the debtor’s attorney proffers a material misrepresentation in order to obtain a judgment. *In re Tri-Cran*, 98 B.R. at 624.

5.

FRAUD ON THE COURTS

Following are not all the factual acts of Fraud on the Courts fulfilling all the cited mandates due to time constraints to be filed by Monday morning and used to prevent the erroneous Mandate and Remand of DCN.GA into state courts enabling the illegal eviction of 100% legally right Homeowner! Also See Exhibit A1-4 Timeline. NOT ONE OF MAIN ISSUES OF CASE HAS EVER BEEN ADDRESSED DUE TO FRAUD. All Dismissed Without Prejudice or erroneous “Frivolous”. The Mortgagees have misused the insanely circular reasoning of citing the DCN.GA magistrate order obtained by fraud on the courts to justify to this Court their position instead of legally required answer the questions and present superior law.

- Mortgagees frauded the courts by not informing Courts Homeowner was winning member

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#FF64929439 in *ROBINSON V. NATIONSTAR MORTGAGE LLC* (8:14-cv-03667 DCMDGreenbelt 2021) all Jurisdictional laws and rules to which the petition is addressed and consideration by the full court is therefore necessary to secure and maintain uniformity of the court's decisions. Mortgagees are operating in bad faith litigation to continue to pursue instant case after losing underlying case that voids all orders as nullities and moots their cases against Homeowner

- Mortgagees frauded Court by misrepresenting to courts that Albertelli was Secretary of State "compliant" so after the attempted sheriff service was unethically rejected, the sheriff affidavit quoted employee instructed to reject service "(Albertelli who is based in Florida but perjured to Secretary of State to form and registered his company to be agent in Georgia) He does not work in this office" proving he was not only not compliant but was formed in perjury and defaulted on service and destroyed diversity. The Federal Courts never had jurisdiction so any claims of res judicata are false. The fraud on those earlier cases not discoverable until they thought they had prevailed then was discoverable proven by changing registered agent from Albertelli to CSC.
- C-I-P for cases 21-10398 and 22-11463 prove Deutsche are operating illegally in USA and have to sanding to enforce contracts. When Homeowner complained that Deutsche was operating in fraud in Violation to United States Supreme Court *AMERICAN BANK & TRUST CO. V FEDERAL RESERVE BANK*, 256 U.S. 350 (1921) Mortgagees changed Deutsche to another not legally

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registered in New York! Both frauds are to avoid state taxes and juries.

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

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

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

See Exhibit A of Federal Court Appellant Reply Brief proving fraud upon the court that is basis

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instant lawsuit and destroys every lie that the Defendants have perpetrated against this Court to obtain erroneous Order. Homeowner has argued against everything the Order has in it and Exhibit A proves not only jurisdiction but also why they fail!

After three attempts to get bad order to even look legally right, where Defendants keep correcting their own drafted orders because so illegal the Defendants realized they had so manipulated the Court to look incompetent in ruling for them that the orders would not stand up to an appeal and would humiliate this Court! Same with latest Order dated 24the and filed 27th titled “...WITH-OUT PREJUDICE” but (after all proven false reasons to be appealed if not Reconsidered) on page 12 states “Plaintiff’s Complaint is **DISMISSED WITH PREJUDICE**.”

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

- Fraud of Aldridge Pite as improperly substituted counsel for Albertelli went with rogue, never court authorized substituted plaintiff Deutsche to illegally and in proven by granting of second state

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TRO in contempt of federal court jurisdiction and order got and ex parte hearing and defrauded the state magistrate judge concerning the status of case to trick her into thinking she had jurisdiction to grant an eviction/dispossessory order to destroy legally correct Homeowner who was trusting the federal courts for justice. Then compounded the fraud by not informing Homeowner of hearing or order so had a surprise eviction reversed but only after \$5,000+ damage to his home and belongings, personal physical damage and great psychological suffering and emotional duress.

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

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into USCA11 and Mortgagees knew it so frauded the presiding judge on that as well.

