

24 - 5733

Application No. 23A1012

Case No. _____

FILED

JUL 27 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Supreme Court of the United States

Brent Evan Webster – Petitioner

ORIGINAL

v.

United States Bankruptcy Court for the District of Oregon – Respondent

October Term 2023

**Writ of Certiorari De Novo Review from the Ninth Circuit and the United
States Bankruptcy Appellate Panel of the Ninth Circuit by way of**

US Bankruptcy Court Portland, Oregon

8701 Southeast Cottrell Road

Boring, Oregon (97009)

Phone - 503-933-2000

brent evan webster dba BRENT EVAN WEBSTER 7-27-2024

brent evan webster dba: BRENT EVAN WEBSTER

RECEIVED

AUG - 5 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Questions Presented

1. Was it fair & just, bad faith or a misinterpretation of the law that on FEB 29 2024 Circuit Judges CLIFTON, CALLAHAN, and H.A. THOMAS, sustained Molly C. Dwyer Clerks ORDER from JAN 8 2024, implying “title fraud” appears frivolous that she can dismiss appeal for failure to prosecute without further notice even if appellant submits “statement appeal should go forward”, suspended briefing pending further orders at which time Judges denied “*motion to proceed in forma pauperis*” dismissing case without explanation as (frivolous or malicious) even-though petitioner paid many fees and proved “title-fraud” multiple times, and also proved obfuscation by Judge Peter McKittrick after he performed duties of Trustee in 2012 for the same estate: 8707 SE 347th Ave. Boring, Oregon USA; assisting the Law Firm of McCarthy Holthus LLP on JAN 4 2023 to strip the family of the farm while Select Portfolio Servicing was pending in this court after utilizing deceptive assignments then sold the farm to Redwood Holdings who sold the farm to Valentyn Budianu while still in dispute, and who has now taken possession of Webster’s property without standing, still waiting to close on chain-of-title as free and clear.

2. Was it fair & just, bad faith, or a misinterpretation of the law that Molly C. Dwyer Clerk, on JAN 8 2024 implied title theft is frivolous, and as Clerk she may dismiss appeal for failure to prosecute without further notice even if appellant submits “statement appeal should go forward” then suspending briefing pending further order of the court?

3. Was it fair & just, bad faith, or a misinterpretation of the law that US Bankruptcy Court District of Oregon Judge Peter McKittrick on January 4, 2023 claimed “there are no grounds to reopen Debtor’s chapter 13 case”, even though as trustee he had fully-administrated the property in the Alta Azonia Haney 2012 bankruptcy protecting Webster as a spouse?

4. Was it fair & just, bad faith, or a misinterpretation of the law that US Bankruptcy Court District of Oregon Judge Peter McKittrick on July 6, 2020 signed an order of dismissal administratively closing case after discovering the substantive matters of Carolyn Wade making false claims with forged documents and SPS using deceptive assignments to claim title.

5. Was it fair & just, bad faith, or a misinterpretation of the law that during the July 2, 2020 hearing US Bankruptcy Court District of Oregon Judge Peter McKittrick ignored irrefutable testimony about SPS, from investigator William J. Paatalo about deceptive assignments in the chain-of-title indicative of fraud, further failing to provide a promised hearing to verify SPS was a “*true*” party of interest before denying a plausible plan?

6. Was it fair & just, bad faith, or a misinterpretation of the law that after all the testimony on July 2, 2020 US Bankruptcy Court District of Oregon Judge Peter McKittrick composed an Order denying Webster’s Motion to Convert to a Chapter 12 family farmer or allow him to submit a better CH 13 Plan with the help of Richard Norland as his personal expert?

7. Was it fair & just, bad faith, or a misinterpretation of the law that at the July 2, 2020 US Bankruptcy Court District of Oregon Judge Peter McKittrick failed to address Webster’s claim of a force majeure or his construction work, materials, and equipment he invested in to the duplex-homes, the duplex-shops and all renovation and improvement to the farm.

8. Was it fair & just, bad faith, or a misinterpretation of the law that on June 9, 2020 US Bankruptcy Court District of Oregon Judge Peter McKittrick discovered documents stating “I’m very concerned”, but failed to correct the forged & fraudulent documents admitted into the record after Carolyn Wade of the DOJ claimed to be protecting Alta Farm Living Trust?

List of Parties

United States Bankruptcy Court for the District of Oregon
1050 SW 6th Ave #700
Portland, OR 97204

BRENT EVAN WEBSTER
8707 SE 347th Ave.
Boring, Oregon 97009

**Brent Webster, Cottrell Farms
& Webster Technologies**
8701 SE Cottrell Rd.
Boring, Oregon 97009

Other Responsible Parties of Interest

Oregon Department of Justice, Carolyn G. Wade
Office of the Attorney General; 1162 Court Street NE, Salem, OR 97301-4096
Email: carolyn.g.wade@doj.state.or.us

Select Portfolio Servicing, Inc. et al
3217 S. Decker Lake Dr., Salt Lake City, UT 84119
McCarthy & Holthus; John M. Thomas
920 SW Third Avenue, First Floor, Portland, OR 97204
Email: jthomas@mccarthyholthus.com

