

Chris Ann Jaye
PO Box 5015
Clinton, NJ 08809

Date: July 28, 2016

Chris Ann Jaye

Appellant

v.

NJ Attorney General, et. al.

Appellee

United States Court of Appeals

Third Circuit

Case Number: 16-2641

**Motion for Summary Action per
Local FRAP 27.4**

Dear Justices:

In light of the fact that neither DAG Brian Wilson nor DAG Ashley Gagnon nor any of the defendants have denied that not a single final order existed at the time my complaint was filed, there is no question in the law that the order dismissing the complaint based on *Rooker-Feldman* as argued by the defendants and their counsel was a lie. A declaratory order from this Court should be placed into the record making this a finding of fact.

In light of the fact that not a single defendant nor counsel has come forth with proof of a single final order upon which to rely as a basis for dismissal based on *Rooker-Feldman* could have been made, the dismissal of the complaint must be modified accordingly to vacate the dismissal with prejudice based on *Rooker-Feldman*. The order of the dismissal with prejudice should be vacated entirely and the proceedings moved forward for adjudication on the merits in accordance with Rule 1.

In light of the fact that holding cases pertaining *Pro se* litigants, including, but not limited to, *Erickson v. Pardus*, was deliberately withheld from the court in two separate motions to dismiss, the dismissal for failing to plead according to Rule 8 must be modified accordingly. Without contradictory citations in the record, the motions were improper and meant to mislead the court. Accordingly, the order dismissing with prejudice should be vacated and proceedings move forth immediately in accordance with Rule 1.

In light of the fact that not a single defendant nor counsel has come forth disputing the fact that they are not represented by the NJ Attorney General's Office for conduct performed in their individual capacities, the defendants named in their individual capacities must be declared as being in default on the record. By order of this Court, default judgment in my favor should be granted against anyone who was named in their individual capacity and failed to appear.

In the district court, DAG Brian Wilson has not challenged my pending motions nor the arguments made in the motions, including, but not limited to, his lies pertaining to *Rooker-Feldman* and his failure to cite holding case law. Accordingly, the court should deem my assertions in those pending motions as uncontested facts by order of the court.

In this court, DAG Gagnon did not dispute my facts as it pertains to my motion to reconsider and motion to amend. No opposition was provided. Accordingly, my statements pertaining to DAG Wilson and the defendants lies in obtaining a dismissal are uncontested. Summary action in the form of sanctions and other equitable relief for the delays caused should be granted by this court immediately.

In light of the fact that my challenges to state statutes were properly filed with my first complaint (ECF 1) and not certified in accordance with the FRCP, summary action in the form an order by this Court should be issued to certify them now. Since the NJ Attorney General has chosen not to intervene after eighteen-months, the court should order it cannot intervene now.

In consideration of the lies and the delays that have resulted as a result of this illegal conduct by the defendants, all cases pending in any state court needs to be stayed immediately. The motion to stay state action was deemed moot by the district court. It is not moot. And this Court can direct that this order of mootness be vacated and the state actions be stayed.

If a stay of state action is not granted, then this court should direct that any and all defendants having any control, power or influence over any state action be barred from those matters. This court should also order all matters that were transferred to and adjudicated in the court controlled by Defendant Judge Jacobson, including but not limited to the civil rights case against Judge Ciccone, be vacated and heard in a neutral court (or consolidated with cases pending in the district court if applicable).

In light of the delays caused by Judge Shipp and others at the United States District Court of New Jersey, the failure to enter documents, and the failure to adjudicate motions in their entirety, this Court should direct the district court to adjudicate all matters in accordance with the rules in the same return cycle in which my motions are filed.

Since the conduct of the defendants and their counsel has resulted in two years of delays in my obtaining discovery, this court should order the defendants to release all documents, notes, emails, records, ACMS entries, JEFIS entries, and any related documents involving me, this case and their dealings with each other per any and all matters in which I am a party to me by order of this court within five (5) days (in electronic form if available). The court should also order that all defendants, not their counsel, certify that the discovery provided by them is complete.



Chris Ann Jaye

Chris Ann Jaye
PO Box 5015
Clinton, NJ 08809

Date: July 28, 2016

Chris Ann Jaye

Appellant

v.

NJ Attorney General, et. al

Appellee

United States Court of Appeals

Third Circuit

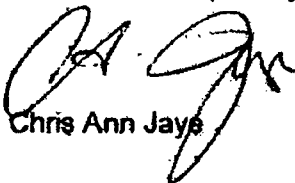
Case Number: 16-2641

**Certification for Motion for
Summary Action per
Local FRAP 27.4**

I, CHRIS ANN JAYE, hereby certify as follows:

1. There were no final judgments in existence at the time I filed my complaint.
2. Contrary citations of holding law pertaining to pleading requirements were not noted in two separate motions to dismiss.
3. Challenges to State Statutes filed with ECF 1 were never certified.
4. My post-judgment motions were not contested.
5. The return date for my post-judgment orders was July 5, 2016.
6. There are two documents in this case that were not filed by the Clerk.

I declare under penalty of perjury that the foregoing is true and correct.


Chris Ann Jaye

*****AMENDED BLD-392**
****AMENDED BLD-392**
***AMENDED**
BLD-392

September 22, 2016
September 9, 2016
September 1, 2016
August 25, 2016

C.A. No. 16-2641
CHRIS ANN JAYE, Appellant
VS.
ATTORNEY GENERAL NEW JERSEY, ET AL.
Page 2

in the above-captioned case.

Respectfully,

Clerk

) MMW/RTS/jw/clw

ORDER

Appellant's "Motion for Summary Action" and "Motion for Summary Action for Immediate Stay of State Action" are denied. Appellant's motions for injunction and motion to stay also are denied. Appellant's motion for judicial notice is denied without prejudice to her ability to raise the arguments contained therein in her brief. Given our rulings, the case shall proceed to briefing. The stay of the briefing schedule, entered on July 19, 2016, is lifted, and the Clerk will issue a revised briefing schedule. Finally, we emphatically warn Appellant that any further frivolous and/or duplicative filings in this appeal may result in sanctions.

By the Court,

s/Anthony J. Scirica
Circuit Judge

Dated: September 22, 2016
CLW/cc: Ms. Chris Ann Jaye
Ashley Gagnon, Esq.

Chris Ann Jaye
PO Box 5015
Clinton, NJ 08809

Date: September 14, 2016

Chris Ann Jaye
Appellant
v.
NJ Attorney General, et. al.
Appellee

United States Court of Appeals
Third Circuit
Case Number: 16-2641

**Emergent Order to Stay State
Actions and Direct Judgments, Liens
to Be Vacated**

Dear Justices:

You have before you two motions for summary action, a motion for judicial review of this case and two emergent motions for stays of state action. Months have passed and there has not even been a date scheduled to address any of them. I would like to add this latest motion to the pile.

As of next week, I will have a petition filed with the US Supreme Court. Motions to address deprivations of due process by the district court and this court will be addressed at that time. In the interim, I file this latest motion based on the latest order from the NJ Supreme Court. (Attached.)

As you will note, the NJ Appellate Court provided its usual simplistic "denied" as it pertains to providing any relief. As has been the case, there are never reasons... just denials. Nonetheless, the NJ Appellate Court has been duly advised that the judgment was not certified as final, it was entered per an erroneous default, the Plaintiff is not a

plaintiff since it did not authorize the suit as required by law, and that judgments and liens now slandering my title have been filed by an intermeddler.

The NJ Appellate Court, per the emergent motion it denied and this similar non-emergent motion reiterating the same points now denied, has also been made aware of the fact that the intermeddler, Steve Rowland and his firm (Brown, Moskowitz & Kallen), sought monies that were denied by the federal court (15-cv-5303), failed to provide an affidavit by law as per attorney's fees, and sought attorney's fees not permitted by law. The attorney's fees awarded were then not permitted to be taxed, but were then taxed by the court. To summarize, the judgment and lien (filed by Steve Rowland) are now part of the state records – and both are invalid, erroneous and inaccurate.

As to jurisdiction, the NJ Appellate nor the trial court had any jurisdiction over OKV, the Plaintiff, since the Plaintiff did not ever commence this suit. The state cannot create standing as it has done – time and time again. And yet the NJ Appellate Court continues to act despite this fact being made known to them.

Additionally, the NJ Appellate Court (and the trial courts) are fully aware from court records dating back to 2012 (October 9, 2012 specifically) prove that monies charged illegally to OKV and paid by its management company absent any authority in the law were embezzled from OKV. These expenses were then illegally billed to me. And they being billed to me now by this judgment. (The cost of legal expenses for a lawyer to defend his himself and his own firm are not "common assessments" as defined in the law – if anyone chose to look at the law.)

Finally, there was no trial because this judgment was entered in error per the games of the trial court. And so no jury was able to do what the trial court (a defendant in this case) refused to do -- apply the law. Regardless, I have an inviolate right to a jury per the NJ Constitution. And that, too, was not provided to me before these judgments and liens were made part of the public record.

With all these violations known, the NJ Appellate Court chose not take any action and has continued to claim jurisdiction over a judgment based on known fraud. Bearing in mind that this same court, the NJ Appellate has not determined that the order was final, knowing the trial court will not vacate this erroneous order and fully aware that the trial court has barred me from filing any additional motions for relief (which a repetitive routine by this recalled judge who was not evaluated for his mental fitness before being recalled as required), a blind man could see that I am being deprived due process and the rights afforded me in the constitution. And in addition to these violations, the NJ Appellate Court is now refusing to send me a scheduling order per this appeal. This is yet another game being played with me under the guise of due process.

While this court delays in its deliberation as to whether or not this constitutes harassment and bad faith by state actors, my property is being slandered by illegal judgments. I can think of nothing more irreparable than being extorted by a thief and intermeddler, done with the backing of the State of New Jersey. And yet here we are again -- while this Court delays, delays and delays as is par for the course.



Chris Ann Daye

ORDER ON MOTION

OAK KNOLL CONDOMINIUM
OWNERS ASSOCIATION
V.
CHRIS ANN JAYE

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-004942-15T3
MOTION NO. M-009489-15
BEFORE PART W
JUDGE(S): RICHARD S. HOFFMAN
HEIDI W. CURRIER

MOTION FILED: 08/18/2016

BY: CHRIS JAYE

ANSWER(S) 08/24/2016

BY: OAK KNOLL CONDOMINIUM OWNERS
ASSOCIATION

FILED:

SUBMITTED TO COURT: September 08, 2016

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
9th day of September, 2016, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT

MOTION TO REMOVE LIENS, JUDGMENTS
AND WARRANTS ISSUED BY THE STATE
ACTORS ACTING UNDER COLOR OF LAW DENIED

SUPPLEMENTAL:

FOR THE COURT:



RICHARD S. HOFFMAN, J.A.D.

DC-004807-15 MERCER
ORDER - REGULAR MOTION
PT

*****AMENDED BLD-392**

****AMENDED BLD-392**

***AMENDED**

BLD-392

September 22, 2016

September 9, 2016

September 1, 2016

August 25, 2016

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **16-2641**

CHRIS ANN JAYE, Appellant

VS.

ATTORNEY GENERAL NEW JERSEY, ET AL.

(D.N.J. Civ. No. 3-14-cv-07471)

Present: KRAUSE, SCIRICA, and FUENTES, Circuit Judges

Submitted are:

- (1) Appellant's motion to summarily vacate;**
- (2) Appellant's motion for summary action with exhibits & addendum;**
- (3) Appellees' Response to Appellant's motions to summarily vacate and for summary action;**
- (4) Appellant's Reply to Appellees' Response to Appellant's motions to summarily vacate and for summary action;**
- *(5) Appellant's motion for injunction;**
- *(6) Appellant's motion for judicial notice;**
- ** (7) Appellant's motion to stay;**
- ** (8) Appellees' Response to motion to stay;**
- ** (9) Appellant's reply thereto; and**
- *** (10) Appellant's motion for injunction, filed September 14, 2016**

Chris Ann Jaye
PO Box 5015
Clinton, NJ 08809

Date: October 19, 2016

Chris Ann Jaye
Appellant
v.
NJ Attorney General, et. al.
Appellee

United States Court of Appeals
Third Circuit
Case Number: 16-2641

**Motion to Stay State Action Due to
Amended Order by Judge Shipp and
Nullification by This Court of Order
Dated September 22, 2016 per
Deadline for Appeal**

Dear Chief Judge McKee:

In light of the fact that I have been threatened with sanctions for what a judge has referred to as "frivolous and duplicate filings" on September 22, 2016, I am filing this motion to you directly. Whatever motivations are behind scaring me from seeking remedies in the law, I will not be deterred. Thus, I make it known again -- now -- that seeking a stay of state action (as is a right as a litigant in a pending civil rights suit) is a right. This request by lawful motion is neither frivolous nor duplicative since harassing events continue to happen by state actors involved directly in this case.

Today, again, the sheriff was at my door. Again, today, a card was left taped to my door. Exhibit A.

Still, to this day, there is a warrant out for my arrest over a judgment in the state which (1) the trial court did not certify as final, (2) the NJ Appellate Court did not deem final by any order, and (3) both courts refuse to address the illegal and erroneous entry of

default by the Clerk since I was never in default. A separate judge, not yet named in this suit but under the control of Defendant Judge Jacobson, signed the warrant per an information subpoena on the non-final judgment the trial judge refused to stay. Not only did that fool of a judge who should never sit on a bench deny the stay, he conveniently failed to even sign a proper order of denial. Thus, due to his failure to comply with the law, I am not able to seek a stay on a judgment in the appellate court. And so this warrant idiocy exists.

In light of the fact that this fool trial judge (on recall "at the pleasure" of Chief Justice Rabner) is a defendant in this case as is his boss, Judge Jacobson, it is not either surprising nor unexpected that these games (including the lack of notice of transfer, the denial of any judge to vacate an erroneous entry of default, the denial of remand to the court of first review by the NJ Appellate Court, etc.) are taking place.

However, all of this is taking place. And all of it is in bad faith and absent the law.

In seeking a stay of state action with the district court, I was repeatedly denied without the proper standard of review. Judge Shipp has a long history of ruling in a manner that is utterly absent the rule of law as the record shows.

In turning to this court, the same denial without reason and proper standard of review was given. Not unamusingly, I was denied a stay of judgment pending an appeal. That was not what was sought. But alas, the law is not being applied anywhere in any court - so what difference does it make?

Since failing to issue a stay in the district court and this court (and after the threats made by this court), the district court via Judge Shipp conveniently realized that it has a

legal duty to adjudicate post-judgment motions. (Judge Shipp's Amended Order 9/28/16). Suddenly, months after my filings and after numerous erroneous orders, Judge Shipp had an epiphany per the rules of court.

However, if he had done his job as required at the onset — I would not have been in this position. The stay would have been granted by the district court and it would not have been denied by this court as a judgment pending an appeal (in error).

Yet Judge Shipp did not do his job. In fact, he has deliberately delayed adjudicating post-judgment motions until the State of New Jersey rendered its decision on a case that should have been granted supplemental jurisdiction.

The motions that are still pending now (finally to be addressed) are being heard while at the same time this court refuses to vacate its September 22, 2016. You, as you know, have been briefed on all of this — twice.

You, as you know, are also fully aware that I am without a complete record by the district court's failure to file my documents as well as by this court's failure to direct the district court to do its job by filing those missing documents. By the records and acts of this court, the remedy (the vacating of the dismissal) was a right I had in the law based on this error by the Clerk as well as the stay of state action I have sought from this court. Everything was denied.

Despite being denied, denied, denied and denied without a basis in the law, I have a right to a stay of state action now. The defendants in this case are not only violating my civil rights, but are now conspiring to violate my civil rights. An arrest warrant is a state

action. It needs to be stayed as does every other idiotic thing taking place in that swamp of corruption called a court controlled by Judge Jacobson.

Without question, I find it difficult to believe that the actions of both Judge Shipp in delaying adjudication of the motions and of the Clerk in failing to file documents hand-delivered to court are just simple errors. And I find it difficult to believe that the district court is not in full communication with the defendants (and the state) to work as one unit to make this matter as convoluted as possible.

And now, with both the district court and this court refusing to grant a stay for no reason permitted in the law, I am being harassed yet again (again at my home) to comply with an information subpoena via a warrant still out for my arrest over this issue. Of course, as stated, the judgment is not final, the judgment was illegally entered as a default, and the order (deemed judgment) was signed by a defendant in this civil rights suit who did so without providing me the opportunity of a trial, discovery, etc.

And all of this has stemmed from the inner workings of the Superior Court of Mercer County where Defendant Judge Jacobson is directing her staff to sign illegal orders, sign illegal warrants and act upon illegal acts in her court. She, the head of the snake, is in control of all of this – from the entry of the default, the failure to notify, the assignment of Judge McManimon, etc. This is being done. And none of this is legal.

This, by the standard of review required for a stay of state action (not a stay pending an appeal as was stated by this court), demands the relief sought with a stay. "Denied" is convenient, but it does not provide a basis for the denial. I have a right to a stay of all state action.

Without question, I am being harassed and these utterly corrupt defendants who are state actors are failing to act in good faith. If you take judicial notice of my filings in this court, this has been proven by the motions I have filed -- including the lies told by the NJ AG (counsel for the defendants) for which no relief was given per FRAP 46.

Regardless of the expected denial by this court and the threats made by this court, I am putting it on record that I am living under siege, being harassed, and being placed in danger by these defendants. And I have been put in danger yet again today. Exhibit A.

If I were outside, I would have been arrested and swept away to be brought before a judge where the only option is to provide my entire life's financial history or remain in jail (without bail or the right to an attorney). Based on this illegal warrant and the illegal acts of those involved, I have been forced to alter my life. These defendants have some unconstitutional and sick control over my life under the false pretense that they are acting as honorable judges and within state law. They are not.

And by any common sense and any application of the law, the stay of state action should have been granted and needs to be granted now.

Moreover, since this non-final judgment was filed by Steve Rowland with state (Judgment Process Service overseen by Chief Justice Rabner and NJ Supreme Court), I have a lien against me and all my properties. The money is secure. But, to add salt to the wound, more damage has taken place.

Seeking to sell a home recently, the shyster Steve Rowland was advised by my attorney in writing that payment of the judgment would be rendered by the title company. Although illegal and paid under protest as advised by my attorney in that transaction,

Steve Rowland submitted a pay-off letter to him. This, of course, was done without the consent of his so-called client. But it was known to all that the money for this illegal judgment (non-final and pending an appeal) would be paid upon the closing of this property. It has not yet closed.

Regardless, this shyster, thief and intermeddler Steve Rowland who has absolutely no standing to speak on behalf of the client he represents, failed to advise either the court or the sheriff's office of this fact. And this shyster failed to advise anyone that monies will be paid to resolve this issue, the lien, the warrant and the non-final judgment. The non-final judgment is, by the way, being appealed as well. And still, this is all taking place.

The state is working with this filth (Steve Rowland) who should have been disbarred to arrest me until I give them (the defendants in this case) my entire financial records.

This is nothing but a tactic by filthy lawyers and judges to use whatever means and tactics necessary to invade my privacy. And, despite Judge Shipp not certifying my Challenges to State Statutes, I have challenged the illegality of this "warrant" with the federal court.

With all this said, if this is not harassment -- I know not what is. And if a stay to stop the illegal action of state actors taking place in the kangaroo courts of the state does not warrant a stay, then this court does not know how to apply the law as it is written.