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

“Every court from DCNG magistrate to this Court have written if there were no registered agents then Homeowner’s Secretary of State service would be correct so now by Mortgagors own filing and all the courts rulings there is no jurisdiction as Homeowner’s filings shows all the defaulted Appellees were in fact non-compliant!” Fraud 18-12348 DOC 1 pp 2-8 vs truth Appellant’s Reply Brief gave the Appellees’ counsel a gracious out in his Appellant’s Brief to adhere to Rule 3.3 but it was rejected by Balch, so now all must be exposed as Balch is obviously the mastermind and get-away car driver for Appellees. Balch is as sociopathic as

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Bernie Madoff and Elizabeth Holmes and the Appellant's Reply Brief shows what they swept under the rug in Cat In The Hat cleanup of Appellees mess is stinking to high heaven!

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

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

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

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

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

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

4/19/19 Will Kenton of Investopedia

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

IN CONCLUSION to honor U.S. Supreme Court *BP P.L.C. ET AL. v. MAYOR AND CITY COUNCIL OF BALTIMORE* and Homeowner’s clear reference to 1442 for 1447(d) and reconsider its ruling, or, there are a few judges who will accept Judge Posner’s resigning challenge to no longer mistreat “pro se litigants as trash” so in bias enable white-collar criminal Mortgagees and their bad acting debt collectors attorneys to steal homes even after attorneys have per Rule 3.3 admitted by waiver the Mortgagees have done contemptuous improper acts and committed fraud upon the courts to prevail to date. The fraud to take bailout money then buy as many defaulted loans caused by their illegal acts creating the Great Recession to steal homes at 50 cents on the

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dollar and less and then also get all the equity for windfall profits while avoiding paying taxes not being registered in violation to Supreme Court ruling in American Bank & Trust Co. v. Federal Reserve Bank, 256 U.S. 350 (1921)

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

Respectfully Submitted this 20th day of November, 2022

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

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

**CERTIFICATE OF COMPLIANCE
WITH LOCAL RULES 5.1**

1. This petition complies with the type-volume limitation of Fed. R. App. P. 35(b)(2)(A) because, excluding the parts of the brief exempted by Fed. R. App. P. 32(f) and 11th Cir. R. 35-1, body contains 2,783+- words.
2. This complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared

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in a proportionally spaced typeface using a 14-point Roman font. Dated 20th November, 2022

//Christopher M. Hunt, Sr// (electronic signature)
Christopher M. Hunt, Sr. Appellant Pro se

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

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

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

CERTIFICATE OF SERVICE

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

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

Dallas Ivey (grape or poison?)
Aldridge, Pite, LLP
Fifteen Piedmont Court
3575 Piedmont Road NE Suite 500
Atlanta, GA 30305

//Christopher M. Hunt, Sr.// (electronic signature)
Christopher M. Hunt, Sr. Pro Se
5456 Peachtree Blvd. #410
Chamblee Georgia, 30341-2235
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UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

CHRISTOPHER M. HUNT, SR	§ CIVIL ACTION NO.
	§ 21-10398
Appellant/Plaintiff	§ Related:
V.	§ 22-11463 21-10262-J
NATIONSTAR	§ 20-13439J 20-12310-J
MORTGAGE,	§ DCNG
DEUTSCHE BANK	§ 1:20-cv-02359-TWT
NATIONAL TRUST	§ DeKalb Cases:
COMPANY JAY BRAY	§ 14CV8532 &
CEO NATIONSTAR THE	§ <u>18CV4742</u> &
ALBERTELLI FIRM, PC	§ 20CV3778
Appellees/Defendants	§

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CERTIFICATE OF SERVICE

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

Christopher Anulewicz
Balch and Bingham
Counsel for
Deutsche Bank Trust Company Americas
Nationstar Mortgage LLC
30 Ivan Allen Jr. Blvd. NW Suite 700
Atlanta, GA 30308

//Christopher M. Hunt, Sr.// (electronic signature)
Christopher M. Hunt, Sr. Appellant Pro se
Christopher Hunt, Pro Se
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IN THE SUPREME COURT OF GEORGIA
STATE OF GEORGIA

