

RESPONDENT APPENDIX
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Amended Complaint for a Civil Case
(January 24, 2023).....Res.App.1a

**AMENDED COMPLAINT FOR A CIVIL CASE
(JANUARY 24, 2023)**

<p>FILED James J. Vilt, Jr. – Clerk Jan 24, 2023 U.S. District Court, West'n. Dist. Kentucky</p>
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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

GARY ROBINSON,

Plaintiff,

v.

1. TAX EASE LIEN SERVICING, LLC
2. ALYSSA C.B. COCHRAN/
ATTORNEY FOR JERRY N. HIGGINS
3. JUDGE MARY SHAW
4. CAROLE SCHNEIDER
5. THE STATE OF KENTUCKY,

Defendants.

Case No. 3:23-CV-9-DJH

Jury Trial ☒ Yes

AMENDED COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Gary Robinson
Street Address 1935 W. Broadway Street
City and County Louisville Jefferson County
State and Zip Code Kentucky 40203
Telephone Number 502-299-7138

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name Tax Ease Lien Servicing, LLC
Job or Title Principal Plaintiff
Street Address 14901 Quorum Drive Suite 900
City and County Dallas County
State and Zip Code Texas 75254

Defendant No. 2

Name Alyssa C.B. Cochran
Job or Title Attorney for Jerry N. Higgins
Street Address 3620 Blackiston Blvd

City and County New Albany Floyd County
State and Zip Code Indiana 47150

Defendant No. 3

Name Mary Shaw
Job or Title Judge
Street Address 700 W. Jefferson Street
City and County Louisville Jefferson County
State and Zip Code Kentucky 40202

Defendant No. 4

Name State of Kentucky
Job or Title Attorney General (if known)
Street Address 700 Capital Avenue, Suite 118
City and County Frankfort Franklin County
State and Zip Code Kentucky 40601

Defendant No. 5

Name Carole Schneider
Job or Title Master Commissioner
Street Address 815 W. Market Street
City and County Suite 503
State and Zip Code Louisville, KY 40202

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at

stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction?
(*check all that apply*)

- ☒ Federal question
- ☐ Diversity of Citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

UNDER 42 U.S. CODE SEC. 1983
ACTION FOR DEPRIVATION OF CIVIL
RIGHTS; ARTICLE III STANDING; ACTING
UNDER COLOR OF STATE LAW AND
VIOLATIONS OF THE "TUCKERS ACT"

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and

plain statement of each claim in a separate paragraph. Attach additional pages if needed.

SEE ATTACHED

STATEMENT OF CLAIM

How these people affect the case. Attorney Jerry Higgins was supposed to be the representative for the plaintiff, Tax Ease Lien Servicing, LLC a Texas Based Company. As you will see in the case it's always the Tax Ease Lien Servicing LLC versus Gary Robinson the defendant, but Attorney Jerry Higgins was the real plaintiff in the case he was the third party representing himself. Commissioner Schneider worked with Attorney Jerry Higgins to remove me from my property. Commissioner Schneider initiated the sale of my property as soon as possible, including signing in the judge's position so she can remove the deed from my name. Judge Mary Shaw followed up later. This occurred during the covid-19 pandemic, and I could not get in court or have a hearing with Judge Mary Shaw and Commissioner Schneider. On a conference call Commissioner Schneider talked to me like I was 3/5 of a human being and the Judge Mary Shaw allowed it. I was not given the opportunity to respond during this conference call both the commissioner and the judge ended their call after speaking. There is a recording of this on the court dockets that will demonstrate how I was spoken to on January 7, 2021. This will show up in Discovery.

Mr. Robinson filed motions before and after the sale of the property that was never heard by the court, prior to the sale of the property the covid-19 pandemic started so everything was closed, and this

gave Commissioner Schneider and Attorney Jerry Higgins the opportunity to move on the property without Mr. Robinson being a part of the court process. Mr. Robinson made several attempts to contact Commissioner Schneider, including calls and visits to her office. Robinson called Attorney Jerry Higgins office five times and Higgins did not return the calls. Robinson talked to Higgins' secretary several times.

The property was sold at an auction to Christopher Herndon. Mr. Herndon issued an eviction notice to Mr. Robinson to vacate the property. Robinson filed a motion with the Jefferson County Court of Appeals and turned everything over to Attorney Zachary Taylor. Taylor was not much help.

On February the 17, 2022 Mr. Herndon broke into my house and set all my belongings out in the freezing rain. I was at work and did not get off till late that night, it had to be about 5:30pm or 6:00pm. My neighbors called me and told me somebody had broken into my house. A couple days later I approached Mr. Herndon in a non-threatening manner. Mr. Herndon pulled a gun on me and told me to get off the property. I called the police. Three officers came and they laughed at me telling me that the property belongs to Mr. Herndon. At this time, the case was pending in court. Herndon's attorney was Grad Lammi, PLLC and his attorney was Max Schweiger, and Mr. Higgins was represented by Attorney Alyssa C.B Cochran. Please see exhibit A-A for more information and dates.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

SEE ATTACHED

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 24, 2023

Signature of Plaintiff /s/ Gary Robinson

Printed Name of Plaintiff Gary Robinson

RELIEF/DAMAGES

WHEREFORE, Plaintiff, Gary Robinson., request the following

- a. That the court enter a judgment in favor of the plaintiff, and against the defendants on all counts of the Complaint:
- b. That the court award compensatory damages in Gold to plaintiff, and against the defendants jointly and severally, in an amount to be determined at trial:
- c. That the court award punitive damages to the plaintiff, and against the defendants, jointly and severally, in an amount to determine at trial in order that such award will deter similar proscribed conduct by the defendants in the future;
- d. That the court award the plaintiff, and against the defendants, prejudgment and post-judgment interest on all sums awarded in this action, and including reasonable legal fees, pursuant to 42.U.S.C. Sec. 1988: and
- e. The court award the property at 653 South 20th Street in Louisville KY to the plaintiff and order the defendants have no contact with plaintiff.

- f. Order the court corporation to allow plaintiff to have a vote in any manners concerning administrative operations.
- g. That the court grant the plaintiff such other equitable relief that the court deems appropriate.

Damages

Foreclosure on my property resulted in:

- 1. Evicted notice served.
- 2. House broken into and locks ripped off and changed
- 3. Gun pulled out on me on the property
- 4. Belongings being put outside in freezing rain
- 5. U-Haul rented
- 6. Storage units purchased
- 7. Homeless for over a year — had to accommodate new living arrangements and monthly cost associated with it.
- 8. Court Cost
- 9. Pain, Suffering and Humiliations and Embarrassments

Relief

1. Return deed with property
2. Cost to repair home from illegal eviction
3. Cost to U-Haul and storage units
4. Cost of living without home for over a year
5. Cost associated with Court Fees
6. Pain, Suffering, Humiliations and Embarrassments = 5.5 Million Dollars