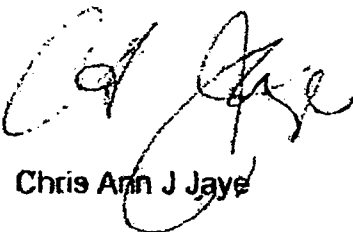
Finally, in light of both my petition to the US Supreme Court and the motions filed to Chief Justice Alito pertaining to the violations of due process taking place at this court and the district court, it is not without coincidence that calls have been made to "bring

me down" by the sheriff. Without question, I find none of this amusing in the least – and deem every single inexplicable, unjustifiable, erroneous decision deliberate acts by all to violate my civil rights.

Do what you will with this motion – which as history has shown will be "denied." But I am writing it for the record so that if anything happens to me by these maniacs that refer to themselves as judges (but who, in fact, are defendants), no one can state they were not aware that this harassment was taking place. It is taking place, has taken place and continues to take place – while this court has done nothing but threaten me with sanctions to stop me from seeking rights in the law..

The bias against pro se litigants is beyond comprehension.

And now, let the NJ AG state again that this court lacks jurisdiction to stay a state action when she damn well knows such stays are permitted in this, a civil rights case.



Chris Ann J. Jaye



Hunterdon County Sheriff's Office

At your earliest convenience,
Please contact our office between
the hours of 8:30 AM and 4:30 PM
Monday through Friday.

REFERENCE # *Ms. Chas. And. Tate*
COUNTY OF HUNTERDON
PO BOX 2900
FLEMINGTON, NJ 08822-2900

PLEASE CALL
(908) 788-1166

Exhibit A
TAPED TO MY
DOOR!

CLD-050

November 22, 2016

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 16-2641

CHRIS ANN JAYE, Appellant

VS.

ATTORNEY GENERAL NEW JERSEY, ET AL.

(D.N.J. Civ. No. 3-14-cv-07471)

Present: FISHER and SHWARTZ, Circuit Judges

Submitted are:

(1) Appellant's "Motion to Stay State Action"

(2) Appellees' Response

in the above-captioned case.

Respectfully,

Clerk

MMW/BNB/dmg/clw

ORDER

The foregoing "Motion to Stay State Action" is denied. Chris Ann Jaye's allegations in support of her request for a stay of state court proceedings do not support a showing that an exception to the Anti-Injunction Act is applicable, and we thus lack the authority to stay the state court proceedings. See 28 U.S.C. § 2283; 1975 Salaried Emps. Ret. Plan for Eligible Emps. of Crucible, Inc. v. Nobers, 968 F.2d 401, 408 (3d Cir. 1992). The stay of the briefing schedule, entered on October 31, 2016, shall remain in place. The parties are directed to file a status report regarding the District Court proceedings within 30 days of the date of this order and every 30 days thereafter until the District Court disposes of Jaye's "Motion to Vacate per R. 60, Amend per R. 59, Establish Findings of Fact per R. 52(b), Hold a New Trial per R. 59(a)(2) and Take

Judicial Notice.” When the District Court issues a decision, the parties shall promptly advise the Court, and the Clerk will issue a briefing schedule at that time.

By the Court,

s/ D. Michael Fisher

Circuit Judge

Dated: November 23, 2016

mlr/cc: Chris Ann Jaye
Ashley Gagnon, Esq.

Chris Jaye
PO Box 5015
Clinton, NJ 08809

Date: January 24, 2017

Chris Anri Jaye
Plaintiff

United States Court of Appeals
Third Circuit

v.

16-2641

NJ Attorney General John Hoffman, et. al.

Letter Addressing Order of
November 23, 2016 and
Challenging Jurisdiction of this
Court That An Appeal is Pending

Appellate Court Judges:

Judge Shipp has advised counsel and defendants as well as the US Court of Appeals, Third Circuit, that the order to the motion to extend time to appeal an interlocutory order pertaining to an emergent stay of state action (ECF 59) with ECF 69 has been vacated. This order was done after Judge Shipp dismissed this case with prejudice (ECF 64-65) and closed the case. The case was not permitted to be closed since all matters were not finalized. As such, there can be no pending appeal as the November 23, 2016 order stipulates. See Rule 3.

To highlight the cause and effect of the illegality of these proceedings, I have provided a detailed list. It will serve no purpose since this court is doing exactly what the district court is doing – bending the rules to find a way to push this out of court and protect judges. But I want it as part of the record nonetheless.

Let's get a few facts straight on the prejudicial delays taking place at the so-called federal court known as the US District Court of New Jersey:

1. March 23, 2016 motion (ECF 59) has not been adjudicated.
TEN MONTHS and counting.
2. May 2016 motion to dismiss with prejudice has not been vacated as a result of this known error. (See Rule 3 and controlling law on piecemeal litigation.)
EIGHT MONTHS and counting.
3. May 2016 FRAP motions not adjudicated.
EIGHT MONTHS and counting.
4. June 2016, motions filed addressing missing documents not filed in this case by the Clerk known to both the district and appellate court. Still not part of the record as of today.
EIGHT MONTHS and counting.
5. September 21, 2016 order stipulating Judge Shipp will address FRAP 4 motions still not address.
FOUR MONTHS and counting.

This kind of crap would never be pulled on a lawyer or law firm. And you, the appellate court, knows it. But then again, this is what comes when judges place themselves above the rule of law and are accountable to no one.

Rule 1, Rule 3, Rule 8 and Civil Rights Cases

Rule 1 requires speedy and inexpensive adjudication on the merits. But who cares what the US Supreme Court and Congress dictates, right? Lawyers and judges are above the law!

And thanks to the failures of Judge Shipp and his deliberate, prejudicial, intentional delays, I have had to commence with yet another civil rights suit rather than supplement this suit because he illegally dismissed with prejudice this case – and is waiting until God knows when to undo his errors. Eight months and counting...

Rule 3 requires an appeal on a case involving the finality of all matters. Documents have not been filed and all motions have not been adjudicated. As a matter of procedure, someone **(like a federal judge or appellate court judge)** should have vacated the dismissal with prejudice upon the known fact that ECF 59 has never been adjudicated. (See piecemeal litigation and Rule 3)

Instead (much like the missing documents not filed in this case and known to all), both the federal court and appellate court continue on with the total illegalities taking place under the guise that there is an appeal pending. In addition to that wrong determination in the law, no represented party would have to wait **MORE THAN TWO YEARS** to address a R. 12 motion, obtain discovery, have a conference, etc...

In other words, thanks for destroying my case deliberately and intentionally. If it takes two years to pass the golden gates to the district court, what other tricks do you all have up your sleeve for me moving forward? What other blockades? Barriers? You judges are good at your tricks of the trade – I have to give you that.

As to Rule 8, the simplicity of it speaks for itself. It is as simple as it gets. And yet it is taking Judge Shipp eight months to figure out whether or not he erred in applying the *Twombly* standard over the Rule 8 standard. For the record, he erred. And he knows it. And yet, eight months – and counting.

A high school student could look at the complaint and make the determination that all required elements to survive a R. 12 motion are there. Civil rights cases only require a Rule 8 pleading. This is not rocket science. But for reasons unknown, Judge Shipp needs years of time, thought and reflection.

One must assume he is hoping I will die before he decides this singular issue of this case. Yeah, that seems to be in keeping with Rule 1 and the "spirit of the rules" as to the administration of justice.

On a final note -- remember, **IT HAS BEEN MORE THAN TWO YEARS SINCE I HAVE FILED**. The case has been dismissed twice in error by two judges -- both of whom did not certify my challenges to state statutes nor remanded state claims to the state courts.

It has been more than TWO YEARS SINCE I FILED and I have yet had my complaint heard since I cannot get pass the golden gates of the US District Court of New Jersey due to all these illegal games being played. And you call this justice, right?

Tricks, Delays, Tactics and Obstruction of Justice

The US Court of Appeals demanded monthly updates. I will do you one better. I will highlight why you have no jurisdiction over this appeal and the delays being caused by the district court to ensure that my case never comes to light.

While enjoying this detailed list of violations, keep in mind that federal judges are doing this to a pro se litigant in a civil rights case. And remember, you, the federal judges, took oaths and are supposed to be the guardians of my constitutional rights.

Thanks for nothing and wasting years of my life with these endless games.

- **Illegality One:** Judge Shipp dismissed the case with prejudice and closed the case without adjudicating all motions.

This case is not only not appealable until all matters are decided, Judge Shipp had no right to close the case as Judge Shipp did since there were matters pending that were not adjudicated. This court, the appellate court, has been made aware of this *ad nauseum* and still continues to act as if there is an appeal.

However, as it pertains to the forever motion in limbo, ECF 59, it was filed on March 28, 2016. We are now ten (10) months since that motion was filed without adjudication. And we are now four months, numerous motion cycles and in an entirely new year since Judge Shipp has vacated his own order based on his own errors pertaining to this motion.

- **Illegality Two:** Judge Shipp has caused yet another delay in this case to deprive me of the relief I have sought. And this has been done in total violation of R. 1.

Judge Shipp refused to address post-judgment motions for months. (ECF 69)
Attempting to play some game with this case and my rights, Judge Shipp deemed these timely filed motions not within his jurisdiction due to an appeal that was nullified by these motions filed by me.

Judge Shipp then vacated this erroneous order (ECF 70) and then corrected that erroneous order (ECF 71) to highlight his errors, noting that he did have a duty to adjudicate those motions. Of course, this revelation came after a letter to the US Court of Appeals was written by me noting that it was continuing with an appeal although FRAP 4 motions had not been heard and the record was not complete. Clearly, someone intervened and Judge Shipp realized he could not "pass the buck."

These pending FRAP 4 motions have still not been heard since they were filed on May 28, 2016. We are now eight (8) months since they were filed and nearly five (5) months since Judge Shipp realized he a duty to adjudicate them.

- **Illegality Three:** Judge Shipp has delayed adjudicating post-judgment motions for MONTHS by his own errors and "mistakes." The result is the spoliation of discovery and additional harm at the state level that continues by and through the acts of these defendants/state actors and now their legal counsel.

Throughout his case, Judge Shipp repeatedly lied in his orders and violated the rules to render illegal and invalid decision that ensured my rights in the law, specifically 28 U.S. Code § 1654, would be violated. These lies in these order would then be deemed true upon an appeal of same.

- **Illegality Four:** Upon review of ECF 19 (Plaintiff's motion for reconsideration), Judge Shipp had a had a duty to ensure that R. 15 was granted to me absent any motion.
- **Illegality Five:** Judge Shipp had a duty to vacate the dismissal/closure order (ECF 10) and adjudicate ECF 3 and ECF 7. Judge Shipp had a duty to vacate the subsequent order (ECF 17) by Judge Sheridan and adjudicate motions he could not adjudicate due to his conflicts (ECF 12 and 13).

As a matter of law, Judge Pisano had no right to close the case (R. 15) and Judge Sheridan had no right to hear the case (ECF 16, ECF 17) since he should have recused himself at the start and not by my motion. (ECF 25) And so Judge Shipp had a duty to do what they failed to do – adjudicate the motions that they did not or could not.

Instead of doing that which was required by the law, Judge Shipp chose to seek a reason to allow these denials to stand when neither Judge Pisano nor Judge Sheridan had any legal right to deny as moot or dismiss with prejudice anything while a R. 15 amended complaint was pending before the court. The denial of reconsideration and to vacate all orders as well as the failure to adjudicate that which was improperly deemed moot or denied was a violation of R. 1 and the spirit of the rules and controlling law.

- **Illegality Six:** In addition to the violation of R. 15 that was upheld, Judge Pisano did not *sua sponte* provide me an opportunity to amend this civil rights case.

Fletcher-Harlee v. Pote Concrete Contractors, 482 F. 3d 247 - 3rd Circuit 2007

In District Council 47 v. Bradley, 795 F.2d 310, 316 (3d Cir.1986), we used a footnote from Borelli v. City of Reading, 532 F.2d 950 (3d Cir.1976) (*per curiam*), and our decision in *Darr*, to create a rule that district courts in civil rights cases must extend the plaintiff an opportunity to amend — irrespective of whether it was requested and irrespective of whether the plaintiff was counseled — before dismissing a complaint.

- **Illegality Seven:** Judge Shipp illegally ordered I amend a perfectly acceptable amended complaint based on Judge Sheridan's findings when no such review of the amended complaint was sought nor needed to be sought. (See R. 15 and R. 12 as to defendants' filings)
- **Illegality Eight:** Judge Shipp had a duty to vacate Judge Sheridan's orders (all of them) since he had recused himself from this case only after a motion was filed by the pro se Plaintiff. (ECF 25 per ECF 16 and ECF 19)

By directing me to file another amended that which complied with R. 8 (see *Erickson*), Judge Shipp placed in the record that my first amended complaint was not valid. (ECF 30-31) Judge Shipp burdened me with an additional task and expense of amending a valid complaint to the benefit of the defendants and to my detriment. (Rule 1) Thus, another tactic of delay.

Moreover, and by and through this order, Judge Shipp ensured that the record reflected that Judge Shipp bestowed upon me the gift to amend when no leave to amend required. (See R. 15)

- **Illegality Nine:** Judge Shipp had a duty to administer justice as per R. 1. The case had been lingering in limbo since the illegal closure by Judge Pisano (ECF 10), the illegal adjudication by a judge who failed to recuse himself as required (ECF 25) and for six months since the filing of my motions on May 28, 2015. (ECF 19)
- **Illegality Ten:** It took Judge Shipp and this court nearly a year from the time of Judge Pisano's illegal order (ECF 10) to order that I file a second amended complaint (ECF 30-31) before the case was reopened.¹

Judge Shipp further protected the defendants (state actors and his former colleagues) by ensuring no R. 16 conference nor any disclosures were required. Clearly, it was assumed at the start this case would be dismissed regardless of how artful or inartful my pleadings were.

- **Illegality Eleven:** R. 16(b)(2) timeline was not observed. No attempt to communicate with me was made. Judge Shipp relied on my lack of knowledge to deprive me of that which I had a right to have.
- **Challenges to the standing of the NJ AG to defend state actors in their individual capacity** remained unaddressed since no discovery was permitted.

¹ Counsel for the Defendants did not cite *Erickson* in either of their two motions to dismiss. Judge Shipp did not cite this case in the motion to dismiss with prejudice. However, *Erickson* was noted in my opposition to the second motion to dismiss – **which was never filed by the Clerk**. Copy of the stamped document can be found in the US Court of Appeals Third Circuit where it was filed and not ordered to be included into the record.

Further steps were taken by Judge Shipp to ensure that state actors and their illegal racket would not be impacted by challenges to state statutes. By not certifying them, they were never addressed.

- **Illegality Twelve:** Judge Shipp refused to comply with federal law and certify the Challenges to State Statutes filed with my complaint in December 2014.
- **Illegality Thirteen:** Judge Shipp still has not certified my challenges to state statutes and have since deemed them moot. (ECF 64-65) ²

The FRCP 5.1, states: (b) CERTIFICATION BY THE COURT. The court must, under 28 U.S.C. §2403, certify to the appropriate attorney general that a statute has been questioned. But why should a federal judge comply with federal rules?

Relying on the illegal acts of the judges who have been involved in this case, Judge Shipp has declared in the most recent motion to dismiss with prejudice with no opportunity to amend and my state claims not remanded (the second such order in the this case). His reason is that I failed to plead in accordance to the *Twombly* standard.

- **Illegality Fourteen:** ECF 64-65 fraudulently declares that Judge Shipp provided me opportunities to amend. This is not true. By the FRCP, I had a right to amend per R. 15.
- **Illegality Fifteen:** Judge Shipp was fully aware I was a pro se litigant and was fully aware that the pleading standard of R. 8 (see *Erickson*) was the appropriate standard in this case – a civil rights case.

Relying on orders in this case, Judge Shipp has also sabotaged another case by stating false facts pertaining to the "opportunities" given me to me in this case as a basis to deny the right to amend my complaint in that case. (15-8324, ECF 305 & 306)

² These challenges did not disappear, but have been ignored. We are now two years since these have been filed. The same disregard of these challenges in the matter of 15-8324 were deemed "moot."

- **Illegality Sixteen:** The lies of this case told by Judge Shipp have now impacted another case and deprived me rights in that case. Judge Shipp was fully aware I sought a right to amend that complaint in that other case. He denied it based on false facts he created in this case and based on orders which have not been appealed. I have been denied right in another case due to lies told in this case.

At no time and throughout the case, did Judge Shipp apply controlling law and the appropriate standard as it pertains to civil rights cases and stays of state action. As stated in my documents, this was done with the intent to have the state render a verdict in advance of this court's verdict. By having the state rule first (due to Judge Shipp delaying adjudicating motions in this case for months), this court (and Judge Shipp) clearly expect that they can *improperly* rely on *Rooker-Feldman* as an out in the future as it pertains to other matters or supplemental pleadings sought if his order to dismiss with prejudice is not overturned. These are tactics, not judicial acts.

- **Illegality Seventeen:** It is the duty of a federal judge to apply both state and federal law to all cases. Judge Shipp did not apply the exception to the rule as it pertains to stays of state action in civil rights cases at any time. Judge Shipp denied such stays for every reason under the sun absent the exception in the law – and failing to address the cases I cited which supported my right to such relief.
- **Illegality Eighteen:** Judge Shipp illegally delayed adjudicating motions and this case to ensure that a related state civil rights case proceeded and were adjudicated (dismissed) by the state. Judge Shipp, having violated his duties under R. 1, then conveniently deemed all relief sought to supplement the case as moot. (ECF 64-65)
- **Illegality Nineteen:** Judge Shipp illegally deprived me the right to supplemental jurisdiction over a state case (causing piecemeal litigation) by delaying adjudicating a motion for supplemental jurisdiction until such time the matter was decided by the NJ Appellate Court and conveniently deemed "moot."
- **Illegality Twenty:** Despite my letters opposing extensions not provided in the rules, Judge Shipp coordinated with Judge Bongiovani to extend time for the

defendant's opposition to my timely filed motions (ECF 40 and 41) to ensure that adjudication by the state was had prior to his decision rendering a dismissal with prejudice. (ECF 64-65)

Judge Shipp lied in his motion to dismiss with prejudice (denying the right to amend and refusing to remand state claims) as it pertained to *Rooker-Feldman*. Considering there were state claims, *Rooker-Feldman* did not apply to them. Considering the court relied on pleadings (statements pertaining to state judgments) which were outside the face of the complaint, *Rooker-Feldman* could not apply unless the defendants provided proof. The motion was required by the rules to be treated as a summary judgment. It was not.

Judge Shipp did not require any certification of proof from the defendants and their counsel (all state actors). The word of the liars (defendants and counsels) was sufficient to dismiss this case (and state claims) with prejudice.

Of course, federal judges are not allowed to make assumptions and must look to proofs. This does not happen in cases where there is an agenda set by the court to rid the courts of pro se litigants.

- **Illegality Twenty-Two:** The order to dismiss based on *Rooker-Feldman* (ECF 64-65) was not only legally wrong since no final judgment existed at the time the suit was filed. It was not supported with any documentary evidence. (ECF 42)
- **Illegality Twenty-Three:** Judge Shipp improperly treated a R. 12 motion for summary judgment (ECF 42) without the required procedures being followed and absent proofs, affidavits, etc.
- **Illegality Twenty-Four:** Judge Shipp allowed counsel to create new law that Judge Shipp knew did not apply to this case and permitted same to not cite contradicting law, such as *Erickson*, in its papers to render his decision.
- **Illegality Twenty-Five:** Judge Shipp dismissed a state claim with prejudice based on *Rooker-Feldman* when that only applies to federal cases.
- **Illegality Twenty-Six:** Judge Shipp was made aware that the defendants had lied in their pleadings and did not immediately seek to vacate his order *sua sponte*.