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

NOTICE TO COURT TO SUPPLEMENT
THE RECORD FOR CERTIORARI TO
THE SURPEME COURT OF GEORGIA

(Filed Nov. 21, 2022)

EXHIBIT 1 OF FILINGS INTO DCN.GA 20-CV-02359 WITH USCA11 21-10398, 22-11463 TO SHOW HONORABLE COURT THE SEVERITY OF MORTGAGEES ILLEGALLY CREATED CONFLICTS OF JURISDICTION VIA FRAUD ON COURTS AND IMPORTANCE OF INSTANT CASE FOR HARMONIZING COURTS PER U.S. CONSTITUTION AND SUPREME COURT OF UNTIED ED STATES FOR JUSTICE AND TRUTH TO PREVAIL.

Petitioner:

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

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

INTRODUCTION

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

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of thousands of homeowners in Georgia and millions in USA losing homes to proven sociopathic, greedy, white-collar criminal Mortgagees. Certiorari concern violations of laws and court errors foundational to court procedures for justice to prevail.

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

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

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

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Candor to the Tribunal. The issues to be addressed in instant case are the precedent and independent acts made by Mortgagees.

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

Sincerely,

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

IN THE SUPREME COURT OF GEORGIA
STATE OF GEORGIA

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

CERTIFICATE OF SERVICE

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

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

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

[Exhibits Omitted]

**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
On Appeal
17D25385

**NOTICE TO COURT STATUS
UPDATE FOR HEARING**

(Filed Feb. 13, 2023)

COMES NOW Plaintiff (“Homeowner”) pro se and files this **NOTICE TO COURT STATUS UPDATE FOR HEARING** and avers:

1.

FILING IN FEDERAL COURTS (Exhibit 1 USCA11 Appellant Reply Brief 22-14225) again: UPHOLDING SUPERIOR COURT’S PROPER ORDER CLOSING ALL STATE CASES IN DEFERENCE TO FEDERAL COURT JURISDICTION AS MORTGAGEES REMOVED ALL CASES. BUT THEN MORTGAGEES VIOLATED TO THEIR DESIRED JURISDICTION TRYING TO DESTROY HOMEOWNER TO MOOT THEIR CRIMES AND IN DOING SO CREATED IRRECONCILABLE CONFLICTS BETWEEN COURTS

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IN VIOLATION TO ALL LAWS AND COURT RULINGS. THIS HONORABLE COURT THWARTED THEIR SCHEME BY BEING A COURT OF EQUITY AND LISTENING TO GOOD PARALEGAL TO GRANT TRO AND IN PROCESS HAS SAVED MILLIONS OF HOMEOWNERS!

IN CONCLUSION: GOD BLESS YOU AND FORGIVE SUBSEQUENT MORTGAGEES INCITED ERRORS.

THEREFORE: Homeowner prayerfully requests this honorable Court deny Mortgagees Motion to correct nullity order and closes case 18-4742 and void all state orders, and only accept any future filings from Mortgagees when they submit a written federal judge's final, non-appealable order. Any and all relief this honorable Court may grant per law and discretion on behalf of Homeowner, Prayerfully and Respectfully Submitted ~~8th day of March, 2022~~ 13th February 2023

//Christopher M. Hunt, Sr.// (Electronic Signature)
Christopher M. Hunt, Pro Se
5456 Peachtree Blvd. #410
Atlanta GA 30341-2235
770-457-3300 1cor13cmh@gmail.com

* * *

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EXHIBIT 1

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**

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Chamblee, Georgia 30341-2235
1Cor13cmh@gmail.com # 770-457-3300

* * *

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.

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“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! Plaintiff’s 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

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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 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 statue of limitations had expired for contract law wherein when Mortgagor knew they had

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bought a bad loan and the seller had committed fraud against them with only copies, not original three years after contract law statue 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

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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.