Redwood Holdings, LLC, a Delaware limited liability company et al
2015 Manhattan Beach Blvd, Redondo Beach, CA 90278
Mathew W. Lauritsen, OSB No. 083949, Attorneys for Plaintiffs
520 SW Yamhill St., Suite 600, Portland, OR 97204-1329
Email: mlauritsen@kelrun.com

Table of Contents

	Page
Index of Appendices	5-6
Federal and States Case Log for this Review	7-10
Constitutional and Statutory Provisions	10-11
Case Law related to this Matter	12
STATEMENT OF THE CASE	13-16
Series of Legal Events <u>2011-2024</u> (<i>Explanation to Appendices</i>)	17-21
Questions Presented Discussed	22-23
Reasons to Grant Petition	24-25
Request Consideration	27
CONCLUSION	28

INDEX TO APPENDICES

<u>APPENDIX A</u>	Alta Azonia Haney Ch 7 BK 2012-33463-tmb7 Statement of Intention Order Re: Discharge of Debtor(s), Trustee's Final Report.	<u>20 Pages</u>
<u>APPENDIX A1</u>	Alta Azonia Haney Ch 13 BK 2018-31446-tmb13 Statement of Intention Order Re: Discharge of Debtor(s), Trustee's Final Report.	<u>10 Pages</u>
<u>APPENDIX B</u>	Brent Evan Webster Ch 13 2019-34090-pc13 Notice of Bankruptcy, Order Converting Ch. 7 – Ch13, Summary of Assets, Schedule A/B: Property, Schedule C: Property Claimed Exempt, Schedule D Claims Secured by Property.	<u>12 Pages</u>
<u>APPENDIX C</u>	Complete Docket of Brent Evan Webster Ch 13 2019-34090-pcm13	<u>31 Pages</u>
<u>APPENDIX D</u>	Chapter 13 Plan Dated 12-27-2019 offer monthly payment \$50.00	<u>6 Pages</u>

<u>APPENDIX E</u>	Notice of Claim Objection to Proof of Claim 14-1 Select Portfolio Servicing, Attachment Affidavit/Declaration Private Investigator William J. Paatalo, Assignment are deceptive.	<u>17 Pages</u>
<u>APPENDIX F</u>	Objections to No Evidence Hearings on April 30, 2020 Judge McKittrick aiding and abetting Defendants.	<u>2 Pages</u>
<u>APPENDIX G</u>	Notice of Pre-Confirmation Amendment of the Plan.	<u>7 Pages</u>
<u>APPENDIX H</u>	Motion to Convert Chapter 13 to Chapter 12 Family Farm.	<u>2 Pages</u>
<u>APPENDIX I</u>	Motion for Summary Judgement based and Affidavit of Brent Evan Webster dba BRENT EVAN WEBSTER 7-1-2020.	<u>9 Pages</u>
<u>APPENDIX J</u>	Order denying Debtor's Motion to Convert to Chapter 12 & Order of Dismissal and Administratively Closing Case.	<u>3 Pages</u>
<u>APPENDIX K</u>	Debtor's Motion to Re-Open Case, Order Denying Motion.	<u>5 Pages</u>
<u>APPENDIX L</u>	Motions' to Affirm Automatic Stay in BAP 9 th Circuit, & USBKDO rejected while the farm was being sold without standing.	<u>11 Pages</u>
<u>APPENDIX M</u>	Motion Emergency Intervention for oral argument in BAP Court zoom conference with Lafferty, Brand, and Gan v. Webster.	<u>20 Pages</u>
<u>APPENDIX N</u>	Petition for Panel Rehearing BAP Case No. OR-23-1005	<u>5 Pages</u>
<u>APPENDIX O</u>	Audio Transcription July 02, 2020 about the farm and William Paatalo Investigator talk about deceptive Assignments, Mel Kimsey about farm, Richard Norland to help with successful Plan to retain the properties, and Carolyn Wade false claims.	<u>24 Pages</u>
<u>APPENDIX O</u>	Newly crafted Statutory Warranty Deed for 8707 347 th Ave., Boring, Oregon 97009 Grantee is: Valentyn V. Budianu	<u>4 pages</u>

Total Pages **206 Pages**

ORIGINAL CASE

19-34090-pcm13

Webster Initial Bankruptcy Case

Filed 11/04/2019

ASSOCIATED CASES

12-31446-tmb7

Haney Original Bankruptcy Case

Filed 03/02/2012

18-33463-thp13

Haney Secondary Bankruptcy Case

Filed 10/04/2018

Derivative Federal Cases

Department of Children Services - Department of Justice

20-03026	Adversary DCS	Parallel with BK Court
320-cv-00802-MO	Webster v DCS	BK to District Court
320-cv-00877-MO	Webster v DCS	BK to District Court
320-cv-00881-MO	Webster v DCS	BK to District Court
20-35785	Webster v DCS	District Court to 9 th Circuit
20-35788	Webster v DCS	District Court to 9 th Circuit
20-35800	Webster v DCS	District Court to 9 th Circuit

Select Portfolio Servicing

20-03025	Adversary SPS	Parallel with BK Court
320-cv-00875-MO	Webster v SPS	BK to District Court
320-cv-00876-MO	Webster v SPS	BK to District Court
OR-20-1138	Webster v SPS	DC to BAP 9 th Cir.
20-35784	Webster v SPS	District Court to 9 th Circuit
20-35798	Webster v SPS	District Court to 9 th Circuit