- **Illegality Twenty-Seven:** Judge Shipp was made aware that my opposition was not filed (as well as other documents) and still continued to advise all parties that he would address FRAP 4 motions on an incomplete record. (ECF 70 and ECF 71)

Total Disregard of Judicial Notice

Taking judicial notice of a case in the same court to which Judge Shipp was assigned, the case of 15-8324, including but not limited to ECF 127, would have provided ample proof to any competent judge that the state actors being sued for violating my civil rights had – in fact – violated my civil rights. Although on notice and having had this available to him for consideration, Judge Shipp did nothing with this information.

Fully aware by court records (considered evidence) that the state actor defendants in this case entertained legal argument from counsel without standing and rendered decision not permitted in the law due to the relief being based in criminal acts, Judge Shipp continued to protect the defendants in this case.

And it continued in this court when relief addressing the lies of the defendants and their counsel were denied by this court and ignored by Judge Shipp.

As it pertains to judicial notice and the evidence in the case of 15-8324, Judge Shipp denied my motion for summary judgment in that case (ECF 127) three days after it was filed (ECF 129) for no reason in the law. Not a single defendant had to respond to it. Not only does this show that Judge Shipp can make fast rulings when it fits his agenda, it demonstrates nothing but yet another protective act by this federal judge to protect the liars and violators of my civil rights in this civil rights case.

And, of course, Judge Shipp could have also considered the appeal on the interlocutory order in that case (Docket 16-2315) and the petition filed to the US Supreme Court (Docket 16-451).

But why look at evidence when state actor-defendants and their counsel can simply lie and get their way.

Conclusion

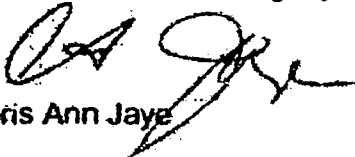
This court has no jurisdiction to hear any appeal. But you ordered we give you updates. In turn, again judicial notice of all of this case and all facts presented are being requested.

The evidence is before you. The delays are before you. The games are before you. The lies are before you. Lawyers-turned-judges acting in these case are not as skillful as they think they are in playing these games with my rights. They simply have the power to violate the law and hide behind immunities to do so. But that will not deter me. I am prepared to call out every lie, trick and tactic along the way until something is done to address these abuses of power.

I am certain that stating this will result in some illegal order from this court to silence me. I am expecting that. Judge Ciccone barred me from using public audio tapes of motions hearings I purchased to ensure the illegalities in her court were not made known. Of course, she had no right. But who cares about rights? So to put it plainly, I am expecting some creative next move from the federal court as well as the court to find some other creative reason why this case can be dismissed.

Since the reasons given by Judge Shipp are without merit, I am sure you are all scouring the books to see how you can rid me from the courts while using certain words to ensure that the orders are as insulting to me as possible. All in all, I expect the court to act against me rather than uphold my rights. This is not my first time at the rodeo.

As to the delays, illegal findings of fact and insulting orders, these are also nothing new. It has been done time and again, by both state and federal actors. All the while, the thieves and embezzlers are still in place committing their crimes -- and still backed by the state via state-sanctioned extortion. And now the same criminals involved are backed by the federal court. But no one can say they were not told. You have all been told. And the evidence is in the record as is this update pertaining to an appeal that does not exist involving my civil rights case filed on December 2, 2014.


Chris Ann Jaye

Subject: 2017 Oak Knoll Village Meeting Dates

From: Oak Knoll Village COA, Inc. - TRACYB (tblair@accesspm.com)

To: contactcaj@yahoo.com;

Date: Monday, January 23, 2017 6:03 PM

Oak Knoll Village Owners:

Attached please find the year's schedule of board meetings for 2017. Please print this or mark your calendars - we hope to see you at a few this year. The next meeting is next Tues. Jan. 31st at 7:00pm at the pool house.

Tracy Blair, PCAM, CMCA, AMS
Vice President & Regional Manager
Access Property Management
3477 Corporate Parkway, Suite 100
Center Valley, PA 18034
484.224.3463 / 610.791.4600 fax

Attachments

- 2017 Board Meeting Dates.pdf (287.10KB)

ORDER PREPARED BY THE COURT

Filed At Chambers

APR 11 2013

Judge P. Buchsbaum

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
HUNTERDON COUNTY
DOCKET NO. HNT-L-375-12

CIVIL ACTION
ORDER

CERTIFIED TO BE
A TRUE COPY

JAK
Plaintiff,

OK Kridl v. Hape et al
Defendant

IT IS on this 10 day of April, 2013,

ORDERED:

1. Defendant is awarded counsel fees for pursuing the collection action as permitted by the homeowner documents. The amount shall be \$8,000 which is fairly attributable to the collection action, that forms only a part of the overall litigation.
2. The amount as modified as reasonable because plaintiff claimed that her affirmative claims should act as a bar to collection. The bills are specific and detailed. The modification of the request is due mainly to make the fee award reasonably commensurate with the amount at issue. It also eliminates amounts spent by Berman, Sauter on its own defense.
3. The objections, except regarding law firm self-defense have no merit. Defendant has a right to fees under the governing documents and plaintiff has not, as she acknowledged, challenged any particular fee entry. Her other legal objections have no merit.

[Signature]
PETER A. BUCHSBAUM, J.S.C.

COPY SENT

4/11/13 to both
parties

FILED, Clerk of the Appellate Division, January 13, 2017, A-004942-15

ORDER ON MOTION

OAK KNOLL CONDOMINIUM
OWNERS ASSOCIATION
V.
CHRIS ANN JAYE

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-004942-15T3
MOTION NO. E-002825-16
BEFORE PART E
JUDGE(S): CARMEN MESSANO

MOTION FILED: 12/19/2016 BY: CHRIS JAYE
ANSWER(S)
FILED:

SUBMITTED TO COURT: January 09, 2017

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
13th day of January, 2017, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT

MOTION TO DEMAND FOR REFERRAL TO
OAE PER STEVE ROWLAND AND KENNETH
SAUTER REGARDING NJ RPC VIOLATION DENIED

SUPPLEMENTAL:

FOR THE COURT:



CARMEN MESSANO, P.J.A.D.

DC-004807-15 MERCER
DANEE - REGULAR MOTION
ET

PO Box 5015
Clinton, NJ 08809

Date: August 14, 2017

Chris Ann Jaye

Appellant

v.

NJ Attorney General John J. Hoffman,

et al.

Appellee

United States Court of Appeals

Third Circuit

Case Number: 16-2641

Emergent Injunctive Relief to Stay All
Federal Cases and Motion
to Transfer Case and Appeal to A
Neutral Venue

Dear Justices Ambro, Krause and Nygaard,

As has been the case and continues to be the case, this court has ensured that the judges of the district and state courts could continue to violate my rights without any intervention of any kind. And it is more apparent that more is to come as of tomorrow when you rule in this matter.

For the record, no one in this matter has scheduled my August 3, 2017 and August 4, 2017 motions. I sought emergent relief to change the venue. I did not do that for amusement. I did that because there is a concerted effort to bar me from seeking relief against state and federal actors in these courts. And there is a concerted effort to stop me from taking action against illegal acts taking place in the State of New Jersey. Instead of any relief, I have been barred, blocked and denied any and all remedies in the law. And it is happening in this court as well.

If not for the improper conduct of the district court judges, I would not be before you now. And yet this court has just turned a blind eye to it. And so the harm continues in the district and state courts while this court does nothing.

As the record proves, Judge Shipp knew full well that I sought to seek a suit against him in the matter of 1:16-cv-07771. He was fully aware that I deemed him unfit. He was fully aware I filed a judicial complaint against him. And yet he continued to act when any reasonable person would find that he was no longer impartial.

The result has been the dismissal of all parties in that matter, except Defendant Melfi. He has vacated her default. And by doing this, my pending appeal of 17-2231 has also been harmed. He knows exactly how to rule and when to rule to do the most damage. And he has done this while being a named litigant in the suit of 17-cv-05257.

As to that matter, the judges in the district court further conspired to ensure that 1:17-05257 has never come to light. The transfer of the case was done without notice of assignment. I was ordered to comply with an OTSC. The summons from the Clerk have been withheld. My filing of July 18, 2017 has not been posted. Attached.

And yet conveniently, Judge Shipp (a named defendant in that case) ruled to protecting these same state actors in the matter of 1:16-cv-07771 which gives the other district court some authority to rely on this ruling to block the suit of 1:17-cv-05257. Of course - Judge Shipp would have and should have recused himself upon notice of the suit in the matter of 1:17-cv-05257. But he did not. He chose to continue to rule against me with full knowledge of all that he could not be impartial - and nor could the district court.

Through these recent rulings, Judge Shipp has used his bench to save others from harm, including himself. His intent in ruling in the case of 1:16-cv-07771 was not only to impact not that case, but this pending appeal, the appeal of 17-2231 and now 1:17-cv-05257. And now this court is going to rule on orders by this same judge via this same district court which has shown such a total regard for my rights, the rules and due process.

This conspiracy and illegality involving such orders and the manipulation of public records is further proven by the fact that no one in this US Appellate Court, Third Circuit found it worthy to remand an incomplete docket (falsely certified) or even bother to schedule the emergent motions filed by me on August 4, 2017. There is no end to what can be done in total violation of the law. There is no end.

Unless you all think I am blind, I am fully aware of the hell that you intend to unleash upon me tomorrow as vengeance for seeking accountability of judges. If justice was going to be given and the law was going to be applied to this case, it would have come by now via stays of state actions, remands for adjudication on the merits and other orders which would have prevented the records from being manipulated. Emergent motions would have been scheduled for adjudication and this court would have removed this entire matter to a neutral venue as sought by me.

Instead, it did not schedule the motions, has ignored the fact that it is dealing with an incomplete record, has entertained a motion to dismiss based on nothing (in order to affirm via plenary review) and has allowed a judge being sued by me to protect his own (and himself) as he has just done in the matter of 16-cv-07771 (ECF 80, 81).

Clearly, this court has no intention of even considering have neutral eyes placed on these cases and adjudicated according to the law. It is without wonder why so many US Court of Appeals, Third Circuit judges have failed to uphold the dictate of the US Supreme Court, have allowed this appeal to proceed when all matters are not final and have failed to protect my rights in terms of ensuring that challenges to state statutes and other motions were addressed.

And there is no doubt that you can see the manipulation of the district court records in this case and in others, such as 17-cv-05257. But you simply choose to ignore it. And by ignoring it, you are guaranteeing that there will never be any path to any justice in this court. You are the protectors of the district court judges in the same manner the district court judges have protected the state judges. There is ample proof in this case and others aforementioned that demonstrate an absolute contempt for my civil rights. Whatever the reason, this court and its judges should no longer be a party to it.

But instead of taking judicial notice of all of these illegal games and taking steps to uphold the law, you -- Justice Ambro, Krause and Nygaard -- are prepared to rule tomorrow - on an incomplete record, based on Judge Shipp's *sua sponte* orders and with full knowledge that I have sought a total change of venue.

I still seek a change of venue. My August 4, 2017 motion did not disappear. But since the only goal is to unleash hell on me, there is nothing I can do but wait for the hell that is to come while all my rights are ignored by all involved.



Chris Ann Jaye

Robert B. Kugler, presiding
 Karen M. Williams, referral
 Date filed: 07/18/2017
 Date of last filing: 08/14/2017

History

Doc. No.	Dates	Description
1	<i>Filed:</i> 07/18/2017 <i>Entered:</i> 07/20/2017	Complaint
2	<i>Filed & Entered:</i> 07/21/2017	Order to Show Cause
3	<i>Filed & Entered:</i> 08/14/2017	Notice of Appearance

PACER Service Center			
Transaction Receipt			
08/14/2017 11:21:22			
PACER Login:	Amandale123:4706514:0	Client Code:	
Description:	History/Documents	Search Criteria:	I:17-cv-05257-RBK-KMW
Billable Pages:	1	Cost:	0.10

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CHRIS ANN JAYE,

Plaintiff,

v.

NJ ATTORNEY GENERAL JOHN
HOFFMAN, et al.,

Defendants.

Civil Action No. 14-7471 (MAS) (TJB)

ORDER

This matter comes before the Court on Plaintiff Chris Ann Jaye's ("Plaintiff") Motions to Vacate, Establish Findings of Fact, Hold New Trial, and Take Judicial Notice. (ECF No. 67.) Opposition was filed by Defendants New Jersey Attorney General John Hoffman in his official capacity, Deputy Attorney General Ione Curva in her official capacity, the Honorable Peter Buchsbaum in his individual and official capacities, the Honorable Yolanda Ciccone in her individual and official capacities, the Honorable Mary Jacobson in her official capacity, the Honorable Patrick McManimon in his official capacity, Christopher Koos in his official capacity, Judith Irizzari in her official capacity, and Caroline Record in her individual and official capacities (collectively, "Defendants").⁵ (ECF No. 73.) Plaintiff then replied. (ECF No. 74.) For the reasons set forth in the accompanying Memorandum Opinion, and other good cause shown,

IT IS on this 24th day of January 2017, hereby **ORDERED** that:

1. Plaintiff's Motions to Vacate, Establish Findings of Fact, Hold New Trial, and Take Judicial Notice (ECF No. 67) are **DENIED**.

⁵ Defendants' opposition indicates that it is also filed on behalf of Shari K. Black who was terminated as a party to this case on January 14, 2016. (ECF No. 73.)

2. Because Plaintiff has already paid the filing fee in connection to her appeal to the United States Court of Appeals for the Third Circuit, Plaintiff need not pay a second time after the issuance of this decision.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CHRIS ANN JAYE,
Plaintiff,

v.

NJ ATTORNEY GENERAL JOHN
HOFFMAN, et al.,

Defendants.

Civil Action No. 14-7471 (MAS) (TJB)

MEMORANDUM OPINION

SHIPP, District Judge

This matter comes before the Court on Plaintiff Chris Ann Jaye's ("Plaintiff") Motions to Vacate, Establish Findings of Fact, Hold New Trial, and Take Judicial Notice. (ECF No. 67.) Opposition was filed by Defendants New Jersey Attorney General John Hoffman in his official capacity, Deputy Attorney General Ione Curva in her official capacity, the Honorable Peter Buchsbaum in his individual and official capacities, the Honorable Yolanda Ciccone in her individual and official capacities, the Honorable Mary Jacobson in her official capacity, the Honorable Patrick McManimon in his official capacity, Christopher Koos in his official capacity, Judith Irizzari in her official capacity, and Caroline Record in her individual and official capacities (collectively, "Defendants").¹ (ECF No. 73.) Plaintiff then replied. (ECF No. 74.)

The Court has carefully considered the submissions from the parties and decides the matters without oral argument pursuant to Local Civil Rule 78.1. For the reasons set forth below, Plaintiff's Motions are **DENIED**.

¹ Defendants' opposition indicates that it is also filed on behalf of Shari K. Black who was terminated as a party to this case on January 14, 2016. (ECF No. 73.)

I. Background²

This action arises from several state court lawsuits in which Plaintiff was a litigant. Plaintiff alleges that the state court wrongfully ruled against her. On December 2, 2014, Plaintiff, proceeding pro se, filed a sixty-three-page Complaint against the New Jersey Attorney General, a deputy attorney general, several members of the New Jersey judiciary, and various state court personnel. (Compl., ECF No. 1.) In her Complaint, Plaintiff alleges, *inter alia*, that Defendants violated 42 U.S.C. § 1983 and the New Jersey Civil Rights Act in connection with their involvement in a state court action against Plaintiff for unpaid condominium common charges and in actions by Plaintiff against her condominium association. (Compl. 61-62.) After a series of motions resulted in the dismissal of Plaintiff's Complaint (ECF No. 1) and Amended Complaint (ECF No. 13), Plaintiff filed a Second Amended Complaint (ECF No. 34). Upon Defendants' Motions to Dismiss (ECF Nos. 42, 45, 46), the Court dismissed the Second Amended Complaint with prejudice (ECF Nos. 64, 65). Within one week of the Court's decision, Plaintiff filed the instant Motions to Vacate, Establish Findings of Fact, Hold New Trial, and Take Judicial Notice. (ECF No. 67.)

II. Motion to Vacate

Under Rule 60(b) of the Federal Rules of Civil Procedure, courts have discretion to grant a party relief from a final judgment, order, or proceeding. *See Shapiro v. Baker*, 646 F. Supp. 1127, 1128 n.1 (D.N.J. 1986) (citing *Greco v. Reynolds*, 416 F.2d 965 (3d Cir. 1969)). Rule 60(b) "applies only to 'final' judgments and orders." *Penn W. Assocs., Inc. v. Cohen*, 371 F.3d 118, 125

² The Court assumes familiarity with the facts of this case, which are set forth in the Court's previous opinion. (Feb. 10, 2015 Op., ECF No. 10.) The Court, therefore, includes only the facts relevant to the pending motions.

(3d Cir. 2004) (quoting *Torres v. Chater*, 125 F.3d 166, 168 (3d Cir. 1997)). Rule 60(b) provides for relief from a final judgment only for the following reasons: “(1) mistake,³ inadvertence, surprise, or excusable neglect; (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b); (3) fraud, . . . misrepresentation, or misconduct by an opposing party; (4) the judgment is void; (5) the judgment has been satisfied, released or discharged . . . ; or (6) any other reason that justifies relief.” Fed. R. Civ. P. 60(b).

Here, Plaintiff’s Motion to Vacate arises under subsection (3) and Plaintiff alleges that counsel for Defendants made fraudulent misrepresentations to the Court in their February 17, 2016 Motion to Dismiss Plaintiff’s Amended Complaint (ECF No. 42). (Pl.’s Moving Br. 2-7, ECF No. 67.) Specifically, Plaintiff points to Defendants’ argument that the *Rooker-Feldman* Doctrine precludes the Court from exercising jurisdiction due to underlying state court judgments. (*Id.* at 3.) Plaintiff contends that Defendants mischaracterized the “finality” of the state court judgments and that Defendants failed to attach relevant court documents in support of their statements. (*Id.*)

Plaintiff further contends that Defendants mischaracterized the nature of her action as arising out of state court judgments against Plaintiff, and by failing to mention that her action arose from a civil rights violation. (*Id.* at 4.) Plaintiff argues that Defendants possess no right to characterize the nature of her case. (*Id.*) Finally, Plaintiff makes numerous legal arguments regarding the inapplicability of the *Rooker-Feldman* Doctrine to her case. (*Id.* at 5-7.)

³ Rule 60(b) does not apply to a court’s alleged “legal error.” *United States v. Fiorelli*, 337 F.3d 282, 288 (3d Cir. 2003) (“[A] Rule 60(b) motion may not be used as a substitute for an appeal, and . . . legal error, without more does not warrant relief under that provision”) (internal quotation marks and citation omitted).