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I. JURISDICTIONAL STATEMENT

II. ERROR:

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:

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, Germany) come into jurisdiction of USA and a state (instant 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,

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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. A17Al256

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.”¹²⁴³ Five years

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later, the validity of the assignee clause of the Judiciary Act of 1789¹²⁴⁴ was placed in issue in *Sheldon v. Sill*,¹²⁴⁵ 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. The case and the principle have been cited and reaffirmed numerous times,¹²⁴⁶ 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.htmlign-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

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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.

III. 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 multi-billion (corrupt per C-I-P) mortgagee Deutsche and bad acting (lost lawsuits as such) large multi-state bill/debt collector attorneys at hearing.

IV. 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 litigants 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

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exasperation 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. Supreme Court and join other case to solve this once and for all for all of USA.

V. SUMMARY OF THE ARGUMENT

ERROR: by waiver admissions and originally stated in case and per previous quote from case 18cv4742 showing 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?

VI. 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

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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.

**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**

**ADMISSIONS BY WAIVER ENDS FRAUD
AND AVAILS JUSTICE**

Finally, Mortgagees counsel have ended fraud and other than slanderous name calling and refusal to simply admit truth have by waivers confirmed truth:

Here are the third, no at least fourth time admitted by waiver from Homeowner's Brief:

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Anything ignored and not corrected in this Appellant's Brief is admitted truth. Anything denied without proof will be considered another lie and dealt with accordingly by Court and Homeowner.

The Mortgagees via both Balch and Aldridge Pite finally acting properly as Officers of Court admissions by waiver in both the federal and state courts committed these acts per Homeowner's Brief USCA11 21-10398 pp 21-23:

Here is a sworn true list of known wrongdoings by Mortgagees and their counsel that have affected the machinery of justice in the courts:

1. First attempted illegal foreclosure in 2014 was knowingly done in violation to Congressional Federal Laws of Sarbanes-Oxley Act and Dodd-Frank Act and as this Court saw same evidence Albertelli and Mortgagees all saw by proven having received the ruled First Breach of contract. Albertelli confirmed sending first lawsuit with Summons that State Judge saw and granted proper first TRO. Therefore, by law Mortgagees were served and defaulted. Mortgagees acknowledged Albertelli was a party and defaulted.
2. Additionally, Albertelli had perjured on Secretary of State corporation original incorporating documents as proven by sheriff attempted service affidavit quoting Albertelli's own employees. Therefore, there was no legal authority for Albertelli to be doing business in Georgia or practicing law. Then despite the attorneys at Albertelli office in writing acknowledging receipt lawsuit with service, and forwarding unto Mortgagees, and being

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properly served via Secretary of State service, Albertelli and other parties defaulted.

3. Christopher and Balch then frauded the courts with lies and violations of Candor to Tribunal to avoid the iron clad Default that even DCNG opined would have prevented Removal and mandated Remand and affirmed Secretary of State service was proper “all doubts about jurisdiction should be resolved in favor of remand to state court.” *City of Vestavia Hills v. General Fidelity Ins. Co.*, 676 F.3d 1310, 1313 (11th Cir. 2012); *Pacheco de Perez v. AT & T Co.*, 139 F.3d 1368, 1373 (11th Cir. 1998)
4. Through the entire process of legal filings to date illegal misuse of law is rife throughout history of this case: Mortgagees who rarely cited any law, and when they do the cited cases were proven unethically misleading irrelevant (NOTE: and actually supported Homeowner!) (#23 pages 10-11) and in (#44, Page 4): (Previous case quote)
Page 3: Defendants misquoted law by conveniently omitting the all-important last clause applying to Plaintiffs filing honoring Court’s request:
Also, a “reconsideration motion may not be used to offer new legal theories or evidence that could have been presented in conjunction with the previously filed motion or response, ***unless a reason is given for failing to raise the issue at an earlier stage in the litigation.**” (Omitted by Defendants) *Adler v. Wallace Computer Servs., Inc.*, 202 F.R.D. 666, 675 (N.D. Ga. 2001)!!!
5. When Mortgagees thought their fraud had succeeded in first case being Dismissed without

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Prejudice and instructions to serve yet again in a court preferred manner to the previously non-existent registered agent, Christ?opher got Albertelli to correct his corporate documents and then falsely claimed they have been “compliant”. Homeowner research proved date after their Fraud had prevailed and thinking they were safe they then made corrections in attempt to deceive courts to believe they had ruled correctly, but because Homeowner unexpected diligence their acts exposed truth of their fraud on courts!