The Neighbor Trail

20-03027	Adversary BK Court	Parallel with BK Court
320-cv-00878-MO	Webster v Trail et al	from BK to District Court
320-cv-00879-MO	Webster v Trail et al	from BK to District Court
320-cv-01153-MO	Webster v Trail et al	from BK to District Court
OR-20-1124	Webster v Trail et al	from BK to BAP 9th Cir.
20-35787	Webster v Trail et al	from DC to 9th Circuit
20-35799	Webster v Trail et al	from D C to 9th Circuit
21-35740	Webster v Trail et al	from DC to 9th Circuit

US Bankruptcy Court

320-cv-01405	Webster v. USBK	BK to Oregon District Court
320-cv-01403	Webster v. USBK	BK to Oregon District Court
20-35979	Webster v. USBK	BK to USCA for 9th Circuit

Alta Azonia Haney Trustee for Alta Farm Living Trust

320-cv-01404	Webster v. Haney et al	BK to Oregon District Court
---------------------	-------------------------------	------------------------------------

Webster Miscellaneous Federal

320-mc-00903	Webster	Oregon District Court
20-cv-35905	In re: Brent Webster	USCA for Ninth Circuit
20-bkd-35979	Brent Webster v. USBK	USCA for Ninth Circuit
2023-bk-1005	Brent Webster v. None	BAP for the Ninth Circuit
23-2647	Re: Brent Evan Webster	USCA for Ninth Circuit

Application for United States Supreme Court Cases

21A621	Brent Webster v. District Court of Oregon	04/19/2022
21A622	Brent Webster v. Select Portfolio Servicing	04/19/2022
21A623	Brent Webster v. Division of Child Support	04/19/2022
21A624	Brent Webster v. Alex, Connie Trail et ux.	04/19/2022

United States Supreme Court Cases & Petitions for Re-hearing

22-5860	Brent Webster v. District Court of Oregon	10/18/2022
22-5852	Brent Webster v. Select Portfolio Servicing	10/17/2022
22-5861	Brent Webster v. Division of Child Support	10/18/2022
22-5717	Brent Webster v. Alex, Connie Trail et ux.	11/29/2022

Oregon Cases Since bias Order of Judge McKittrick on 1-4-2023

Circuit Court Clackamas County for Oregon

23LT-05881	Redwood Holdings v. Haney-Webster Deceptive Eviction
23LT-10052	Webster v. Redwood Holdings Return of Property
23CV28906	Webster v. Redwood individually et al, Lien Foreclosure

Court of Appeals of the State of Oregon

A181376	Redwood v. Haney-Webster for Deceptive Eviction
A182368	Webster-Haney v. Redwood Holdings Return Property
A184351	Webster v. Redwood individually et al, Lien Foreclosure
A184967	Webster v. Kell, Alterman Ruinstein, Mathew Lauritsen

Jurisdiction invoked for Federal Court under

28 U.S.C. §1254 Courts of appeals; certiorari; certified questions

Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods:

- (1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree;
- (2) By certification at any time by a court of appeals of any question of law in any civil or criminal case as to which instructions are desired, and upon such certification the Supreme Court may give binding instructions or require the entire record to be sent up for decision of the entire matter in controversy.

Statement of Jurisdiction

This review stems from my most recent Federal case out of the Ninth Circuit Court of Appeals No. **23-2647**, one of 41 federal cases directly related to this matter.

On JAN 8 2024, MOLLY C. DWYER, CLERK U.S. COURT OF APPEALS filed an ORDER claiming that my appeal “may be frivolous” and the court can dismiss case at any time, and will dismiss for failure to prosecute even if statement is filed.

On FEB 11, 2024 I filed a statement explaining why the appeal was not frivolous and should go forward and that she was mistaken in her evaluation.

On FEB 29 2024 MOLLY C. DWYER, CLERK U.S. COURT OF APPEALS filed Order for Circuit Judges CLIFTON, CALLAHAN, and H.A. THOMAS claiming that “we conclude this appeal is frivolous”, and (Docket Entry No.3) “we deny motion to proceed in forma pauperis”, and “we dismiss this appeal as frivolous in this closed case”, adding “All other pending motions and request are denied as moot. No further filings will be entertained in this closed case”.

For the record, I paid the filing fees to open the chapter 13 bankruptcy case, I paid the fees to the BAP court, and I paid all fees to re-open my bankruptcy.

Oregon Supreme Court

S071375

Redwood v Haney-Webster for Deceptive Eviction

CONSTITUTIONAL AND STATUTORY PROVISIONS

V Amendment to the USC – The Fifth Amendment to the United States

Constitution protects a number of rights, including: Due process: The right to not be deprived of life, liberty, or property without due process of law or just compensation: The right to just compensation if private property is taken for public use.

18 USC 152(2)(3)(4) – knowingly and fraudulently presents any false claim shall be fined, imprisoned, not more than 5 years, or both.