Despite Plaintiff's characterization of Defendants' conduct as based upon "fraud" and "lies," Plaintiff fails to identify any instance in which Defendants committed fraud upon the Court. Plaintiff fails to identify or submit any evidence indicating that the underlying state court judgments were not "final." In contrast, Defendants submitted copies of the underlying state court decisions that dismissed Plaintiff's state claims on their merits. (*See* ECF No. 42-2.) By arguing that Defendants did not submit any evidence in support of their claim that underlying state court judgments existed, when clearly Defendants submitted the relevant documents, Plaintiff makes a gross misrepresentation to the Court. Further, Plaintiff's argument that Defendants have no right to characterize the nature of her case in their own statement of facts is without merit. Similarly, Plaintiff's legal arguments regarding the applicability of the *Rooker-Feldman* Doctrine do not raise any issue of fraud. For these reasons, Plaintiff's Motion to Vacate is denied.

III. Motion to Amend Judgment

Plaintiff also moves to amend the Court's May 25, 2016 Order (ECF No. 65), which dismissed Plaintiff's claims with prejudice, to add "findings of fact." (Pl.'s Moving Br. 7.) Plaintiff argues that federal law permits the relief Plaintiff seeks, and Plaintiff does not provide further explanation with regard to this Motion. (*Id.* at 7-8.) As Plaintiff provides no basis for her Motion, and because the Court is not aware of any legitimate basis upon which to grant the Motion, Plaintiff's Motion to Amend Judgment is denied.

IV. Motion for New Hearing

Plaintiff seeks a "new hearing" pursuant to Federal Rule of Civil Procedure 59, which provides the procedure for seeking a new trial. (Pl.'s Moving Br. 8.) In support, Plaintiff only argues that Defendants' fraudulent statements to the Court and the inapplicability of the *Rooker-Feldman* Doctrine justify a "new hearing." (*Id.*) Given that Rule 59 governs "new trials" and does

not provide for the reconsideration of decisions on motions to dismiss, the Court denies Plaintiff's Rule 59 Motion.

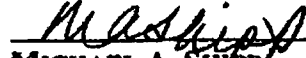
V. Motion for the Court to Take Judicial Notice

Plaintiff moves for the Court to take judicial notice of the fact that "Judge Ciccone, as alleged in [Plaintiff's] [C]omplaint, took it upon herself to render decisions via a cross-motion involving an order that was ordered by the Appellate Court and for which no relief was sought by anyone to the Appellate Court." (*Id.* at 10.) Federal Rule of Evidence 201(b) governs judicial notice: "The court may judicially notice a fact that is not subject to reasonable dispute because it: (1) is generally known within the trial court's territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." Accordingly, it is within the Court's discretion whether to take judicial notice of a fact. *See Dzielak v. Whirlpool Corp.*, 26 F. Supp. 3d 304, 319 (D.N.J. 2014).

After reviewing the facts in the record, Plaintiff's proffered statement, and the referenced provisions in Plaintiff's Complaint, the Court declines to take judicial notice. The statement incorporates Plaintiffs' pleading, which contains numerous facts subject to reasonable dispute. In addition, the Court cannot accurately and readily determine Plaintiff's alleged fact. For these reasons, the Court denies Plaintiff's Motion to Take Judicial Notice.

VI. Conclusion

For the reasons set forth above, Plaintiff's Motions to Vacate, Establish Findings of Fact, Hold New Trial, and Take Judicial Notice (ECF No. 67) are **DENIED**. The Court will enter an order consistent with this decision.⁴



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE

Dated: January 24th, 2017

⁴ The Court notes that Plaintiff has already paid the filing fee in connection to her appeal to the United States Court of Appeals for the Third Circuit. Plaintiff, therefore, need not pay a second time after the issuance of this decision.

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 16-2641

CHRIS ANN JAYE,
Appellant

v.

ATTORNEY GENERAL NEW JERSEY;
DEPUTY ATTORNEY GENERAL IONE K. CURVA, in her Official Capacity;
THE HON. PETER A. BUCHSBAUM, individually and in his
Official Capacity as Judge of the Law Division of Hunterdon County;
THE HON. YOLANDA CICCONE, individually and in her
Official Capacity of Assignment Judge Law Judge of the
Superior Court of Hunterdon, Somerset and Warren;
THE HON. MARY C. JACOBSON, in her Official Capacity as
Assignment Judge and Presiding Judge in the Law Division of the
Superior Court of Mercer County;
HON. PATRICK MCMANIMON, in his Official Capacity as
Special Civil Part Judge of the Superior Court of Mercer County;
CHRISTOPHER KOOS, in his Official Capacity as Civil Division Team Leader
for the Superior Court of Mercer County;
JUDITH IRIZZARI, in her Official Capacity as
Civil Division Manager for the Superior Court of Mercer County;
CAROLINE RECORD, individually and in her Official Capacity as
NJ Supreme Court's Secretary for the Office of Attorney Ethics;
JOHN DOES 1-25 (FICTITIOUS NAMES), individually and
in their official capacities as State actors,
including but not limited to the NJ Judgment Processing Service Defendants

On Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil Action No. 3:14-cv-07471)
District Judge: Honorable Michael A. Shipp

Submitted Pursuant to Third Circuit LAR 34.1(a)
August 15, 2017

Before: AMBRO, KRAUSE and NYGAARD, Circuit Judges

JUDGMENT

This cause came to be considered on the record from the United States District Court for the District of New Jersey and was submitted pursuant to Third Circuit LAR 34.1(a) on August 15, 2017. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the judgment of the District Court entered May 25, 2016, and January 24, 2017, be and the same are hereby affirmed. Costs taxed against the appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

Dated: August 22, 2017

s/Marcia M. Waldron
Clerk

The seal of the United States Court of Appeals for the Third Circuit is circular. It features an eagle with spread wings perched atop a shield. The shield is divided into sections, with a constellation of stars in the upper left. The words "UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT" are inscribed around the perimeter of the seal.
Certified as a true copy and issued in lieu
of a formal mandate on 09/13/17

Teste: Marcia M. Waldron
Clerk, U.S. Court of Appeals for the Third Circuit

NOT PRECEDENTIAL

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

No. 16-2641

CHRIS ANN JAYE,
Appellant

v.

**ATTORNEY GENERAL NEW JERSEY;
DEPUTY ATTORNEY GENERAL IONE K. CURVA, in her Official Capacity;
THE HON. PETER A. BUCHSBAUM, individually and in his
Official Capacity as Judge of the Law Division of Hunterdon County;
THE HON. YOLANDA CICCONE, individually and in her
Official Capacity of Assignment Judge Law Judge of the
Superior Court of Hunterdon, Somerset and Warren;
THE HON. MARY C. JACOBSON, in her Official Capacity as
Assignment Judge and Presiding Judge in the Law Division of the
Superior Court of Mercer County;
HON. PATRICK MCMANIMON, in his Official Capacity as
Special Civil Part Judge of the Superior Court of Mercer County;
CHRISTOPHER KOOS, in his Official Capacity as Civil Division Team Leader
for the Superior Court of Mercer County;
JUDITH IRIZZARI, in her Official Capacity as
Civil Division Manager for the Superior Court of Mercer County;
CAROLINE RECORD, individually and in her Official Capacity as
NJ Supreme Court's Secretary for the Office of Attorney Ethics;
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in their official capacities as State actors,
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**On Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil Action No. 3:14-cv-07471)
District Judge: Honorable Michael A. Shipp**

Submitted Pursuant to Third Circuit LAR 34.1(a)
August 15, 2017

Before: AMBRO, KRAUSE and NYGAARD, Circuit Judges

(Opinion filed: August 22, 2017)

OPINION*

PER CURIAM

Chris Ann Jaye, proceeding pro se, appeals from orders of the United States District Court for the District of New Jersey dismissing her civil rights action and her post-judgment motion for reconsideration. For the reasons that follow, we will affirm.

Jaye filed a complaint pursuant to 42 U.S.C. § 1983 and the New Jersey Civil Rights Act, which she later amended in response to an order directing her to comply with Federal Rule of Civil Procedure 8(a), alleging that various New Jersey state court judges, state court staff, and the New Jersey Attorney General and Deputy Attorney General violated her rights in connection with several state court cases. Those cases involve an ongoing dispute between Jaye and her condominium association regarding unpaid condominium fees. Defendants filed a motion to dismiss. The District Court dismissed the second amended complaint, determining that it still failed to comply with the requirements of Rule 8(a) and that, in any event, Jaye's claims were subject to dismissal for lack of subject matter jurisdiction pursuant to the Rooker-Feldman doctrine. The

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

District Court's order also "terminated" various other motions that Jaye had filed in the case, including motions to stay the state court proceedings. Jaye timely appealed. She also filed a "Motion to Vacate," which the District Court denied. Jaye filed another notice of appeal.

We have jurisdiction pursuant to 28 U.S.C. § 1291. Our review of the dismissal of the complaint is de novo. See Allah v. Seiverling, 229 F.3d 220, 223 (3d Cir. 2000); cf. Turner v. Crawford Square Apartments III, L.P., 449 F.3d 542, 547 (3d Cir. 2006) (exercising plenary review over district court's invocation of the Rooker-Feldman doctrine). We review for abuse of discretion the District Court's order denying Jaye's motion for reconsideration. See Jackson v. Danberg, 656 F.3d 157, 162 (3d Cir. 2011). We may affirm on any basis supported by the record. See Fairview Twp. v. EPA, 773 F.2d 517, 525 n.15 (3d Cir. 1985).

The Rooker-Feldman doctrine deprives a District Court of jurisdiction to review, in some circumstances, a state court adjudication.¹ See Turner, 449 F.3d at 547. In Exxon Mobil Corp. v. Saudi Basic Industries Corp., 544 U.S. 280, 284 (2005), the Supreme Court emphasized the narrow scope of the Rooker-Feldman doctrine, holding that it "is confined to . . . cases brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments." It is difficult to fully determine the status of all of Jaye's state court cases, as she has filed

¹ The doctrine is derived from Rooker v. Fidelity Trust Co., 263 U.S. 413 (1923), and District of Columbia Court of Appeals v. Feldman, 460 U.S. 462 (1983).

several different lawsuits concerning her condominium fees. But at least some of her claims seek relief for injuries caused by judgments that were entered against her before she commenced the underlying action. To the extent that is the case, the District Court correctly determined that those claims are barred by the Rooker-Feldman doctrine. See Great W. Mining & Mineral Co. v. Fox Rothschild LLP, 615 F.3d 159, 165 (3d Cir. 2010) (stating that the Rooker-Feldman doctrine deprives lower federal courts of jurisdiction over suits that are essentially appeals from state-court judgments).

To the extent, however, that Jaye's claims stem from rulings in matters that are ongoing in state court, those claims are not barred under the Rooker-Feldman doctrine. Nevertheless, they are subject to dismissal on other grounds.² In particular, the New Jersey Attorney General and Deputy Attorney General are immune from suit for money damages under the Eleventh Amendment. See Pa. Fed'n of Sportsmen's Clubs, Inc. v. Hess, 297 F.3d 310, 323 (3d Cir. 2002) ("[T]he Eleventh Amendment ... has been interpreted to render states—and, by extension, state agencies and departments and officials when the state is the real party in interest—generally immune from suit by

² Jaye sought to stay any ongoing state court proceedings, but the District Court properly denied this request. The Anti-Injunction Act provides that "[a] court of the United States may not grant an injunction to stay proceedings in a State court except as expressly authorized by Act of Congress, or where necessary in aid of its jurisdiction, or to protect or effectuate its judgments." 28 U.S.C. § 2283. These exceptions do not apply here. Only the "necessary in aid of its jurisdiction" exception is even remotely relevant to this action and, as we have explained, it applies only when the state court proceedings "so interfere with a federal court's consideration or disposition of a case as to seriously impair the federal court's flexibility to decide that case." 1975 Salaried Ret. Plan for Eligible Emps. of Crucible, Inc. v. Nobers, 968 F.2d 401, 408 (3d Cir. 1992) (citation and internal quotation marks omitted). The circumstances of this case do not meet this standard.

private parties in federal court.”); see also Pennhurst State Sch. & Hosp. v. Halderman, 465 U.S. 89, 119-20 (1984) (holding that the Eleventh Amendment bars state law claims against state officials in federal court). In addition, the named judges (and members of their staff and court personnel) are immune from suit to the extent they were sued in their individual and official capacities. See Stump v. Sparkman, 435 U.S. 349, 356-57 (1978) (judges immune from suit unless they act in complete absence of jurisdiction); Gallas v. Supreme Court of Pa., 211 F.3d 760, 772-73 (3d Cir. 2000) (court personnel entitled to quasi-judicial immunity for alleged acts pursuant to judge’s instructions). Jaye did not set forth information which might suggest that the judges in her cases acted in the absence of all jurisdiction. Nor did she set forth information which might show that court personnel acted contrary to judicial instruction. Rather, Jaye appears to be merely dissatisfied with the judicial rulings against her. See Azubuko v. Royal, 443 F.3d 302, 303 (3d Cir. 2006) (per curiam) (“A judicial officer in the performance of his duties has absolute immunity from suit and will not be liable for his judicial acts.”).

The District Court also did not abuse its discretion in denying Jaye’s “Motion to Vacate.” That motion, which the District Court treated as seeking relief under Federal Rule of Civil Procedure 60(b)(3), alleged that the defendants’ motion to dismiss mischaracterized the finality of her state court judgments, misinterpreted her claims as arising out of those judgments, and misapplied the Rooker-Feldman doctrine. Rather than identify instances of fraud or misconduct, however, these allegations challenge the substance of the Defendants’ arguments. See Stridiron v. Stridiron, 698 F.2d 204, 206-07 (3d Cir. 1983) (to prevail under Rule 60(b)(3) the moving party must establish that the

adverse party engaged in fraud or other misconduct, and that this misconduct prevented the moving party from fully and fairly presenting her case). Indeed, Jaye's "Motion to Vacate" essentially sought to relitigate issues the District Court had already decided. But Rule 60(b) relief is available "only in cases evidencing extraordinary circumstances" and is not a substitute for an appeal. Morris v. Horn, 187 F.3d 333, 341 (3d Cir. 1999).

For the foregoing reasons, we will affirm the judgment of the District Court.³

³ Jaye's motion to expand the record and the Appellees' motion for leave to file a supplemental appendix are granted. But we deny Jaye's motion to strike Appellees' brief and their motion for leave to file a supplemental appendix, as well as her opposition to the Appellees' submission of a supplemental appendix. We also deny Jaye's motion for judicial notice, her motion to summarily set aside, her motion to summarily remand, and her letter titled "Still Waiting on Reason for Basis for Delay." To the extent that Jaye's letter captioned "Judge Shipp is Unfit to Act as a Federal Judge" seeks his disqualification, relief is denied. We also deny Jaye's "Emergent Injunctive Relief to Stay All Federal Cases and Motion to Transfer Case and Appeal to a Neutral Venue" and her "Motion for Emergent Change of Venue."

OFFICE OF THE CLERK

MARCIA M. WALDRON

CLERK



UNITED STATES COURT OF APPEALS

21400 UNITED STATES COURTHOUSE

601 MARKET STREET

PHILADELPHIA, PA 19106-1790

Website: www.ca3.uscourts.gov

TELEPHONE

215-597-2995

September 13, 2017

Mr. William T Walsh
United States District Court for the District of New Jersey
Clarkson S. Fisher Federal Building and United States Courthouse
402 East State Street
Trenton, NJ 08608

RE: Chris Jaye v. Attorney General New Jersey, et al

Case Number: 16-2641

District Case Number: 3-14-cv-07471

Dear District Court Clerk,

Enclosed herewith is the certified judgment together with copy of the opinion in the above-captioned case(s). The certified judgment is issued in lieu of a formal mandate and is to be treated in all respects as a mandate.

We release herewith the certified list in lieu of the record in the case(s).

Counsel are advised of the issuance of the mandate by copy of this letter. The certified judgment or order is also enclosed showing costs taxed, if any.

Very truly yours,

A handwritten signature in cursive script that reads "Marcia M. Waldron".

Marcia M. Waldron, Clerk

By: Carmella, Case Manager
267-299-4928

cc: Benjamin E. Bryant, Esq.
Chris Ann Jaye
Randall B. Weaver, Esq.

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Note: "Appendix" To Be Found In Separate Book

SEND TO COURT WHEN LISTING

ORDER ON MOTION

CHRIS ANN JAYE
V.
OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-004856-12T2
MOTION NO. M-000259-13
BEFORE PART B
JUDGE(S): JANE GRALL
WILLIAM E NUGENT

MOTION FILED: 08/23/2013
ANSWER(S) 09/03/2013
FILED: 09/10/2013

BY: CHRIS ANN JAYE
BY: OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION - AS DEFENDANT
OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION-AS PLAINTIFF
IN COUNTERCLAIM

SUBMITTED TO COURT: September 26, 2013

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
1st day of October, 2013, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT

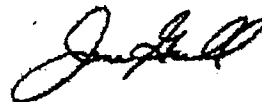
MOTION TO EXTEND TIME TO FILE
APPELLANT'S BRIEF
MOTION FOR CLARIFICATION OF
PARTIES WITH STANDING

GRANTED AND OTHER
DENIED

SUPPLEMENTAL:

A thirty-day extension is granted from the date of this order. No further
extensions will be granted.

FOR THE COURT:



JANE GRALL, P.J.A.D.

L-000375-12 HUNTERDON
ORDER - REGULAR MOTION
NEL

NOT FOR PUBLICATION WITHOUT THE
APPROVAL OF THE APPELLATE DIVISION

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-4856-12T2

CHRIS ANN JAYE,

Plaintiff-Appellant,

v.

OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION,

Defendant-Respondent,

and

ERICK P. SPRONCK, ROBERT STEPHENSON, BERMAN,
SAUTER, RECORD & JARDIM, P.C.,

Defendants.

Argued December 9, 2014 – Decided January 28, 2015

Before Judges Accurso and Manahan.

On appeal from the Superior Court of New
Jersey, Law Division, Hunterdon County,
Docket No. L-375-12.

Chris Ann Jaye, appellant, argued the cause
pro se.

Steven R. Rowland argued the cause for
respondent (Brown Moskowitz & Kallen, P.C.,
attorneys; Mr. Rowland, of counsel and on
the brief).

PER CURIAM

Chris Ann Jaye (appellant) appeals from orders granting judgment in favor of Oak Knoll Village Condominium Association (OKV) for arrearages associated with common element assessments pursuant to N.J.S.A. 46:8B-17 and from an award of counsel fees to OKV in pursuit of its collection action.

After reviewing appellant's contentions in light of the record, we affirm substantially for the reasons set forth by Judge Peter Buchsbaum in his written decisions dated September 28, 2012, and March 8, 2013, as well as for the reasons stated in the order of April 10, 2013. We add only the following.

Appellant is, and at all relevant times was, a unit owner at Oak Knoll Village, a condominium community. Appellant failed to pay her common element expenses. As a result of the delinquency in those expenses, OKV instituted legal action seeking a judgment against appellant for the outstanding amount. Prior to the entry of judgment, a settlement was reached between the parties whereby in exchange for a "zero-out" of the claimed balance owed by appellant to OKV, appellant would commence payment of the common element charges. Notwithstanding the agreement, appellant ceased payments after a few months. Thereafter, OKV instituted another action by way of counterclaim seeking judgment for unpaid common element expenses and counsel

fees.¹ OKV filed a motion for summary judgment which appellant opposed on grounds other than OKV's entitlement to the outstanding fees and costs. The judge, after providing appellant with the opportunity to contest the quantum of fees and costs sought by OKV, granted the motion.