6. While in federal courts the Mortgagees in contempt of DeKalb standing TRO and federal courts jurisdiction stated to illegally advertise another foreclosure never giving courts nor Homeowner notice. Homeowner just started to get mailings from businesses about foreclosure! Somehow and someway the Mortgagees had guessed within days when the DCNG order and what ruling would be. Homeowner had only two days before foreclosure but successfully filed and gave proper notice to Mortgagees of appeal to 11th Circuit, therefore the foreclosure was in contempt of court order TRO and Court’s jurisdiction!
7. Homeowner went to DeKalb to get a TRO and had all evidence. The publicly known and terrible judge basically admitted she had ex parte communications with the mortgagees because her only reasons for denying the legally mandated TRO was “lack of attempted service” which was the issue of federal case as not even needed for TRO! And “if they foreclose you can sue them and recover house”! Complete corrupt incompetence. Same judge had recused herself in a previous

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Homeowner's case due to her proven bias and prejudice against Homeowner. But what is important is the ex parte interference by Mortgagees Balch proves they knew of appeal, and ex parte lying to judge was repeated in DeKalb magistrate court to get contemptuous, illegal surprise eviction!

8. After contemptuous illegal foreclosure Homeowner filed a wrongful foreclosure lawsuit per DeKalb superior judge who refused to grant mandated TRO. That case was Removed by Mortgagees despite having Defaulted again!
9. While both cases were in jurisdiction of Federal Courts, the Mortgagees illegally without court authorization changed Plaintiff from Nationstar to Deutsche and per Balch coaching dropped Albertelli and got new counsel Pite with no notice or permission from courts. **This is why first DCNG Judge Story wrote in an order reprimanding Homeowner, “could not ascertain how Deutsche is a party to the lawsuit”!** Maybe once he realized how he had been played he refused so instant case is by a different DCNG judge.
10. Pite and Deutsch unethically and illegally met secretly ex parte with a DeKalb Magistrate judge and they so misrepresented the status of case, jurisdiction and binding orders, the magistrate judge's order for eviction, which Homeowner was never copied until handed by sheriffs innocently doing the illegal surprise eviction!, 100% contradict truth! When Homeowner saw the magistrate eviction order he was shocked to see that it referred to DCNG order citing same date but 100% contradicted the order!! This proves the judge was

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accepted as truth everything the Mortgagees attorneys were saying! Homeowner rushed down to courthouse to get TRO while all his belongings were being put on street by more than ten illegal immigrants supervised by a Nationstar manager. When the DeKalb judge saw the blatant, irreconcilable contradiction in orders and that Homeowner was correct the DCNG Judge Story order said he has all jurisdiction and nothing was to be done yet the DeKalb county magistrate order said case had been remanded and she had all jurisdiction, the Superior Court judge granted the second TRO! Homeowner suffered humiliating reputation damage, serious psychologic and emotional abuse and duress with more than \$5,000+ damage to home and belongings. Everything was in large trash bags. Imagine it was your home and office! All in contempt of this Court!!!

11. Mortgagees filed falsehoods in Motion to Dismiss (DOC5-1 page 4) denying Bray **CEO** defaulted after being served by process server (DOC14)! See how Mortgagees trick court falsely changing Bray from CEO to individual?! DCNG disregarded law cites and process server affidavits and emails verifying service! Bray already defaulted!!! Improper Dismissal is not a cure for Default!
12. Just like the DeKalb magistrate misguidedly placed complete trust in Mortgagees and their bad acting debt collectors to issue nullity eviction, so have the DCNG. There are many other acts and bad filings, but this is enough to show all previous orders are voided due fraud and contempt of court orders. The Mortgagees obviously committed four of the five wrongs that other mortgage companies

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did that forced them to settle for \$25Billion to the
US government and per C-I-P have committed
against others as Homeowner!

* * *