18 U.S. Code § 157(2)(3) - prohibits bankruptcy fraud by devising or intending to devise a scheme or artifice to defraud and, for purposes of executing or concealing the scheme either (1) filing a bankruptcy petition; (2) filing a document in a bankruptcy proceeding; or (3) making a false statement, claim, or promise (a) in relationship to a bankruptcy ... or the false representation of a claim.

18 U.S. Code § 241 – Conspiracy against rights is a federal law that makes it illegal for two or more people to conspire to violate someone's rights: by Injuring, threatening, oppressing, or intimidating someone or preventing someone from exercising their rights. Unlike other conspiracy laws, § 241 doesn't require an overt act to be committed. The offense is always a felony even if the underlying conduct wouldn't be considered a felony on its own.

18 U.S. Code § 242 – Deprivation of rights under color of law makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

42 U.S. Code § 1982 – is a statute that prohibits discrimination in the sale or rental of property. It states that all citizens of the United States have the same right to: inherit, purchase, lease, sell, hold, and convey real and personal property.

42 U.S. Code § 1983 – is a civil rights law that allows individuals to sue state or local officials for violating their constitutional or federal rights, and others acting "under color of state law" and violations of due process. It was established by The Supreme Court's 1961 ruling in *Monroe v. Pape* established that private litigants can use federal courts as a first resort to bring suit.

42 U.S. Code § 1985 – is a civil rights law that allows individuals to sue state or local officials for violating their constitutional or federal rights, and others acting "under color of state law" for violations of due process.

42 U.S. Code § 1986 – is a law that addresses the liability of a person who knows a wrongful act is about to be committed and fails to prevent it: Anyone who has the power to prevent a wrongful act but fails to do so is liable for all damages caused by the act.

CASE LAW RELATED TO THIS MATTER

USDC – 10-3111-PA IVAN and KATHERINE HOOKER v. Bank of America Judge Owen Panner declaratory judgement in favor of HOOKER May 25, 2011

USDC – 3:11-989-KI AZONIA HANEY v. BRIAN MOYNIHAN of BAC Home Loans, et al Judge Garr M. King Temporary Restraining Order in favor of Azonia Haney September 1, 2011

Court of Appeals of Oregon - (CC CV10020001 CA A147430 SC S060655) - June 6, 2013; Rebecca NIDAY, Plaintiff-Appellant, v. GMAC MORTGAGE, LLC, a foreign limited liability company; Mortgage Electronic Registration Systems, Inc., a Delaware corporation; and Executive Trustee Services, Inc., a California corporation, Defendant-Respondents. July 18, 2012

USBK – 12-3144-tmb7 Haney, Alta Azonia Debtor ch.7 Disputed Standing of Countrywide, Bank of America, Real Time Solutions, KeyBank, Order after no disputes, Discharge Debtor(s) all property liquidated to cash. March 12, 2013

Court of Appeals of Oregon - Case Nos. 110021032E, A154115 Matthew F. Wolf, Plaintiff–Appellant, v. GMAC MORTGAGE, LLC, Defendant–Respondent Decided: February 18, 2016

STATEMENT OF THE CASE

For the record, I Brent Evan Webster petitioner have acted in good faith as both DEBTOR and creditor; in my OFFICIAL and individual legal capacities, that are associated with the rights guaranteed, in the state and federal constitutions.

In 2008 the housing bubble burst, subprime mortgages and huge consumer debt loads were to blame for crashing home values, a national emergency.

This case is of national importance and substance because of the hostile and criminal nature of “title theft” and how it has transpired in endless cycles of fraud.

Multiple servicers have been attempting to foreclose on the same estate that was fully administered in 2012 by Peter McKittrick when he was Trustee.

Now US Bankruptcy Court Judge Peter McKittrick for the District of Oregon has intentionally committed fatal errors proof of it is in our extensive global record of the undeniable fraud in the courts related to the lawful ownership of property.

This case is about using legal ease to administratively steal our duplex-home, duplex-shop, and five acres; addresses: 8701 SE 347th Ave. & 8707 SE 347th Ave.

The history of this is extensive and troubling, a legal remnant from the “Great Recession” investors created the housing boom following the “Dot Com Bust”, a similar failure based on greed, get rich off nothing more than “Hot Air” and paper.

Easy credit for over-priced homes, drive by appraisals, fraudulent sale prices posted after the sale, spiking tax rolls on old houses needing repairs, all together caused neighborhoods to inflate due to manipulation making housing unaffordable.

Rigged property values, signature loans, “as is” contracts, no money down, some of the contrived means that were used to transfer title of the family homes as security instruments for “wall street”, to use as a piggy bank, pretending to act in the consumers best interest, and achieve the American dream of home ownership.

The original notes and property deeds were destroyed to avoid confusion over the mortgage backed securities sold to investors, who then created duplicate mortgages (accounts), which is what first caused Mrs. Haney and I trouble in 2009.

That was around the time Countrywide & Bank of America were implicated for the “Robo-Signing” after hiring “document” Company’s like, McCarthy Holthus.

Countrywide, now Bank of America capitalized on the “equity-stripping” in the early 2000’s after causing excess inflation in single-family home prices.

MERS, is the advanced computer system that stores the original mortgage documents in a digital format, and has a spread sheet program called the “MIN Summary and Milestones”, this is how MERS tracks Servicing Agreements.