Among the powers assigned by law to a condominium association is the authority to assess and collect funds for the payment of common expenses. N.J.S.A. 46:8B-14. A unit owner's obligation to pay common expenses is unconditional. N.J.S.A. 46:8B-17. Here, the judge's finding that OKV was entitled to judgment for outstanding common expenses owed by appellant was both in accord with the uncontroverted facts and the controlling law.

N.J.S.A. 46:8B-21 authorizes a condominium association to charge a nonpaying member with "reasonable" attorney's fees. Here the judge determined that \$8,000 in attorney's fees was reasonable. In this matter, the judge did not exceed his prerogative in awarding counsel fees. The fees were reasonably incurred through efforts by OKV to secure payment from appellant. Fee determinations by trial courts should be

¹ Appellant instituted a lawsuit seeking damages as a result of the alleged improper conduct of OKV, two of its members and OKV's outside law firm. Those claims were dismissed by the court on July 28, 2013. Appellant did not appeal that decision.

disturbed "only on the rarest occasions, and then only because of a clear abuse of discretion." Rendine v. Pantzer, 141 N.J. 292, 317 (1995). We detect no clear abuse of discretion. Indeed, the judge employed equitable principles by containing the fee award to less than that which OKV could arguably recover. In the order of April 10, 2013, the judge noted the bases for the award including the method of calculation. The fee award was fair. We find no basis to disturb it.

Finally, appellant raises several arguments on appeal which are without sufficient merit to warrant discussion in a written opinion. R. 2:11-3(e)(1)(E).

Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office


CLERK OF THE APPELLATE DIVISION

**NOT FOR PUBLICATION WITHOUT THE
APPROVAL OF THE APPELLATE DIVISION**

This opinion shall not "constitute precedent or be binding upon any court."
Although it is posted on the internet, this opinion is binding only on the
parties in the case and its use in other cases is limited. R.1:36-3.

**SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-3298-14T3**

**OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION, INC.,**

Plaintiff-Respondent,

v.

CHRIS ANN JAYE,

Defendant-Appellant.

Submitted March 7, 2017 – Decided March 30, 2017

Before Judges Fasciale and Sapp-Peterson.

On appeal from the Superior Court of New
Jersey, Law Division, Mercer County, Docket
No. DC-5300-14.

Chris Ann Jaye, appellant pro se.

Brown Moskowitz & Kallen, P.C., attorneys for
respondent (Steven R. Rowland, of counsel and
on the brief).

PER CURIAM

Defendant, Chris Ann Jaye, a condominium owner at Oak Knoll Village, in Clinton Township, appeals from the trial court order entering judgment in favor of plaintiff, Oak Knoll Village Condominium Association, Inc. ("Oak Knoll"). The judgment, in the amount of \$15,000, represents unpaid 2013-2014 condominium assessments and legal fees. We affirm.

In May 2014, plaintiff filed a complaint against defendant seeking payment of the outstanding condominium assessments. Rather than file an answer, defendant moved to dismiss the complaint. The court treated defendant's motion to dismiss as her responsive pleading and denied the motion. The court then scheduled this matter for trial on October 27, 2014, but due to a lack of notice, defendant failed to appear.

The court rescheduled the trial for December 3, 2014. Plaintiff's counsel notified defendant of the new trial date. Plaintiff requested an adjournment claiming that the judiciary's Automated Case Management System (ACMS) listed the December trial date as postponed. In correspondence dated November 26, 2014, plaintiff's counsel advised the court that defendant "has repeatedly been apprised of the trial date both by counsel and the court, and has actual knowledge that the date has not been cancelled or postponed." In an email sent to defendant on November 26, 2014, plaintiff's counsel advised defendant that he had been

informed by court staff that her adjournment request had been denied.

In an email dated December 2, 2014, defendant advised the court that she had commenced an action in federal court, naming, among others, as the defendants, the trial judge scheduled to hear the matter and plaintiff's counsel. She also advised the court that she had been prescribed medication that day and had "no intention of driving anywhere tomorrow morning for [her] safety and plan[ned] on shutting my phone off within the next fifteen minutes." She further indicated that if the court or any court staff wanted to speak to her they would have to "do so another day."

On December 3, 2014, the trial court, satisfied that defendant had actual notice of the trial date, treated her failure to appear as an act of voluntarily absenting herself from the proceeding. Trial commenced with plaintiff putting forth its proofs. At the conclusion of the proceeding, the court found that plaintiff established, by the preponderance of the evidence, defendant failed to pay her 2013-2014 assessments. The court found the assessments and counsel fees exceeded the jurisdictional limit for the Special Civil Part. Therefore, the court entered judgment in favor of plaintiff for \$13,000.

The following month, the court permitted defendant the opportunity to present any proofs or arguments demonstrating that the court had erred in its findings and entry of final judgment. Defendant appeared for this proceeding. Concluding defendant failed to demonstrate any error, the court entered an order on January 28, 2015, denying relief to defendant. Thereafter, defendant filed yet another motion seeking to vacate the judgment, which the court denied on March 12, 2015. The present appeal followed.

On appeal, defendant contends reversal is warranted because the final judgment was not certified as final, her civil rights were violated and she was denied due process. Additionally, defendant maintains reversal is also required because plaintiff lacked standing to bring the cause of action against her, engaged in fraudulent conduct, and committed perjury. Finally, defendant urges that the judgment entered should be reversed because the Supremacy Clause of the United States Constitution trumps state law. We reject each of these contentions.

We find no error in the court's denial of defendant's adjournment request, proceeding with the trial on December 3, 2014, or the subsequent entry of final judgment. A trial court has the authority to control its calendar and to prevent trial delays. State v. Coolack, 43 N.J. 14, 16 (1964); State v. Johnson,

274 N.J. Super. 137, 147-48 (App. Div.), certif. denied, 138 N.J. 265 (1994); State v. Furquson, 198 N.J. Super. 395, 402 (App. Div.), certif. denied, 101 N.J. 266 (1985). "Absent an abuse of discretion, denial of a request for an adjournment does not constitute reversible error." State v. Smith, 87 N.J. Super. 98, 105 (App. Div. 1965).

Adjournment requests "implicate[] a trial court's authority to control its own calendar and is reviewed under a deferential standard." State v. Miller, 216 N.J. 40, 65 (2013), cert. denied, ___ U.S. ___, 134 S. Ct. 1329, 188 L. Ed. 2d 339 (2014). "[B]road discretion must be granted trial courts on matters of continuances[.]" Ibid. (quoting Morris v. Slappy, 461 U.S. 1, 11-12, 103 S. Ct. 1610, 1616, 75 L. Ed. 2d 610, 620 (1983)).

Indeed, "New Jersey long has embraced the notion that [a request] 'for an adjournment is addressed to the discretion of the court, and its denial will not lead to reversal unless it appears from the record that the defendant suffered manifest wrong or injury.'" State v. Hayes, 205 N.J. 522, 537 (2011) (quoting State v. Doro, 103 N.J.L. 88, 93 (E & A. 1926)). "It is peculiarly within the sound discretion of the trial court to deal with problems of this sort[,] and an appellate court should not interfere unless it appears an injustice has been done." Allegro

v. Afton Vill. Corp., 9 N.J. 156, 161 (1952) (citations omitted).

We must adhere to this standard of review.

We find no such exceptional circumstances, abuse of discretion, or injustice here. Defendant sought adjournment of the trial merely because she claimed the notice of the December 3, 2014 trial date came from plaintiff's counsel. Whether due process requirements have been met requires, at a minimum, fair notice and the opportunity to be heard. In re C.A., 146 N.J. 71, 94 (1996). It is undisputed that defendant was fully aware of the December trial date as evidenced by her statement in the pro se complaint she filed in federal court on December 2, 2014, in which she acknowledged that plaintiff's counsel advised her that trial "was to take place on December 3, 2014[.]"

Consequently, accepting as true defendant's claim that she never received notice of the December trial date from the court, the notice from plaintiff's counsel provided defendant with fair notice and the opportunity to be heard at the December trial. Moreover, the following month, the court afforded defendant the opportunity to present any evidence demonstrating that the court had erred in entering judgment in favor of plaintiff. Defendant appeared at that proceeding, but offered no evidence from which the court could conclude that it erred in reaching any of its findings.

Likewise, we discern no error in the court's decision to proceed with the trial in defendant's absence on December 3, 2014. The court was satisfied defendant had notice of the trial date, but voluntarily absented herself. This finding is amply supported by the record.

As for the remaining issues raised, which we have not addressed, we conclude they lack sufficient merit to warrant discussion in a written opinion. R. 2:11-3(e)(1)(E). We have carefully reviewed the entire record in this matter and we are satisfied that the judgment of the trial court is based on findings of fact which are adequately supported by the evidence. R. 2:11-3(e)(1)(A).

) Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.


CLERK OF THE APPELLATE DIVISION

**NOT FOR PUBLICATION WITHOUT THE
APPROVAL OF THE APPELLATE DIVISION**

This opinion shall not "constitute precedent or be binding upon any court."
Although it is posted on the internet, this opinion is binding only on the
parties in the case and its use in other cases is limited. R. 1:36-3.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-4942-15T3

OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION, INC.,

Plaintiff-Respondent,

v.

CHRIS ANN JAYE,

Defendant-Appellant.

Argued October 12, 2017 – Decided October 30, 2017

Before Judges Nugent and Geiger.

On appeal from Superior Court of New Jersey,
Law Division, Special Civil Part, Mercer
County, Docket No. DC-004807-15.

Chris Ann Jaye, appellant, argued the cause
pro se.

Steven R. Rowland argued the cause for
respondent (Brown Moskowitz & Kallen, PC,
attorneys; Mr. Rowland, on the brief).

PER CURIAM

Defendant Chris Ann Jaye is a unit owner at Oak Knoll Village,
a condominium community in Clinton Township. She appeals from the
June 2, 2016 order denying her motion for reconsideration of the

March 23, 2016 order entering judgment in favor of plaintiff Oak Knoll Village Condominium Association, Inc. (Oak Knoll). The order awarded Oak Knoll damages for unpaid common element expense assessments pursuant to N.J.S.A. 46:8B-17 and attorney's fees incurred in pursuit of its collection action pursuant to N.J.S.A. 46:8B-21. After careful review of the record and applicable legal principles, we affirm.

On June 8, 2015, Oak Knoll filed this collection action in Hunterdon County on account of defendant's undisputed failure to pay her common element expense assessments for 2015. On June 16, 2015, venue was transferred to Mercer County.

On July 7, 2015, defendant removed this action to the United States District Court for the District of New Jersey on the basis of a proposed counterclaim against Oak Knoll under the Fair Debt Collection Practices Act, 15 U.S.C.A. §§ 1692 to - 1692p. On July 9, 2015, Oak Knoll filed a motion to remand the case to the Superior Court of New Jersey, Special Civil Part, and for a fee award pursuant to 15 U.S.C.A. § 1447(c). On July 30, 2015, United States District Court Judge Peter G. Sheridan issued an order and memorandum opinion granting Oak Knoll's motion to remand the case back to the Superior Court but denying its application for fees. In reaching that decision, Judge Sheridan applied well-settled law that a federal question appearing in a counterclaim is insufficient

to establish federal question jurisdiction before the District Court. Finding no basis for federal question or diversity jurisdiction, Judge Sheridan remanded the case to the Superior Court, Special Civil Part.

On November 4, 2015, Oak Knoll filed a motion for summary judgment, supported by a certification of Oak Knoll's property manager, detailing the common element expense arrearages. On November 30, 2015, defendant filed opposing papers. While Oak Knoll's motion was pending, defendant filed several applications in District Court to re-open the federal action. Judge Sheridan denied each of those applications.

On February 25, 2016, the rescheduled return date of the motion, the trial court heard oral argument. Defendant chose not to appear. Defendant was permitted to present opposing oral argument, however, on March 23, 2016. Defendant does not dispute that she did not pay her common element expense assessments for 2015. After hearing this additional oral argument, the trial court granted summary judgment to Oak Knoll, entering judgment in the amount of \$11,485.80, comprised of association fees of \$4415 and attorney's fees of \$7070.08.

On April 12, 2016, defendant moved for reconsideration of the entry of judgment and a stay of post-judgment collection efforts

pending appeal. The trial judge issued a June 2, 2016 order denying defendant's motion.

On July 14, 2016, defendant filed this appeal. Defendant then moved for leave to consider her appeal timely as to both the earlier summary judgment ruling and the subsequent order denying reconsideration. In an August 15, 2016 order, another panel of this court ruled: "The motion is denied as to the March 23, 2016 order. The appeal is timely as to the June 2, 2016 order denying reconsideration. The appeal is limited to that order."

Defendant later moved before this court for emergent relief to remove the judgment and lien as well as a later lien obtained by plaintiff as a result of her failure to pay her 2016 assessments.¹ On August 11, 2016, yet another panel of this court denied defendant's motion for emergent relief. The Supreme Court also denied emergent relief.

Defendant accused the trial court of not reading the condominium association agreement. We note that defendant did not provide a copy of the agreement as part of the appellate record. Defendant also failed to provide a transcript of the oral argument

¹ Plaintiff has recovered a subsequent judgment against defendant for unpaid 2016 common element expenses, Oak Knoll Village Condominium Association v. Jaye, Docket No. HNT-DC-683-16.

on February 25, 2016 and the additional oral argument and trial court's oral decision on March 23, 2016. See R. 2:5-4(a).

Defendant raises the following issues in this appeal: (1) the Appellate Division lacks jurisdiction because no trial court order has been properly certified as final; (2) default was improperly entered against her; (3) the trial judge, who is retired on recall, denied her due process and is incompetent, biased, and unfit; and (4) plaintiff lacks standing because the plaintiff did not authorize the commencement of this action and did not retain the law firm representing plaintiff.

Defendant sued the trial judge twice in the past for his actions as a judge. On that basis, defendant claims the trial judge was biased and should have disqualified himself from hearing the matter.

Under our rules, the judge of any court "shall be disqualified" if there is any reason "which might preclude a fair and unbiased hearing and judgment, or which might reasonably lead counsel or the parties to believe so." R. 1:12-1(g); see also Code of Judicial Conduct, Canon 3.17(B)(1) ("Judges shall disqualify themselves if they have a personal bias or prejudice toward a party or a party's lawyer. . . ."). "The disqualification decision is initially left to the discretion of the trial court." State v. Marshall, 148 N.J. 89, 275-76 (1997). "[J]udges are not

free to err on the side of caution; it is improper for a court to recuse itself unless the factual bases for its disqualification are shown by the movant to be true or are already known by the court." Id. at 276; see also State v. De Maio, 70 N.J.L. 220, 222 (E. & A. 1904).

Defendant did not file a motion to recuse the trial judge pursuant to Rule 1:12-2. Nor does the record in this matter disclose any basis to conclude that the trial judge should have disqualified himself on the court's own motion. See R. 1:12-1.

"Fundamental to any consideration of possible judicial disqualification is a showing of prejudice or potential bias." Marshall, supra, 148 N.J. at 276 (quoting State v. Flowers, 109 N.J. Super. 309, 312 (App. Div. 1970)). "Bias cannot be inferred from adverse rulings against a party." Strahan v. Strahan, 402 N.J. Super. 298, 318 (App. Div. 2008); see Marshall, supra, 148 N.J. at 276. Defendant has not demonstrated that the trial judge was biased against her.

The mere suggestion that the trial judge is biased because defendant has previously sued him does not necessarily require disqualification or render the judge's rulings void or improper. "A judge shall not be automatically disqualified upon learning that a complaint has been filed against the judge with the Advisory Committee on Judicial Conduct, litigation naming the judge as a

party, or any other complaint about the judge by a party." Code of Judicial Conduct, Canon 3.17(E). "If, however, the judge concludes that there is a reasonable basis to question the court's impartiality, the judge may recuse himself or herself." Ibid. We have carefully considered the entire record and find no reasonable basis to question the trial judge's impartiality or any evidence of bias. We are satisfied the trial judge did not abuse his discretion by not disqualifying himself.

Defendant's remaining arguments lack sufficient merit to warrant discussion in a written opinion. R. 2:11-3(e)(1)(E).

Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.


CLERK OF THE APPELLATE DIVISION

ORDER ON MOTION

OAK KNOLL VILLAGE CONDOMINIUM,
OWNERS ASSOCIATION, INC.
V.
CHRIS ANN JAYE

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-003298-14T3
MOTION NO. M-003006-15
BEFORE PART G
JUDGE(S): JOSEPH L. YANNOTTI
FRANCIS J. VERNOLIA

MOTION FILED: 12/21/2015

BY: CHRIS JAYE

ANSWER(S) 01/07/2016
FILED:

BY: OAK KNOLL CONDOMINIUM OWNERS
ASSOC

SUBMITTED TO COURT: January 11, 2016

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
12th day of January, 2016, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT:

MOTION TO ADDRESS VIOLATIONS OF
THE DEFENDANT'S CONSTITUTIONAL
RIGHTS AND THIS COURT'S
JURISDICTION
AND DIRECT RETURN OF MONIES PAID
ON NON-FINAL ORDER TO DEFENDANT

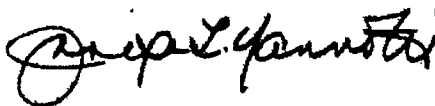
DENIED AND OTHER

DENIED AND OTHER

SUPPLEMENTAL:

Appellant's brief and appendix shall be filed within 30 days after the
date of this order.

FOR THE COURT:



JOSEPH L. YANNOTTI, P.J.A.D.

DC-005300-14
MERCER

SLW

ORDER ON MOTION

OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION, INC.
V.
CHRIS ANN JAYE

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-003298-14T3
MOTION NO. M-009600-15
BEFORE PART D
JUDGE(S): CARMEN H. ALVAREZ
THOMAS V. MANAHAN

MOTION FILED: 08/18/2016

BY: CHRIS JAYE

ANSWER(S) 08/24/2016
FILED:

BY: OAK KNOLL CONDOMINIUM OWNERS
ASSOC

SUBMITTED TO COURT: September 12, 2016

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
13th day of September, 2016, HEREBY ORDERED AS FOLLOWS:

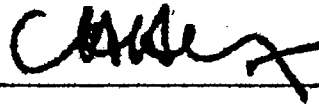
) MOTION BY APPELLANT:

MOTION FOR RELIEF FROM
CONSTITUTIONAL VIOLATIONS OF DUE
PROCESS, REMOVE JUDGMENTS AND
LIENS FROM THE PUBLIC RECORDS,
INJUNCTIVE RELIEF, DECLARATORY
RELIEF, RECEIVERSHIP AND REFERRAL
TO THE OFFICE OF ATTORNEY ETHICS
AND NJ ATTORNEY GENERAL FOR
CRIMINAL INVESTIGATION

DENIED

SUPPLEMENTAL:

FOR THE COURT:



CARMEN H. ALVAREZ, P.J.A.D.

DG-005300-14
MERCER

SLW

FILED May 02, 2016

CONTESTED

Chris Ann Jaye
PO Box 5015
Clinton, NJ 08809

Date: May 2, 2016

Wilmington Savings Fund

Plaintiff

v.

Chris Ann Jaye

Defendant

Superior Court of New Jersey

Chancery Division

Hunterdon County

Docket F-6447-16

ANSWER AND DEFENSES

Defendant, Chris Ann Jaye, answers the Verified Complaint as follows:

FIRST COUNT

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
4. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
5. Denied to the extent that the two liens noted in subsections a and b have been discharged and recorded as discharged on April 13, 2016. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.

6. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
7. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
8. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
9. Denied.

SECOND COUNT

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs. Plaintiff has no standing to speak to the rights of any party other than themselves per this Complaint.
4. Defendant denies Plaintiff has a right to such relief.

SEPARATE DEFENSES

Each Defense Numbered Accordingly As a Separate Defense

1. Plaintiff's claims are barred by the Unclean Hands Doctrine.
2. Plaintiff's claims are barred due to fraud.

3. Plaintiff's claims are barred due to lack of standing.
4. Plaintiff's claims are barred by the Entire Controversy Doctrine.
5. Plaintiff's claims, if any, are barred by statute of limitations and/or laches.
6. Plaintiff's damages, if any, are barred by the doctrines of waiver and/or estoppel.
7. Plaintiff's claims, if any, are barred since this matter was brought forth without compliance to state and federal laws.
8. Plaintiff's claims, if any, are barred by the doctrine of avoidable consequences.
9. Plaintiff's claims, if any, are barred, by contributory negligence.
10. Plaintiff's claims, if any, are barred, by illegality.
11. Plaintiff's claims, if any, are barred as any contract relied upon is voidable by Defendant.
12. Plaintiff's claims, if any, are barred as any contract relied upon is unenforceable.
13. Plaintiff's claims, if any, are barred by a lack of mutual assent.
14. Plaintiff's claims or parts thereof are barred by a prior settlement agreement.
15. Plaintiff's claims, if any, are frivolous.
16. Plaintiff's claims, if any, are barred due to lack of required verification as per the Fair Debt Collection Practice Act.
17. Plaintiff's pleadings do not conform with the NJ Rules of Court.

VERIFICATION

I am plaintiff in the above-entitled action. The contents are true of my own knowledge, except as to matters stated on information and belief, and, as to such matters, they are true to the best of my knowledge and belief.

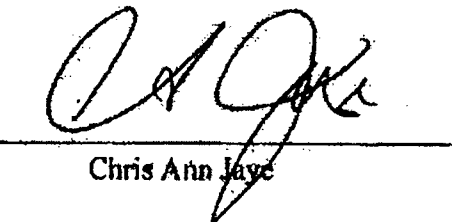
DEMAND FOR TRIAL BY JURY

Defendant hereby demands trial by jury on all issues.

CERTIFICATION

Pursuant to Rule 4:5-1, I hereby certify that I have no knowledge of any other pending actions or proceedings concerning the subject matter of this foreclosure action, except that there are suits pending in state and federal court involving Oak Knoll Village Condominium Owners Association, a codefendant, including, but not limited to, a civil RICO suit filed by the Defendant against this corporation and others for obtaining money and rights to this property through chargeable criminal acts as well as the illegal recordation of documents involving rights given to third-parties involving the common area noted on the deed of the property in noted in this matter.

Dated:



Chris Ann Jaye

KNUCKLES, KOMOSINSKI & MANFRO, LLP
John E. Brigandi, Esq. - N.J. Attorney ID 028512008
Attorneys for Plaintiff
50 Tice Boulevard
Woodcliff Lake, NJ 07677
(201) 391-0370

WILMINGTON SAVINGS FUND SOCIETY, FSB,
DOING BUSINESS AS CHRISTIANA TRUST, NOT IN
ITS INDIVIDUAL CAPACITY, BUT SOLELY AS
TRUSTEE FOR BCAT 2015-14BT
Plaintiff,

vs.

CHRIS ANN JAYE, et al.

Defendants.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
HUNTERDON COUNTY
DOCKET NO: F-006447-16

CIVIL ACTION

FINAL JUDGMENT

This matter having been opened to the Court by Knuckles, Komosinski & Manfro, LLP, attorneys for plaintiff, and it appearing that service of Summons and Complaint has been made upon the defendants in accordance with the Rules of this Court and default having been entered against said defendants and plaintiff's obligation and Mortgage having been presented and marked as exhibits by the Court, and proof having been submitted of the amount due on plaintiff's Mortgage and sufficient cause appearing,

Contested Answer filed by Chris Ann Jaye and stricken by Order Granting Summary Judgment entered September 23, 2016 by the Honorable Douglas H. Hurd.

It is on this 2nd day of May 2017, ORDERED and ADJUDGED that the plaintiff is entitled to have the sum of \$179,387.31 together with interest at the contract rate of 7.39000% on \$ 128,454.20 being the principle sum in default including advances from December 31, 2016 to May 2, 2017, and lawful interest thereafter on the total sum due to plaintiff together with cost of this suit to be taxed including a counsel fee of

§ 1943.87 raised and paid in the first place out of the mortgaged premises, and it is further ordered that plaintiff, its assignee or purchaser at sale recover against the following defendants: CHRIS ANN JAYE; MR. JAYE, HUSBAND OF CHRIS ANN JAYE; OAK KNOLL VILLAGE CONDOMINIUM OWNERS' ASSOCIATION, INC., and all parties holding under said defendants the possession of the premises so mentioned and described in the said Complaint with the appurtenances; and it is further

ORDERED and ADJUDGED that the mortgaged premises be sold to raise the several sums of money due, in the first place to the plaintiff, WILMINGTON SAVINGS FUND SOCIETY, PSB, DOING BUSINESS AS CHRISTIANA TRUST, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR BCAT 2015-14BTT in the sum of \$179,367.31, with interest thereon to be computed as aforesaid, the plaintiff's costs to be taxed, with interest thereon, and that an execution for the purpose be duly issued out of this Court directed to the Sheriff of HUNTERDON County, commanding said Sheriff to make sale according to law of the mortgaged premises described in the Complaint, and out of the money arising from said sale, that said Sheriff pay in the first place, to the plaintiff, said plaintiff's debt, with interest thereon as aforesaid and said plaintiff's costs with interest thereon as aforesaid, and in case more money shall be realized by the said sale than shall be sufficient to satisfy such several payments as aforesaid, that such surplus be brought into this Court to abide the further Order of this Court and that the Sheriff aforesaid make a report of the aforesaid sale without delay as required by the rules of this Court, and it is further

ORDERED and ADJUDGED that the defendants in cause, and each of them stand absolutely debarred and foreclosed of and from all equity of redemption of, in and to the mortgaged premises described in the Complaint, when sold as aforesaid by virtue of this

judgment, except as provided by 28 U.S.C. section 2410, and it is further

NOTWITHSTANDING anything herein to the contrary, this judgment shall not affect the rights of any person protected by the New Jersey Tenant Anti-Eviction Act, N.J.S.A. 2A:18-61.1, et seq., the right of redemption given the United States under 28 U.S.C. §2410, the limited priority rights of the aggregate customary condominium assessment for the six-month period prior to the recording of any association lien as allowed by N.J.S.A. 45:8B-21 or rights afforded by the Servicemembers Civil Relief Act, 50 U.S.C. App. 591 et seq. or N.J.S.A. 38:23C-4.

This judgment shall not affect the right of any person protected by the provisions of the New Jersey Tenant Anti-Eviction Statute (N.J.S.A. 2A: 18-61.1 et seq.)

/s/ Paul Innes, P.J.Ch

Respectfully Recommended
R. 1:34-6 Office of Foreclosure

FILED

SEP 20 2017

Mark H. Hays
CLERK



Supreme Court of New Jersey
Single-Justice Disposition on Application for Emergent Relief (Rule 2:9-8)

Case title: Wilmington Savings Fund Society v. Chris Ann Jaye

Supreme Court
docket number: 080064 (S-9-17)

Appellate Division
docket number (if available): A-4262-16

Applicant's name: Chris Ann Jaye

The applicant's request for permission to file an emergent motion and any related request for a temporary stay or other relief pending disposition of an emergent motion are **DENIED** for the following reason(s):

- ☒ 1. The matter does not concern a genuine emergency or otherwise does not warrant adjudication on short notice. The applicant may file a regular motion for review by the Superior Court, Appellate Division in the ordinary course.
- ☐ 2. The Appellate Division has entered an order or judgment, and the matter is not emergent or otherwise does not warrant adjudication on short notice. The applicant may file a regular motion for review by the Supreme Court in the ordinary course.
- ☐ 3. The application concerns an order entered during or on the eve of trial as to which there is no prima facie showing that immediate interlocutory intervention is required. The applicant may ~~file a regular motion in the appropriate court for review in the ordinary course.~~
- ☐ 4. The applicant must obtain a signed order or disposition from the Appellate Division before requesting relief from the Supreme Court.

☐ 5. Other:

Date: 9/20/2017

By:

Anne M. Patterson

Name: Justice Anne M. Patterson

ORDER ON MOTION

WILMINGTON SAVINGS FUND SOCIETY
V
CHRIS ANN JAYE

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-004262-16T3
MOTION NO. M-000604-17
BEFORE PART D
JUDGE(S): WILLIAM E. NUGENT
RICHARD J. GEIGER

MOTION FILED: 09/14/2017

BY: CHRIS ANN JAYE

ANSWER(S)
FILED:

SUBMITTED TO COURT: October 10, 2017

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
13th day of October, 2017, HEREBY ORDERED AS FOLLOWS:

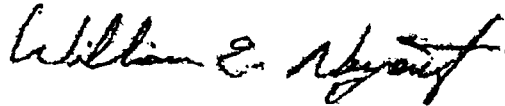
MOTION BY APPELLANT

MOTION TO PRODUCE ORIGINAL NOTE &
MORTGAGE ASSIGNMENT

DENIED

SUPPLEMENTAL:

FOR THE COURT:



WILLIAM E. NUGENT, J.A.D.

F-006447-16 HUNTERDON
ORDER - REGULAR MOTION
CLO

ORDER ON MOTION

WILMINGTON SAVINGS FUND SOCIETY
V
CHRIS ANN JAYE

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-004262-16T3
MOTION NO. M-000559-17
BEFORE PART D
JUDGE(S): WILLIAM E. NUGENT
RICHARD J. GEIGER

MOTION FILED: 09/21/2017

BY: CHRIS ANN JAYE

ANSWER(S)
FILED:

SUBMITTED TO COURT: October 10, 2017

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
13th day of October, 2017, HEREBY ORDERED AS FOLLOWS;

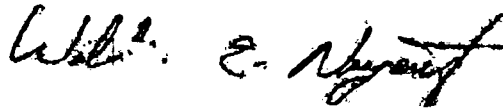
MOTION BY APPELLANT

MOTION FOR REMAND OR DISMISS --
CHALLENGING JURISDICTION AND
STANDING OF PLAINTIFF

DENIED

SUPPLEMENTAL:

FOR THE COURT:



WILLIAM E. NUGENT, J.A.D.

F-006447-16 HUNTERDON
ORDER - REGULAR MOTION
CLD

BLD-051

November 16, 2017

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 17-2231

CHRIS ANN JAYE,
Appellant

v.

JOHN HOFFMAN, NJ Attorney General, et al.
(D.N.J. Civ. No. 1-16-cv-07771)

Present: AMBRO, RESTREPO and NYGAARD, Circuit Judges

Submitted is Appellant's "motion for summary action to vacate all Judge Shipp orders and direct recusal of Judge Shipp"

in the above-captioned case.

Respectfully,

Clerk

MMW/CAC/clw

ORDER

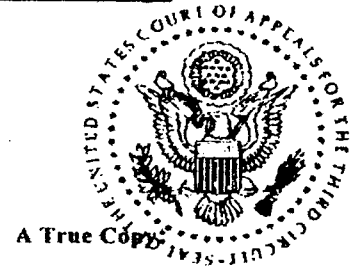
The foregoing "motion for summary action to vacate all Judge Shipp orders and direct recusal of Judge Shipp" is denied. See 3d Cir. LAR 27.4; I.O.P. 10.6. The only order subject to review in this appeal is the District Court's order entered May 2, 2017. See Notice of Appeal (filed June 1, 2017). Other than requesting that we order the recusal of District Judge Shipp, Appellant offers no legal argument in support of vacating that order. See Fed. R. App. P. 27(a)(2)(A) ("A motion must state with particularity the grounds for the motion, the relief sought, and the legal argument necessary to support it."). To the extent that Appellant's request to recuse Judge Shipp could be construed as sounding in mandamus, she has not demonstrated that this Court's intervention is warranted. We have reviewed the District Court docket report and see no evidence of undue delay or bias. See 28 U.S.C. § 455(a), (b)(1) (requiring recusal when a judge's "impartiality might reasonably be questioned" or he "has a personal bias or prejudice against a party"); Jones v. Pittsburgh Nat'l Corp., 899 F.2d 1350, 1356 (3d Cir. 1990) ("Disagreement with a judge's determinations certainly cannot be equated with the showing required to so reflect on his impartiality as to dictate recusal."). Furthermore, the fact that Jaye has named Judge Shipp as a defendant in a separate action cannot alone

serve as a basis for recusal. See Azubuko v. Royal, 443 F.3d 302, 304 (3d Cir. 2006) (per curiam). The Appellees' brief is due within 30 days from the date of this order, as the Clerk advised by order of August 22, 2017.

By the Court,

s/ Thomas L. Ambro, Circuit Judge

Dated: November 20, 2017
CLW/cc: Chris Jaye
Ian C. Doris, Esq.



Marcia M. Waldron

Marcia M. Waldron, Clerk

DLD-365

September 28, 2017

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 17-2564

CHRIS ANN JAYE, Appellant

VS.

OAK KNOLL VILLAGE CONDOMINIUM OWNERS ASSOCIATES INC, et al.

(D.N.J. Civ. No. 3-15-cv-08324)

Present: CHAGARES, VANASKIE and KRAUSE, Circuit Judges

Submitted are:

- (1) Appellant's Motion for Remand for Adjudication on the Merits; and
- (2) Appellant's Emergent Motion to Stay Appeal until all Disclosures are Provided and Defendants can provide Proof of Representation

in the above-captioned case.

Respectfully,
Clerk

MMW/CAC/clw

ORDER

Appellant's Motion for Full Remand to the District Court for Adjudication on the Merits and Emergent Motion to Stay Appeal until all Disclosures are Provided and Defendants can provide Proof of Representation are denied. The Clerk will issue a briefing schedule. To the extent that Appellant wishes to revisit the arguments she raises in the foregoing motions, or raise any other relevant arguments on appeal, she may do so in her brief on the merits of the appeal.

By the Court,

s/ Cheryl Ann Krause
Circuit Judge

Dated: October 19, 2017

sb/cc: Chris Ann Jaye

All Counsel of Record

Steven R. Rowland - 010121988
BROWN MOSKOWITZ & KALLEN, P.C.
 180 River Road
 Summit, New Jersey 07901
 (973) 376-0909

Attorneys for Judgment-Creditor, Oak Knoll Village Condominium Owners' Association, Inc.



CHRIS ANN JAYE,

Plaintiff,

v.

**OAK KNOLL VILLAGE CONDOMINIUM
 OWNERS ASSOCIATION, ERICK P.
 SPRONCK, ROBERT STEPHENSON,
 BERMAN, SAUTER, RECORD & JARDIN,**

Defendants.

And

**OAK KNOLL VILLAGE CONDOMINIUM
 OWNERS ASSOCIATION, INC.,**

Plaintiff-in-Counterclaim,

v.

CHRIS ANN JAYE,

Defendant-in-Counterclaim.

**SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION: MERCER COUNTY**

SWA-A-11596-12
 Clerk's No. L-2733-143
**SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION: MERCER COUNTY**
RECEIVED
FILED

JUN 30 2015

Sue Regan
DEPUTY CLERK OF COURT
SUE REGAN

**DIRECTING TURN OVER OF
 FUNDS AND ENFORCING LITIGANTS'
 RIGHTS**

A True Copy

Sue Regan

SUE REGAN
 Deputy Clerk of Superior Court

THIS MATTER having come before the court by way of motion by judgment-creditor, Oak Knoll Village Condominium Owners' Association, Inc. ("Association") seeking an order pursuant to R. 4:57 directing the Clerk of the Superior Court to retrieve and turn over the deposit made by judgment-debtor, Chris Ann Jaye ("Jaye") to the Trust Unit Fund for disbursement to the Association, permitting the Association to apply those funds against the sanctions against Jaye arising from Judge Ciccone's September 25, 2013 order, and ordering a warrant of arrest to issue in support of litigant's rights due to Jaye's failure to abide by the September 25, 2013 order

in the event that Jaye continues to be non-compliant with the information subpoena, that is the subject of the September 25, 2013 order, for good cause shown, and as set forth on the record,

IT IS this 30th day of June, 2015

ORDERED that the Superior Court Trust Fund Unit shall pay the \$6529.92 by judgment-debtor, Chris Ann Jaye, in connection with A-4856-12 to judgment creditor, Oak Knoll Village Condominium Owners' Association, Inc. by check made payable to "Oak Knoll Village Condominium Owners' Association, Inc." and mailed forthwith to Tracy Blair, Regional Vice President, Access Property Management, 4 Walter E. Foran Blvd., Suite 311, Flemington, New Jersey 08822, and it is further

ORDERED that the Association shall credit the monies received from the Trust Fund Unit first towards the sanctions entered by the Hon. Yolanda Ciccone, A.J.S.C. in this matter on September 25, 2013, namely, the \$1,000.00 in sanctions arising during the 10 weeks after the expiration of the 30 day compliance period, the \$5,200 in sanctions arising from Jaye's failure to provide full and complete answers to the Association's information subpoena during calendar year 2014; and ~~\$ _____ arising from Jaye's failure to provide full and complete answers to the Association's information subpoena for the calendar year 2015 up to and including _____, 2015; and it is further~~

ORDERED that in the event that Jaye fails to provide full and complete answers to the Association's information subpoena by August 1, 2015, with a copy to counsel for the Association and the Court, the Court shall issue the accompanying warrant for her arrest, directing the Sheriff of Hunterdon County to arrest Jaye and bring her to this courthouse for detention until Jaye fully and completely answers the aforesaid information subpoena, and it is further

~~ORDERED that the Association is entitled to its reasonable attorneys' fees and costs of this application and that counsel shall within _____ () days of the entry of this order submit a certification setting forth same, which Jaye may file specific objections thereto within _____ () days, and the Court shall determine the attorneys' fees and costs awarded within _____ () days thereafter; and it is further~~

ORDERED that counsel for the Association shall serve a copy of this Order within 7 () days of his receipt upon Jaye via first class mail, certified mail, return, receipt requested and e-mail at contactcaj@yahoo.com and contactcaj2@yahoo.com; and it is


Hon. Douglas H. Hurd, P.J. Civ.

On 6.30.15 the
court's statement of reasons have
been set forth on the record.

VERIFIED AS TO THE PRINCIPAL
AMOUNT ON DEPOSIT - \$ 65,271.92
CLERK, SUPERIOR COURT

BY: EAS 6/4/15

Pursuant to Court Rule, please present
proof that notice of your application for
withdrawal of funds was given to all
parties to the action



NJ Superior Court Trust Fund Transaction History

Venue: SWA

Docket Number: A -004586-12

Caption: CHRIS AN JAYE VS. OAK KNOLL VILLAGE HOMEOWNERS ASSOCIATION

Established: 07/02/2013

Status: Closed

Closed: 07/14/2015

Docket Balance: \$ 00

Principal Balance: \$ 00

Posted Interest: \$ 00

MTD Interest: \$ 00

Total Receipts: \$6,529.92

Total Disbursements: \$6,529.92

Total Principal Disbursements: \$6,529.92

Total Interest Disbursements:

<u>Date</u>	<u>Transaction Type</u>	<u>Notes</u>	<u>Total Amount</u>	<u>Principal</u>	<u>Interest</u>	<u>Name</u>	<u>Address</u>
07/02/2013	Deposit		\$6,529.92			CHRIS AN JAYE	PO BOX 5015, CLINTON, NJ 08809
07/14/2015	Disbursement	Ck #: 24693	\$6,529.92	\$6,529.92		OAK KNOLL VILLAGE CONDOMINIUM OWNERS' ASSOCIATION, INC.	ACCESS PROPERTY MANAGEMENT ATTN OF: TRACY BLAIR, REGIONAL VICE PRESIDENT 4 WALTER E. FORAN BLVD., SUITE 311, FLEMINGTON, NJ 08822

No. _____

In the Supreme Court of the United States

Chris Jaye

Applicant,

vs.

NJ Attorney General Hoffman, et. al.

Respondents.

**Emergency Application for Stay of Injunctive Relief to Stay All State and Federal
Cases Pending the Petition of Mandamus Now Filed (17-738)
with the Supreme Court of the United States**

Chris Jaye

Pro se

Plaintiff

PO Box 5015

Clinton, NJ 08809

caj@okvnews.com

TO THE HONORABLE SAMUEL A. ALITO, JR., ASSOCIATE JUSTICE OF THE
SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR
THE THIRD CIRCUIT:

At this time, I have a petition for a writ of certiorari (17-739) and a petition for
mandamus or prohibition (17-738) filed with this court. I am seeking a stay of all
state cases (28 U.S. Code § 2283) and stays of all federal cases and federal appeals,
including, but not limited to 16-07771, 17-05257, 17-2231, 17-2564, based on the
departures from judicial procedures in this appeal (16-2641).

The Third Circuit, much like the state judges, have no right to provide any relief to
any party is involved in criminal activities. This includes granting dismissals (a
form of relief) to those who have acted beyond their lawful jurisdiction.

State actor-defendants (state judges) have acted beyond the law, outside of their
authority, in violation of the constitution and state statutes. And they have done so
to perpetuate criminal acts. "Due process protects the defendant's right not to be
coerced except by lawful judicial power." *J. McIntyre Machinery, Ltd. v. Nicastro*,
131 S. Ct. 2780 - Supreme Court 2011

At all times prior to this case, during this case and since this case, the state actor-
defendants (the judges) were without any jurisdiction over me since their rulings
involved criminal conduct. All of these unlawful acts were further aided by other
state actor-defendants. The state actor-defendants were parties to the criminal acts

and violation of my rights. Where relief was due to me via both federal and state civil rights acts, (ECF 34) none was given.

No action was taken by either the district court or the appellate court to stay the state actions while these crimes were being perpetrated. (App. 5, App 10, App 41-48, App 49-57) But I have every right to the remedy of stays of state action as a litigant in a civil rights suit. *Mitchem v. Foster* (US Supreme 1972): "Under the criteria established in our previous decisions construing the anti-injunction statute, § 1983 is an Act of Congress that falls within the "expressly authorized" exception of that law." Yet for two years, all motions for all stays sought (ECF 3, 8, 12, 22, 34, 58, 63) that were needed to stop ongoing acts of bad faith, harassment and violations of my civil rights were denied without any right in the law and in contrast to controlling law. (ECF 11, 17, 21, 49, 65)

Without intervention by the district court and the Third Circuit, the same crimes based on the same theft (See US Supreme Court Docket 15-735) continued (App 60-63, App 64-70, App 71-77, App 84-86) and continues to this day (App 88-89).

Repeatedly, district court judges made claims that I was simply a "loser" seeking to appeal judgments to preclude, dismiss and close this case three separate times. No such pleading by me supported these findings, including the complaint relied upon to dismiss this case for the last time (ECF 34). (App 41-48)

Appealing this dismissal by preclusion, the Third Circuit affirm the denial of such relief and the dismissal of this valid case on similar grounds: (App 49-57)

"But at least some of her claims seek relief for injuries caused by judgments that were entered against her before she commenced the underlying action. To the extent that is the case, the District Court correctly determined that those claims are barred by the Rooker-Feldman doctrine. See Great W. Mining & Mineral Co. v. Fox Rothschild LLP, 615 F.3d 159, 165 (3d Cir. 2010) (stating that the Rooker-Feldman doctrine deprives lower federal courts of jurisdiction over suits that are essentially appeals from state-court judgments)."

These false facts created by the Third Circuit -- which do not stem from my complaint (ECF 34) -- now stand on the record; giving credence to illegal judgments rendered in other matters now pending (17-2564, 17-2231, 16-07771, 17-05257).

But it is not the role of the Third Circuit to create facts and grant jurisdiction for state actors by their decree which has negated my claims and denied my independent cause of action.

Neitzke v. Williams, 490 US 319 – 1989, "What Rule 12(b)(6) does not countenance are dismissals based on a judge's disbelief of a complaint's factual allegations. District court judges looking to dismiss claims on such grounds must look elsewhere for legal support."

Since the judges of the Third Circuit have now legitimize theft as valid judgments and bestowed upon others standing that does not exist, they have prevented remedies in the law that would right this wrong in this case. And they have also impacted relief that could be obtained in other pending state and federal cases. *Marbury vs. Madison* (US Supreme 1803).

More infuriating is the damage done to me in the state court while this case was dragging along at a glacial pace in the district and appellate courts for nearly three years (December 2, 2014-August 22, 2017) with no stays, supplemental jurisdiction nor any relief of any kind. As a direct result of the failure of the federal court judges (district and appellate) to act, the state actor-defendants and their colleagues sought their revenge upon me. (App 59, App 60-63, App 64-70, App 71-77, App 84-86, App 88-89) Piecemeal litigation commenced at my great cost -- and always to my loss. But not a single judge stepped in or stepped up to stop the criminal acts taking place in violation of my constitutional rights.

Based on the history of that which has transpired, it is clear that all will continue to act in this absurd manner (App 40, App 92) in this and every case without this Court's intervention.

All Prior Relief Sought Has Been Denied

I have sought a stay of all federal cases and a change of venue from the Third Circuit and the US District Court entirely. This relief was denied (App 56) as was every single stay of state action sought by me via the Third Circuit. (App 5, 19-20 and 56) All stays sought in the district court were also denied. (ECF 11, 17, 21, 49, 65) The decisions I seek to be reviewed are App 56, 5, 19-20 and 56.

Without any avenue for relief elsewhere, the crimes continuing in the state and the record now reflecting facts that will harm my other pending cases, I turn to this court for this extraordinary relief.

Without this Court's intervention, it is certain that the result will be nothing but more of the same: more theft in the state courts, more dismissals in the federal courts based on fraudulent findings, more defenses raised by parties without standing (App. 92) improperly adjudicated by federal judges, more delays caused (App 90-91), more discovery ruined, more improper dismissals (App 40) by judges seeking to protect their colleagues and more damage done to me – and me alone – by all.

I cannot fight this on fifteen fronts as I am being forced to do on my own at the same time – at my expense. I am supposed to have a government. This is their job, not mine. But I am alone in this fight: and now I am fighting judges rather than my cases. So I turn to this Court for relief that has been deprived me in every other court by every other judge.

**Every Judge in Every Court Has Been Made Aware of These Crimes,
Including the US Supreme Court (15-735)**

This Court was made aware of these crimes when I petitioned it in 2015 – Docket No. 15-735. In the Brief Factual Background of 15-735, I noted:

"Yet repeatedly, confiscatory restrictions, illegal liens, unauthorized court actions and fraudulent filings with the court by thieves and intermeddlers have resulted in deprivation by the state."

This Court was made fully aware that the state actor-defendants were using the powers of their office to force me to pay for funds I did not owe and forcing me to pay monies being embezzled by my non-profit corporation. (See 15-735, App 7-8; court order). The theft was further emphasized by me via 15-735, Pg. 17: "Not even the NJ Supreme Court would address these crime. (App. 86-87) . . . I did not agree to be a party to crimes to keep my own roof over my head."

This Court was also made fully aware that parties without standing sought and obtained unlawful relief (monies) from the state actor-defendants. (See 15-735, pgs 8-9) And this Court was made fully aware that I was not the only victim of this scheme.

This Court was also made well aware that due process was denied me in order to obtain the illegal judgment -- without having seen or reviewed any contract or settlement -- and while my case for fraud was still pending. As noted in 15-735, Pg. 13:

"The court did not look to the contract nor the settlement it cited. (App. 2). They court presumed terms of a contract, presumed terms of a settlement and presumed full compliance by OKV with both. It made this presumption in the same manner is presumed standing."

This Court was also made aware of all the violations of my right to due

process. (15-735, pgs 8-9) As you were also made aware, the appellate court judges did not even bother to address my challenges to standing. (App. 58-59) And yet they still affirmed an unauthorized judgment (App 60-63) resulting in the taking of monies not owed by contract or law: followed by sanctions (App 92-96), the seizure of funds from the state and an arrest warrant absent any right in the law, no trial and no meaningful due process. (This has been the pattern ever since. App 64-77)

Despite taking these same FACTS to every single court, no relief was given by this Court. No relief has been given by any court. And nothing but harm has come of it.

Deprivation, Loss and Irreparable Harm

My property has been slandered. My home has been foreclosed upon. My credit has been destroyed. My name is all over the internet as a deadbeat who fails to pay her debts via false facts and fraudulent rulings – with more to come as more state suits filed against me are now pending.

My business (*my livelihood*) has been impaired. I have been extorted into paying debts I do not owe by any law and am now without my own monies I need for my business. I have had my money held in trust seized without due process (App 92-95). My liberty has been put at risk twice and arrest warrants have been signed. Sheriffs have been to my door. Foreclosure notices have been posted on my garage, in the paper and on the internet. My

life has been altered. My good name is ruined. And yet no one – not even THIS COURT – will act.

This theft has gone for ten years as have these cases involving the illegal acts of certain parties. (See 15-08324, ECF 127 and App 92) And this theft has been known and ignored by the federal court for nearly four years.

Without a stay of state action (28 U.S. Code § 2283) immediately granted and a stay of all federal cases put into effect until such time the petition for mandamus is address, more damage will be done.

No state cases nor any action by the district court or the Third Circuit that is now pending should be permitted to commence until the mandamus pending (17-738) is addressed. And no action should commence in the federal court until full compliance with the rules of court (28 U.S. Code § 1654) is enforced by this Court.

**Pattern of State-Sanctioned Theft and Extortion
(Violations of Constitutional Rights Ignored by Federal Judges)**

On March 11, 2013, a judgment was ordered against me for monies not owed to a condominium corporation via a suit filed by a party not authorized to commence suit. On December 3, 2015, another judgment for more than \$15000 was signed against me in favor of the same corporation via the same unauthorized debt collector. On August 1, 2015, the court sanctioned me for \$6200 (App 93-95) involving this same unauthorized action and my money held in trust with the state was seized (App 96). On/about August 15, 2015,

the Sheriff attempted to arrest me via a warrant from the court (App 93-95). No action was taken by the state to stop this criminal, Steve Rowland, from acting. (App 79) This threat of my liberty being at risk was known to the Third Circuit (App 11-18), but no relief was given. (App 19)

As of September 2015, I had two prejudgment liens on my home, two judgments filed with the state, \$6200 seized from me without a trial and an arrest warrant out against me. State actors were involved in every action at all times.

In order to sell a property and commence with my business, I was forced to have \$30,044.07 (the payoff amount determined by the unauthorized debt collector) to be paid from the transaction. The total loss to me (excluding my own court costs) now totaled \$36,544.07. And although extorted and paid in the full, the prejudgment liens were not discharged by the state actor (Defendant Melfi, see 16-07771).

In March 23, 2016, a judgment in the amount of \$11,485.86 was signed against me for the same corporation via another unauthorized suit brought by the same debt collecting lawyer. Another public judgment was recorded with the state by this same lawyer. Another arrest warrant was signed by Judge Mabrey. Again, the sheriff came to my door to arrest me. And again upon selling another property, the payoff amount demanded by the debt collecting attorney to have clear title was \$11,955.12.

In May 2017, a state judge deemed my answer (App 81-83) in a foreclosure action (which included the two prejudgment attachments not discharged) as uncontested. Standing was deemed not a valid defense to the action. No original note was produced. A judgment in the amount of \$179,387.31 was signed. (App 84-86)

No stays were granted by either the federal or state courts even though I offered to post a bond pending the appeal. (App 87) The district court denied emergent injunctive relief and my appeal of the denial of this stay (17-2231) was not adjudicated in time and has not been adjudicated yet. (App 90-91).

On September 27, 2017, I lost my home to a foreclosure action. I had to use money set aside to operate my business to buy back my own home at auction.

On August 3, 2017, a judgment in the amount of \$8867.21 was signed via another unauthorized action seeking monies not owed by the same debt collecting attorney. The judge authorized that the unconstitutional prejudgment lien (filed in September 2016) be enforced. In September 2017, the judgment was filed with the state.

In every single one of these cases, there has been:

- No proof of standing (App 59, 78, 79)
- No right to a trial
- No right to cross-examine witnesses
- No meaningful due process of any kind

Judges (not juries) in every single case have made the rulings in every single case in total violation of the New Jersey Constitution. And it has all been done absent any proof, absent any authority in law and lacking any meaningful due process. *Shelley v. Kraemer* (US Supreme 1948): "The action of state courts in imposing penalties or depriving parties of other substantive rights without providing adequate notice and opportunity to defend, has, of course, long been regarded as a denial of the due process of law guaranteed by the Fourteenth Amendment." (See 15-735, pg 14-15)

Seeking relief from these crimes in the federal court, my complaint (ECF 34) was not considered. And my challenges to state statutes have been ignored entirely (as they have been in every other case now pending in the district court). My rights have been violated on every front, by every judge. Every remedy (the law) created by Congress that exists to protect me from such abuses has been eviscerated by both the district and appellate federal judges. And the theft continues in the state to this day due to the federal court not providing remedies in the law.

Conclusion

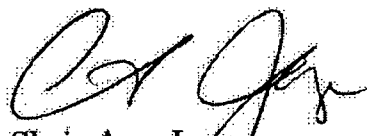
The departures from judicial procedures in this and other cases now pending are so great that the judges have negated the self-correcting mechanisms that are supposed to exist. Clearly, I have gone through all the proper channels. And I have been given no relief. Other than sitting back and being

raped by my own government in silent acquiescence until I am bankrupted, homeless or dead, what else am I supposed to do?

The Third Circuit judges have negated their role as impartial jurists and have become parties to the theft by and through its judicial decree. (App 41-48, App 49-57) I no longer want to be judged by them until direction is given by this court.

As evidenced by the attached documents, this insanity (caused by all involved in the federal court) does need not continue. I do not need to be bounced between five courts as some form of amusement. A stay of state action should be put into effect based on my pleading (ECF 34) and all federal cases stayed as well. Until such time that the Third Circuit and district court judges can justify their rulings in the law, I should not be forced to deal with these arbitrary, unfounded rulings: rulings (false facts) that give credence to criminal conduct in the state court which will impact other pending federal matters. (17-2231, 17-2564, 16-07771, 17-05257)

This legal labyrinth created by these judges to protect other judges needs to be put in check. Due process requires process. What is before you is not a process; it is chaos caused by those with power to ensure defeat. And it should not and cannot be tolerated.


Chris Ann Jaye
November 21, 2017

Chris Ann Jaye
PO Box 5015
Clinton, NJ 08809

Date: July 28, 2016

Chris Ann Jaye

Appellant

v.

NJ Attorney General, et. al.

Appellee

United States Court of Appeals

Third Circuit

Case Number: 16-2641

**Motion for Summary Action per
Local FRAP 27.4**

Dear Justices:

In light of the fact that neither DAG Brian Wilson nor DAG Ashley Gagnon nor any of the defendants have denied that not a single final order existed at the time my complaint was filed, there is no question in the law that the order dismissing the complaint based on *Rooker-Feldman* as argued by the defendants and their counsel was a lie. A declaratory order from this Court should be placed into the record making this a finding of fact.

In light of the fact that not a single defendant nor counsel has come forth with proof of a single final order upon which to rely as a basis for dismissal based on *Rooker-Feldman* could have been made, the dismissal of the complaint must be modified accordingly to vacate the dismissal with prejudice based on *Rooker-Feldman*. The order of the dismissal with prejudice should be vacated entirely and the proceedings moved forward for adjudication on the merits in accordance with Rule 1.

In light of the fact that holding cases pertaining *Pro se* litigants, including, but not limited to, *Eriksen v. Pardus*, was deliberately withheld from the court in two separate motions to dismiss, the dismissal for failing to plead according to Rule 8 must be modified accordingly. Without contradictory citations in the record, the motions were improper and meant to mislead the court. Accordingly, the order dismissing with prejudice should be vacated and proceedings move forth immediately in accordance with Rule 1.

In light of the fact that not a single defendant nor counsel has come forth disputing the fact that they are not represented by the NJ Attorney General's Office for conduct performed in their individual capacities, the defendants named in their individual capacities must be declared as being in default on the record. By order of this Court, default judgment in my favor should be granted against anyone who was named in their individual capacity and failed to appear.

In the district court, DAG Brian Wilson has not challenged my pending motions nor the arguments made in the motions, including, but not limited to, his lies pertaining to *Rooker-Feldman* and his failure to cite holding case law. Accordingly, the court should deem my assertions in those pending motions as uncontested facts by order of the court.

In this court, DAG Gagnon did not dispute my facts as it pertains to my motion to reconsider and motion to amend. No opposition was provided. Accordingly, my statements pertaining to DAG Wilson and the defendants lies in obtaining a dismissal are uncontested. Summary action in the form of sanctions and other equitable relief for the delays caused should be granted by this court immediately.

In light of the fact that my challenges to state statutes were properly filed with my first complaint (ECF 1) and not certified in accordance with the FRCP, summary action in the form an order by this Court should be issued to certify them now. Since the NJ Attorney General has chosen not to intervene after eighteen-months, the court should order it cannot intervene now.

In consideration of the lies and the delays that have resulted as a result of this illegal conduct by the defendants, all cases pending in any state court needs to be stayed immediately. The motion to stay state action was deemed moot by the district court. It is not moot. And this Court can direct that this order of mootness be vacated and the state actions be stayed.

If a stay of state action is not granted, then this court should direct that any and all defendants having any control, power or influence over any state action be barred from those matters. This court should also order all matters that were transferred to and adjudicated in the court controlled by Defendant Judge Jacobson, including but not limited to the civil rights case against Judge Ciccone, be vacated and heard in a neutral court (or consolidated with cases pending in the district court if applicable).

In light of the delays caused by Judge Shipp and others at the United States District Court of New Jersey, the failure to enter documents, and the failure to adjudicate motions in their entirety, this Court should direct the district court to adjudicate all matters in accordance with the rules in the same return cycle in which my motions are filed.

Since the conduct of the defendants and their counsel has resulted in two years of delays in my obtaining discovery, this court should order the defendants to release all documents, notes, emails, records, ACMS entries, JEFIS entries, and any related documents involving me, this case and their dealings with each other per any and all matters in which I am a party to me by order of this court within five (5) days (in electronic form if available). The court should also order that all defendants, not their counsel, certify that the discovery provided by them is complete.