The problem, MERS destroyed chains-of-title with purposeful corrupted files in all the county’s property records. The original notes/deeds are missing, only by manipulation of the record are law firms, linked to servicing companies, able to steal title to partially foreclosed homes, and sell them before errors are detected.

Non-judicial foreclosures in Oregon are out of compliance with Oregon law because of the deceptive assignments relating to MERS claiming to be beneficiary.

Several case since the 2008 housing collapse have proved what the so-called servicing companies are doing. Basically, they are debt collectors trying to collect on failed loans that were written-off and traded to other servicing companies.

These Companies never really gained privy or standing when attempting to foreclose on underwater homes, underwritten by the owner’s labors. Property laws are such that they are designed to protect DEBTOR(S), especially when fraud exist and they access the benefits and protections provided by the US Bankruptcy Courts.

The promise was, “Then you can qualify for the 1/3 payments”, the “MAKE HOMES AFFORDABLE MODIFICATION PLAN” as originally promised by the Obama Administration, *“If You Can Afford 1/3 Payments, Then You Can Afford to Stay in Your Home”*; December of 2009 Azonia Haney made the 1/3 payment.

When this home was purchased, October 2004, it was at the height of the Real Estate Boom homes were selling fast. Alta Azonia Haney purchased these homes, that were packaged as a single-family home, the farm was an “as is” deal.

The old farm houses were financed with high risk loans since only one home meet the inspection standards, that was 8707 SE 347th. Ave. The other house, the 8701 SE 347th. Ave. is the home that was quit claimed deeded to Webster in 2012 just before Mrs. Haney filed for bankruptcy after being denied “loans” consolidation.

Azonias was tricked into signing documents she didn’t understand by the Sellers agent, for an old house that leaked and had holes in the floor, and a heating system out of date with no insulation in the walls for the original home.

Technically, this house was unfinanceable, the home instantly became a burden, Azonia was never given permission to inspect it before she moved in.

It was only later that she discovered what she had gotten herself into, nothing had been repaired or cleaned up off the property ever and would take years to sort out, including the neighbor Trails claim to the creek in our garden.

The amazing thing about this property is that it had a beautiful front yard and a view of Mt. Hood, but the problem was that it literally needed new floors, roof, windows, doors, and literally had tons of garbage dumped behind the shop.

There were literally hundreds of repairs that made this home a nightmare from the very beginning causing Azonia two back surgeries.

Five years later, all possible funds had been poured into the properties, but by then the market took a nose dive, the economy was not good. Now the house was only worth half the value of what Azonia had paid for it but still needed immediate repairs to maintain the future resale value, which was all her life savings.

Webster/I showed up in July of 2009 and soon came to realize what I had gotten myself into. But there was hope, it was common place, that most homes purchased during those years were all under water, so I offered to help Azonia.

The plan was to ask for a modification promising 1/3 payments. But that was all a pipe dream as we soon found out, trying to communicate with countrywide was impossible, and we would be told to send in the same documents, over and over.

The promise to consolidate was actually to distract the Home Owner from imminent foreclosure, it became a constant battle on the court house steps, multiple auctions were scheduled and withdrawn at the last possible minute.

We jumped through many hoops that never came to fruition, Countrywide continued to dangle the carrot of hope that we would soon qualify for a consolidated loan reducing our payment by two thirds, but that was a lie to help steal our farm.

Nothing like that happened, Countrywide was now teamed-up with Bank of American, their new game plan was to start the foreclosure process. Oregon it is Non-Judicial State, it's easy to push home owners around who can't afford a lawyer.

Haney and Webster had teamed up by this time to prevent arbitrarily scheduled foreclosure sales, Mrs. Haney was working full time so we hired private investigators and consulted with attorney's who did not have the answers.

Azonia created a division in the properties with me, so I could take on the legal work to invalidate loans that were unsustainable and fraudulent, even with the rental income for the second home, the property had drained all resources.

The fact was that I acquired part title to two of the pieces of farm land and was given unlimited use of the property, being provided the 8701 address and the original home, working out of the original shop, and is not part of the 8707 property.

I provided multiple services working on the two parcels of farmland, the 8701 SE 347th house/shop, and the 8707 SE 347th house/shop setting on the third parcel.

The homes were built 20 years apart, but it was in sever disrepair half the home was free and clear, the newer second home that added made a duplex home with two separate addresses on one parcel of land, creating a multi-family farm.

Series of Legal Events Since 2010-2024

So, after coming to the realization that Countrywide and Bank of America would never modify the loan, Azonia Haney moved to the District Court where we found relief in the form of a (TRO) Granted by Judge King on September 1, 2011.

This was granted after demonstrating the misrepresentation of a material facts by Bank of America, she proved it to Judge King's satisfaction when she showed him a certified copy of "Notice of Rescission" recently filed in the county.

This only slowed Bank of America down for a few months before they had scheduled another auction. So, to stifle the barrage of attacks against the farm, Mrs. Haney granted Webster a quit claim deed for the promise to defend the farm.

After filing for Bankruptcy, Azonia used the provided forms to challenge Countrywide, KeyBank, Bank of America N.A., and Real Time Solutions because they did not have standing, and she wished to redeem the properties back EXEMPT because of the RICO crimes connected to the deceptive assignments.

Official Bankruptcy Case # 12-31446-tmb7 Re: Alta Azonia Haney filed; all documents were accepted and processed accordingly, including ORDER AND NOTICE OF TIME TO FILE CLAIMS, Doc 16 Filed 04/16/12 no other creditor filed a claim, thought to be Countrywide, KeyBank, and Bank of America N.A.

Real Time Solutions filed claim No. 1 on April 19, 2012 for \$47,087.43 and Trustee Proposed Payment \$0.00, TRUSTEE'S PROPOSED DISTRIBUTION Filed 12/06/12 by PETER C. MCKITTRICK in final report, it is clear that full-discharge was granted for the disputed potential claims after an extended time passed.

KeyBank Home Improvement Loan Account # 42730374 had been set-off by loan insurance according to accounting about June 15, 2010. Doc 12 Schedule D

SEE: APPENDIX A

Many years went by until about 2015-2016 when new servicers began threatening us that unless we sat down with the people in the county who ran the "Make Homes Affordable" plan, they were going to foreclose on the farm once again.

Around the same time the neighbor Trail sued Azonia and myself for an old stake that marked the corner of the property, and was placed in the creek in 1996.

This was a ruse because they had to make up a story which claimed I had removed the stake purposely and was able to prove it by having their friend testify that they had seen me remove it with a back-hoe 8 years ago when they happened to be driving by. It was an obvious lie as Connie Trail herself testified that she knew the stake had been missing for years.

None the less this created a lien against the property for which Azonia and I were both owners according to the law. So, Mrs. Haney was forced to go bankrupt again after the Trail's attorney threatened, to garnish her wages.

SEE: APPENDIX A1

So, Mrs. Haney was forced to go bankrupt, and in turn was forced to abandon the farm after many rough years at trying to stay afloat. So, me being the spouse of Mrs. Haney legally speaking, proven in the Trail's lawsuit to suing us as co-owners.

After Mr. Haney's bankruptcy was filed, about a year later Select Portfolio once again began the foreclosure process on me, as I had now become the party of beneficial interest and was already a partial owner. I communicated with SPS, Quality Loans, and all the attorneys who were now part of the plot to steal the farm. This was still to no avail, as the claimed investors were not interested in working with me in any way, and would soon devise a plan to foreclose.

So, I was forced to take legal action, and decided to use the bankruptcy process to establish that in fact I was the owner and the creditor to the farm.

I knew there were more liens than money, including my work as contractor.

SEE: APPENDIX B

Little did I know how big this case was going to snowball. When I first filed my bankruptcy, I wasn't sure how many creditors were going to appear in my case. But as it turned out I filed claims against myself for the years of renovation to the farm to garner my portion of equity as a co-owner and general contractor.

Then several other claims were filed against our farm for which I disputed three of them as being fraudulent and desired to get to the bottom of this crime.

My one bankruptcy case has turned into 41 federal cases and into 8 more state cases. These cases seem to be a mishmash of we have jurisdiction, we don't have jurisdiction, we agree with the lower court, or no comment.

Please see extensive record of the complete docket since I first filed this case.

SEE: APPENDIX C

When I filed my bankruptcy, my goal was to stop the illegal foreclosure and expose the fraud of what had been going on for all of these years. So, to try and minimize the effort in the court I offered a Plan and promise \$50.00 a month for 3 years as a good faith gesture for SPS, DOJ, and the Trails to back off, or prove their claim in court, and that they weren't filing fraudulent "Proof of Claims".

SEE: APPENDIX D

When it was clear there was not going to be any kind of settlement, I filed the advisory cases against SPS, DOJ, and the neighbor TRAIL. With the preliminary complaint against SPS I attached Private Investigator William J Paatalo's findings.

SEE: APPENDIX E

After the no due process hearing I filed Objections and charged Judge McKittrick for my customary "Terms of Service" for violating my rights, knowingly, for in gold or silver face value of 3000 in coining for 7 offenses including protecting SPS, DOJ, and the Trail's, for all the false claims

SEE: APPENDIX F

I further amended the plan on June 2, 2020 to discharge by “force majeure” and offered zero to all the claims in a final attempt to have my plan approved so I could get on with my life and start fresh since the CORONA VIRUS took over the world then and all commerce had come to a virtual halt.

SEE: APPENDIX G

As one last resort before going to other courts, I purposed a motion to convert to family farmer, since in fact it was the animals, and the land that we were renting for community growing plots, later for air-b-n-b guest who came for the animals.

SEE: APPENDIX H

A few days later I filed a motion for summery judgment and an affidavit based on the facts of the matter, which has never been rebutted.

SEE: APPENDIX I

Only five days later Judge McKittrick filed an Order to dismiss and administratively closed my cases. This was in bad faith as Judge McKittrick had promised to set a hearing to verify that SPS was a proper party of interest. And, he already fully administrated the estates in 2012.

SEE: APPENDIX J

Before my other cases went all the way through the Supreme Court about reconsiderations I filed and paid to re-open my bankruptcy. SPS was determined to sell the farm before a final determination was made in this court.

SEE: APPENDIX K

I filed motions to affirm the automatic stay that had taken effect with evidence sent from SPS when I filed to re-open my bankruptcy case, but to no avail.

SEE: APPENDIX L

After we were violently removed from the farm on June 7, 2023, and only armed with a computer, I continued to pursue and seek justice now for wrongful eviction and the illegal sale of our farm with help, it seems from all the courts. I filed a motion for emergency intervention in the BAP court and they disregarded.

SEE: APPENDIX M

I petitioned the panel for re-hearing which they refused.

SEE: APPENDIX N

On July 2, 2020 Investigator Bill Paatalo declared in court as an expert witness that in fact it could not be determined with the information available who the lawful parties of interest might be? Mel Kimsey testified that the properties were in fact a farm as he had invested several thousand dollars to help support the plan to save the farm. Richard Norland testified that it was a farm and was will to personally assist me to present a workable plan that could be approved by the court. Carolyn Wade admits in her testimony that she is only interested in gleaning any equity that maybe available, so Mrs. Haney and DHS can get paid. This admission by Carolyn Wade acting on for Department of Justice, to equity-strip the farm with fraudulent claims, and block Webster from any rights with forged documents.

SEE: APPENDIX O

While all these cases have been taking place with-out a lawful compromise, Redwood has gone ahead with selling the farm while under review and while still in dispute as is has been since 2010. It appears another fraudulent document has been created to cover-up what Countrywide Home Loans started and Redwood is attempting to finish, with more deceptive cases unrelated to the facts.

In the last year Redwood Holdings, LLC, a Delaware limited liability company completed the first key step of washing the clouded title, after transferring the properties to a private party named Valentyn V. Budianu.

SEE: APPENDIX P

Question Presented Discussed

1. It is clear that the courts have not been fair or just and have assisted in the cover-up of the crime of title theft, after the estate was fully administrated by Judge McKittrick in 2012, Circuit Judges CLIFTON, CALLAHAN, and H.A. THOMAS, should not have sustained Molly C. Dwyer Clerks ORDER from JAN 8 2024.
2. It is clear that the courts have not been fair or just and have assisted in the cover-up of the crime of title theft, after the estate was fully administrated by Judge McKittrick in 2012, Molly C. Dwyer Clerk should not have presented ORDER on JAN 8 2024.
3. It is clear that the courts have not been fair or just, especially Judge McKittrick he was the individual who had privy to know that in fact he already fully administrated the Haney property with Webster being a spouse and owner of the estates in 2012. Judge McKittrick more than anyone assisted in the cover-up for the crime of title theft. On January 4, 2023 Judge McKittrick knew better than anyone as to how substantial this case was.
4. It is clear that the courts have not been fair or just, especially Judge McKittrick he was the individual who had privy to know that in fact he already fully administrated the Haney-Webster property, he heard the testimony from Carolyn Wade about how she wanted to glean any equity Webster may have coming. And listened to William Paatalo regarding the condition of the chain-of-title, and how SPS was not properly shown in the assignments, and that Freddie Mac is missing in the chain of title.
5. It is clear that the courts have not been fair or just, especially Judge McKittrick he was the individual who had privy to know that in fact he already fully administrated the Haney-Webster property he heard the testimony of William Paatalo regarding the condition of the chain-of-title, and how SPS would most like not be able to meet the burden of proof of owning the note, and some defects and deficiencies clearly in the chain of title and that Freddie Mac and its role, whether it's the creditor, or trustee,

I can't determine what specific role Freddie Mac has in this, but clearly they are missing in the chain of title, and deceptive assignments. I/Webster should have been provided the hearing to at least check if Bill was right?

6. It is clear that the courts have not been fair or just, especially Judge McKittrick he was the individual with privy to know in fact he already fully administrated the Haney estate with Webster being spouse and half-owner since 2012. Judge McKittrick knew the property was a family farm, more than anyone he assisted in the cover-up for the crime of title theft. On July 2, 2020 Judge McKittrick knew better than anyone how substantial this case was, as he in fact fully-administrated this matter in 2012.
7. It is clear that the courts have not been fair or just, especially Judge McKittrick he was the individual who had privy to know that in fact he already fully administrated the Haney-Webster the estates in 2012. On July 2, 2020 Judge McKittrick knew better than anyone that Webster was intituled to a substantial portion of the equity for his 15 years of effort, money and time. Judge McKittrick should have been open a "force majeure" since we are still at a standstill, and have not recovered from acts of God, like Corona Virus, Hurricanes; clearing title should have been priority.
8. It is clear that the courts have not been fair or just, especially on June 9, 2020 when Judge McKittrick knew better than anyone else how substantial this is, stating on the record "I'm very concerned" referring to what Carolyn Wade had been up to. And he also knew that in fact he had fully-administrated this matter in 2012. Judge McKittrick he was the individual who had privy to know that in fact he already fully administrated the Haney-Webster property, he heard the testimony from Carolyn Wade about how she wanted to glean any equity Webster may have coming, and that she filed the forged and fraudulent documents for Mrs. Haney's and the Alta Farm Living Trust connecting to property Mrs. Haney left Webster. Carolyn Wade and Judge McKittrick both were responsible for admitting misleading document into the record, to cover-up for SPS and for the DOJ, and finish the process of washing the title.

REASON FOR GRANTING THE WRIT

The reason this writ of certiorari should be granted is to correct the errors of the lower courts, primarily UNITED STATES BANKRUPTCY COURT PORTLAND Peter McKittrick for assisting SPS in attempting to wash the title to the farm.

It was wrong to allow Carolyn Wade to fabricate documents to counter Webster claims against himself as General Contractor, and owner.

Judge Peter McKittrick has directly caused an illegal partial-foreclosure to have taken place, eliminating my home, my work and whatever equity I may have had coming for the duplex-home at: 8701 SE 347th Ave.

The facts are, Judge Peter McKittrick had already discharged this estate with the remaining property considered abandon or reduced it to cash.
In Re: Azonia Haney Case #12-31446 Bankruptcy filings.

Judge Peter McKittrick was trying to get Webster out of the picture, so Redwood could convey title to themselves and act like Webster never existed, then pretend to have title free and clear to sell to Valentyn V. Budianu, like they did.

The July 6, 2020 Doc 167 ORDER OF DISMISSAL AND ADMINISTRATIVELY CLOSING CASE 19-34090-pcm13; was fraudulent on its face and is prima facia evidence that Peter McKittrick knew that he previously administered estate in 2012 for Mrs. Haney as "TRUSTEE", an associated case.

Bank of America and Countrywide doing so called Robo-Signing, was especially evident 13 years ago with the 60 MINUTE Interview, after all the object is to facilitate foreclosure:

"Originally Aired in April 3, 2011. 60 minutes exposes the banks and their hired contractors willfully committing fraud. As more and more Americans face mortgage foreclosure, banks' crucial ownership documents for the properties are often unclear and are sometimes even bogus, a condition that's causing lawsuits and hampering an already weak housing market. Scott Pelley reports"

Judge Owen Panner addressed some of the issues on May 25, 2011 when he made a Declaratory Judgement in support of Ivan and Katherine HOOKER and explained why MERS “*is not the person for whose benefit a trust deed is given*”, it would be Countrywide not MERS “may invoke the power of sale and any other remedies permitted by Applicable Law”. Oregon Trust Deeds Act requires the *recording of all assignments by the beneficiary*, ORS 86.735(1) see: In re McCoy, 2011 WL 477820, at *3-4.

Therefore, any documents filed or served after June 6, 2012 Discharge Order relating to these properties are fraudulent on their face.

This has now turned into actual fraud, SPS, knowingly and fraudulently presented a false claim so attorney John M. Thomas of McCarthy & Holthus should be fined \$500,000 and imprisoned for fraud.

It is unclear if SPS reached a special agreement with Attorney Alexander Adams and Becket & Lee LLP for Azonia Haney in her 2018 bankruptcy case involving a Team of Attorney’s using Innovative Technology to further Administrate the Haney-Webster Tracts?

But it is clear that Real Time Resolutions and Bank of New York Mellon according to Exhibit A from Proof of Claim 4-1 Part 2, and the Limited Power of Attorney Document show computer entries that appear to be Master Trust, Revolving Equity and Asset Backed Notes relating to the original loans from October of 2004 in the build-up to the 2007-2008 Housing Collapse, known as, The Countrywide - Sub-Prime Mortgage Securities Scandal.

Interesting are Docket Entry 17 - Special Notice Request and Docket Entry 33 - Chapter 12/13 Trustee’s Request to Enter Discharge where the documents are not available to the General Public. The only Scheduled Creditors to be Paid after Mrs. Haney’s latest discharge and Terminating Wage Order on 3-28-2022 is her Attorney and Becket & Lee.

CONCLUSION

Webster has demonstrated how Select Portfolio Servicing filed false claims, and did not have standing or privity to foreclosure, or have standing for the false “Proof of Claim” for a discharge, reduced to case estate.

Freddy Mac is not found anywhere in the chain-on-title like documents found in the property assignments as indicated by William Paatalo investigator, hired as an expert witness in several states, stated on the record that SPS did not have standing to foreclose. What has happened to the Haney-Webster farm is an existential threat to family’s and individual home owners alike, in the “equity-stripping” scheme Carolyn Wade eluded to, to deprive me/Webster of my property.

This writ for Reveiw – is presented to facilitate an action to quiet the title for the affected real properties, and the associated farmland where Webster has lived, worked, and defended for over 15 Years.

If any, or all of this document is not rebutted by the noticed and other responsible parties fail to respond, it is considered a legal fact that this version stands as the final piece of the puzzle to finally establish the Webster-Haney case as indisputable evidence the Courts have been complicit in “title theft”.

Request for Consideration

I respectfully request an intervention from this court to return the farm back to me/Webster and triple damages from SPS, 7 violations of my/Webster's "terms of service" for evidencing fraud against my person, that in-fact Judge Peter McKittrick knowingly and maliciously allowed my/Webster's "real property" to become liquidated, and is ultimately responsible for crimes against me/Webster, by not protecting my/Webster's State and Federal Constitutions, to due process law, and the protection of my estate, when Judge Peter McKittrick knew he had reduced the Haney-Webster estates to cash in 2012, or it was abandoned back to Debtor(s).

Respectfully submitted by,

brent-evan: webster dba: BRENT, EVAN WEBSTER October 5, 2024
brent-evan: webster dba: BRENT, EVAN WEBSTER