Chris Ann Jaye

Chris Ann Jaye
PO Box 5015
Clinton, NJ 08809

Date: July 28, 2016

Chris Ann Jaye

Appellant

v.

NJ Attorney General, et. al

Appellee

United States Court of Appeals

Third Circuit

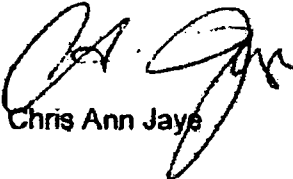
Case Number: 16-2641

**Certification for Motion for
Summary Action per
Local FRAP 27.4**

I, CHRIS ANN JAYE, hereby certify as follows:

1. There were no final judgments in existence at the time I filed my complaint.
2. Contrary citations of holding law pertaining to pleading requirements were not noted in two separate motions to dismiss.
3. Challenges to State Statutes filed with ECF 1 were never certified.
4. My post-judgment motions were not contested.
5. The return date for my post-judgment orders was July 5, 2016.
6. There are two documents in this case that were not filed by the Clerk.

I declare under penalty of perjury that the foregoing is true and correct.


Chris Ann Jaye

*****AMENDED BLD-392**
****AMENDED BLD-392**
***AMENDED**
BLD-392

September 22, 2016
September 9, 2016
September 1, 2016
August 25, 2016

C.A. No. 16-2641
CHRIS ANN JAYE, Appellant
VS.
ATTORNEY GENERAL NEW JERSEY, ET AL.
Page 2

in the above-captioned case.

Respectfully,

Clerk

MMW/RTS/jw/clw

ORDER

Appellant's "Motion for Summary Action" and "Motion for Summary Action for Immediate Stay of State Action" are denied. Appellant's motions for injunction and motion to stay also are denied. Appellant's motion for judicial notice is denied without prejudice to her ability to raise the arguments contained therein in her brief. Given our rulings, the case shall proceed to briefing. The stay of the briefing schedule, entered on July 19, 2016, is lifted, and the Clerk will issue a revised briefing schedule. Finally, we emphatically warn Appellant that any further frivolous and/or duplicative filings in this appeal may result in sanctions.

By the Court,

s/Anthony J. Scirica
Circuit Judge

Dated: September 22, 2016
CLW/cc: Ms. Chris Ann Jaye
Ashley Gagnon, Esq.

Chris Ann Jaye
PO Box 5015
Clinton, NJ 08809

Date: September 14, 2016

Chris Ann Jaye
Appellant
v.
NJ Attorney General, et. al.
Appellee

United States Court of Appeals
Third Circuit
Case Number: 16-2641

**Emergent Order to Stay State
Actions and Direct Judgments, Liens
to Be Vacated**

Dear Justices:

You have before you two motions for summary action, a motion for judicial review of this case and two emergent motions for stays of state action. Months have passed and there has not even been a date scheduled to address any of them. I would like to add this latest motion to the pile.

As of next week, I will have a petition filed with the US Supreme Court. Motions to address deprivations of due process by the district court and this court will be addressed at that time. In the interim, I file this latest motion based on the latest order from the NJ Supreme Court. (Attached.)

As you will note, the NJ Appellate Court provided its usual simplistic "denied" as it pertains to providing any relief. As has been the case, there are never reasons... just denials. Nonetheless, the NJ Appellate Court has been duly advised that the judgment was not certified as final, it was entered per an erroneous default, the Plaintiff is not a

plaintiff since it did not authorize the suit as required by law, and that judgments and liens now slandering my title have been filed by an intermeddler.

The NJ Appellate Court, per the emergent motion it denied and this similar non-emergent motion reiterating the same points now denied, has also been made aware of the fact that the intermeddler, Steve Rowland and his firm (Brown, Moskowitz & Kallen), sought monies that were denied by the federal court (15-cv-5303), failed to provide an affidavit by law as per attorney's fees, and sought attorney's fees not permitted by law. The attorney's fees awarded were then not permitted to be taxed, but were then taxed by the court. To summarize, the judgment and lien (filed by Steve Rowland) are now part of the state records – and both are invalid, erroneous and inaccurate.

As to jurisdiction, the NJ Appellate nor the trial court had any jurisdiction over OKV, the Plaintiff, since the Plaintiff did not ever commence this suit. The state cannot create standing as it has done – time and time again. And yet the NJ Appellate Court continues to act despite this fact being made known to them.

Additionally, the NJ Appellate Court (and the trial courts) are fully aware from court records dating back to 2012 (October 9, 2012 specifically) prove that monies charged illegally to OKV and paid by its management company absent any authority in the law were embezzled from OKV. These expenses were then illegally billed to me. And they being billed to me now by this judgment. (The cost of legal expenses for a lawyer to defend his himself and his own firm are not “common assessments” as defined in the law – if anyone chose to look at the law.)

Finally, there was no trial because this judgment was entered in error per the games of the trial court. And so no jury was able to do what the trial court (a defendant in this case) refused to do -- apply the law. Regardless, I have an inviolate right to a jury per the NJ Constitution. And that, too, was not provided to me before these judgments and liens were made part of the public record.

With all these violations known, the NJ Appellate Court chose not take any action and has continued to claim jurisdiction over a judgment based on known fraud. Bearing in mind that this same court, the NJ Appellate has not determined that the order was final, knowing the trial court will not vacate this erroneous order and fully aware that the trial court has barred me from filing any additional motions for relief (which a repetitive routine by this recalled judge who was not evaluated for his mental fitness before being recalled as required), a blind man could see that I am being deprived due process and the rights afforded me in the constitution. And un addition to these violations, the NJ Appellate Court is now refusing to send me a scheduling order per this appeal. This is yet another game being played with me under the guise of due process.

While this court delays in its deliberation as to whether or not this constitutes harassment and bad faith by state actors, my property is being slandered by illegal judgments. I can think of nothing more irreparable than being extorted by a thief and intermeddler, done with the backing of the State of New Jersey. And yet here we are again -- while this Court delays, delays and delays as is par for the course.



Chris Ann Gayer

ORDER ON MOTION

OAK KNOLL CONDOMINIUM
OWNERS ASSOCIATION
V.
CHRIS ANN JAYE

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-004942-15T3
MOTION NO. M-009489-15
BEFORE PART W
JUDGE(S): RICHARD S. HOFFMAN
HEIDI W. CURRIER

MOTION FILED: 08/18/2016 BY: CHRIS JAYE
ANSWER(S) 08/24/2016 BY: OAK KNOLL CONDOMINIUM OWNERS
FILED: ASSOCIATION

SUBMITTED TO COURT: September 08, 2016

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
9th day of September, 2016, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT

MOTION TO REMOVE LIENS, JUDGMENTS
AND WARRANTS ISSUED BY THE STATE
ACTORS ACTING UNDER COLOR OF LAW DENIED

SUPPLEMENTAL:

FOR THE COURT:



RICHARD S. HOFFMAN, J.A.D.

DC-004807-15 MERCER
ORDER - REGULAR MOTION
PT

*****AMENDED BLD-392**
****AMENDED BLD-392**
***AMENDED**
BLD-392

September 22, 2016
September 9, 2016
September 1, 2016
August 25, 2016

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 16-2641

CHRIS ANN JAYE, Appellant

VS.

ATTORNEY GENERAL NEW JERSEY, ET AL.

(D.N.J. Civ. No. 3-14-cv-07471)

Present: KRAUSE, SCIRICA, and FUENTES, Circuit Judges

Submitted are:

- (1) Appellant's motion to summarily vacate;
- (2) Appellant's motion for summary action with exhibits & addendum;
- (3) Appellees' Response to Appellant's motions to summarily vacate and for summary action;
- (4) Appellant's Reply to Appellees' Response to Appellant's motions to summarily vacate and for summary action;
- *(5) Appellant's motion for injunction;
- *(6) Appellant's motion for judicial notice;
- ** (7) Appellant's motion to stay;
- ** (8) Appellees' Response to motion to stay;
- ** (9) Appellant's reply thereto; and
- *** (10) Appellant's motion for injunction, filed September 14, 2016

Chris Ann Jaye
PO Box 5015
Clinton, NJ 08809

Date: October 19, 2016

Chris Ann Jaye

Appellant

v.

NJ Attorney General, et. al.

Appellee

United States Court of Appeals

Third Circuit

Case Number: 16-2641

**Motion to Stay State Action Due to
Amended Order by Judge Shipp and
Nullification by This Court of Order
Dated September 22, 2016 per
Deadline for Appeal**

Dear Chief Judge McKee:

In light of the fact that I have been threatened with sanctions for what a judge has referred to as "frivolous and duplicate filings" on September 22, 2016, I am filing this motion to you directly. Whatever motivations are behind scaring me from seeking remedies in the law, I will not be deterred. Thus, I make it known again -- now -- that seeking a stay of state action (as is a right as a litigant in a pending civil rights suit) is a right. This request by lawful motion is neither frivolous nor duplicative since harassing events continue to happen by state actors involved directly in this case.

Today, again, the sheriff was at my door. Again, today, a card was left taped to my door. Exhibit A.

Still, to this day, there is a warrant out for my arrest over a judgment in the state which (1) the trial court did not certify as final, (2) the NJ Appellate Court did not deem final by any order, and (3) both courts refuse to address the illegal and erroneous entry of

default by the Clerk since I was never in default. A separate judge, not yet named in this suit but under the control of Defendant Judge Jacobson, signed the warrant per an information subpoena on the non-final judgment the trial judge refused to stay. Not only did that fool of a judge who should never sit on a bench deny the stay, he conveniently failed to even sign a proper order of denial. Thus, due to his failure to comply with the law, I am not able to seek a stay on a judgment in the appellate court. And so this warrant idiocy exists.

In light of the fact that this fool trial judge (on recall "at the pleasure" of Chief Justice Rabner) is a defendant in this case as is his boss, Judge Jacobson, it is not either surprising nor unexpected that these games (including the lack of notice of transfer, the denial of any judge to vacate an erroneous entry of default, the denial of remand to the court of first review by the NJ Appellate Court, etc.) are taking place.

However, all of this is taking place. And all of it is in bad faith and absent the law.

In seeking a stay of state action with the district court, I was repeatedly denied without the proper standard of review. Judge Shipp has a long history of ruling in a manner that is utterly absent the rule of law as the record shows.

In turning to this court, the same denial without reason and proper standard of review was given. Not unamusingly, I was denied a stay of judgment pending an appeal. That was not what was sought. But alas, the law is not being applied anywhere in any court – so what difference does it make?

Since failing to issue a stay in the district court and this court (and after the threats made by this court), the district court via Judge Shipp conveniently realized that it has a

legal duty to adjudicate post-judgment motions. (Judge Shipp's Amended Order 9/29/16). Suddenly, months after my filings and after numerous erroneous orders, Judge Shipp had an epiphany per the rules of court.

However, if he had done his job as required at the onset — I would not have been in this position. The stay would have been granted by the district court and it would not have been denied by this court as a judgment pending an appeal (in error).

Yet Judge Shipp did not do his job. In fact, he has deliberately delayed adjudicating post-judgment motions until the State of New Jersey rendered its decision on a case that should have been granted supplemental jurisdiction.

The motions that are still pending now (finally to be addressed) are being heard while at the same time this court refuses to vacate its September 22, 2016. You, as you know, have been briefed on all of this — twice.

You, as you know, are also fully aware that I am without a complete record by the district court's failure to file my documents as well as by this court's failure to direct the district court to do its job by filing those missing documents. By the records and acts of this court, the remedy (the vacating of the dismissal) was a right I had in the law based on this error by the Clerk as well as the stay of state action I have sought from this court. Everything was denied.

Despite being denied, denied, denied and denied without a basis in the law, I have a right to a stay of state action now. The defendants in this case are not only violating my civil rights, but are now conspiring to violate my civil rights. An arrest warrant is a state

action. It needs to be stayed as does every other idiotic thing taking place in that swamp of corruption called a court controlled by Judge Jacobson.

Without question, I find it difficult to believe that the actions of both Judge Shipp in delaying adjudication of the motions and of the Clerk in failing to file documents hand-delivered to court are just simple errors. And I find it difficult to believe that the district court is not in full communication with the defendants (and the state) to work as one unit to make this matter as convoluted as possible.

And now, with both the district court and this court refusing to grant a stay for no reason permitted in the law, I am being harassed yet again (again at my home) to comply with an information subpoena via a warrant still out for my arrest over this issue. Of course, as stated, the judgment is not final, the judgment was illegally entered as a default, and the order (deemed judgment) was signed by a defendant in this civil rights suit who did so without providing me the opportunity of a trial, discovery, etc.

And all of this has stemmed from the inner workings of the Superior Court of Mercer County where Defendant Judge Jacobson is directing her staff to sign illegal orders, sign illegal warrants and act upon illegal acts in her court. She, the head of the snake, is in control of all of this – from the entry of the default, the failure to notify, the assignment of Judge McManimon, etc. This is being done. And none of this is legal.

This, by the standard of review required for a stay of state action (not a stay pending an appeal as was stated by this court), demands the relief sought with a stay. "Denied" is convenient, but it does not provide a basis for the denial. I have a right to a stay of all state action.

Without question, I am being harassed and these utterly corrupt defendants who are state actors are failing to act in good faith. If you take judicial notice of my filings in this court, this has been proven by the motions I have filed – including the lies told by the NJ AG (counsel for the defendants) for which no relief was given per FRAP 46.

Regardless of the expected denial by this court and the threats made by this court, I am putting it on record that I am living under siege, being harassed, and being placed in danger by these defendants. And I have been put in danger yet again today. Exhibit A.

If I were outside, I would have been arrested and swept away to be brought before a judge where the only option is to provide my entire life's financial history or remain in jail (without bail or the right to an attorney). Based on this illegal warrant and the illegal acts of those involved, I have been forced to alter my life. These defendants have some unconstitutional and sick control over my life under the false pretense that they are acting as honorable judges and within state law. They are not.

And by any common sense and any application of the law, the stay of state action should have been granted and needs to be granted now.

Moreover, since this non-final judgment was filed by Steve Rowland with state (Judgment Process Service overseen by Chief Justice Rabner and NJ Supreme Court), I have a lien against me and all my properties. The money is secure. But, to add salt to the wound, more damage has taken place.

Seeking to sell a home recently, the shyster Steve Rowland was advised by my attorney in writing that payment of the judgment would be rendered by the title company.

Although illegal and paid under protest as advised by my attorney in that transaction,

Steve Rowland submitted a pay-off letter to him. This, of course, was done without the consent of his so-called client. But it was known to all that the money for this illegal judgment (non-final and pending an appeal) would be paid upon the closing of this property. It has not yet closed.

Regardless, this shyster, thief and intermeddler Steve Rowland who has absolutely no standing to speak on behalf of the client he represents, failed to advise either the court or the sheriff's office of this fact. And this shyster failed to advise anyone that monies will be paid to resolve this issue, the lien, the warrant and the non-final judgment. The non-final judgment is, by the way, being appealed as well. And still, this is all taking place.

The state is working with this filth (Steve Rowland) who should have been disbarred to arrest me until I give them (the defendants in this case) my entire financial records. This is nothing but a tactic by filthy lawyers and judges to use whatever means and tactics necessary to invade my privacy. And, despite Judge Shipp not certifying my Challenges to State Statutes, I have challenged the illegality of this "warrant" with the federal court.

With all this said, if this is not harassment -- I know not what is. And if a stay to stop the illegal action of state actors taking place in the kangaroo courts of the state does not warrant a stay, then this court does not know how to apply the law as it is written.

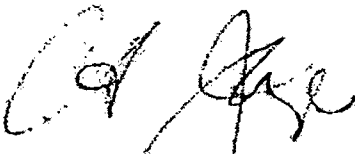
Finally, in light of both my petition to the US Supreme Court and the motions filed to Chief Justice Alito pertaining to the violations of due process taking place at this court and the district court, it is not without coincidence that calls have been made to "bring

me down" by the sheriff. Without question, I find none of this amusing in the least – and deem every single inexplicable, unjustifiable, erroneous decision deliberate acts by all to violate my civil rights.

Do what you will with this motion – which as history has shown will be "denied." But I am writing it for the record so that if anything happens to me by these maniacs that refer to themselves as judges (but who, in fact, are defendants), no one can state they were not aware that this harassment was taking place. It is taking place, has taken place and continues to take place – while this court has done nothing but threaten me with sanctions to stop me from seeking rights in the law..

The bias against pro se litigants is beyond comprehension.

And now, let the NJ AG state again that this court lacks jurisdiction to stay a state action when she damn well knows such stays are permitted in this, a civil rights case.



Chris Ann J Jaye

Hunterdon County Sheriff's Office



At your earliest convenience,
Please contact our office between
the hours of 8:30 AM and 4:30 PM
Monday through Friday.

Ms. Chae Ann Jaffe

REFERENCE # 416-2133

COUNTY OF HUNTERDON
PO BOX 2900
FLEMINGTON, NJ 08822-2900

Case: 16-2641

Document: 003112439075

Page: 8

Date Filed: 10/19/2016

PLEASE CALL
(908) 784-1144

Exhibit A
TAPED TO MY
DOOR!

CLD-050

November 22, 2016

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 16-2641

CHRIS ANN JAYE, Appellant

VS.

ATTORNEY GENERAL NEW JERSEY, ET AL.

(D.N.J. Civ. No. 3-14-cv-07471)

Present: FISHER and SHWARTZ, Circuit Judges

Submitted are:

- (1) Appellant's "Motion to Stay State Action"
- (2) Appellees' Response

in the above-captioned case.

Respectfully,

Clerk

MMW/BNB/dmg/clw

ORDER

The foregoing "Motion to Stay State Action" is denied. Chris Ann Jaye's allegations in support of her request for a stay of state court proceedings do not support a showing that an exception to the Anti-Injunction Act is applicable, and we thus lack the authority to stay the state court proceedings. See 28 U.S.C. § 2283; 1975 Salaried Emps. Ret. Plan for Eligible Emps. of Crucible, Inc. v. Nobers, 968 F.2d 401, 408 (3d Cir. 1992). The stay of the briefing schedule, entered on October 31, 2016, shall remain in place. The parties are directed to file a status report regarding the District Court proceedings within 30 days of the date of this order and every 30 days thereafter until the District Court disposes of Jaye's "Motion to Vacate per R. 60, Amend per R. 59, Establish Findings of Fact per R. 52(b), Hold a New Trial per R. 59(a)(2) and Take

Judicial Notice.” When the District Court issues a decision, the parties shall promptly advise the Court, and the Clerk will issue a briefing schedule at that time.

By the Court,

s/ D. Michael Fisher

Circuit Judge

Dated: November 23, 2016

mlr/cc: Chris Ann Jaye
Ashley Gagnon, Esq.

Chris Jaye
PO Box 5015
Clinton, NJ 08809

Date: January 24, 2017

Chris Anri Jaye
Plaintiff

United States Court of Appeals
Third Circuit

v.

16-2641

NJ Attorney General John Hoffman, et. al.

Letter Addressing Order of
November 23, 2016 and
Challenging Jurisdiction of this
Court That An Appeal is Pending

Appellate Court Judges:

Judge Shipp has advised counsel and defendants as well as the US Court of Appeals, Third Circuit, that the order to the motion to extend time to appeal an interlocutory order pertaining to an emergent stay of state action (ECF 59) with ECF 69 has been vacated. This order was done after Judge Shipp dismissed this case with prejudice (ECF 64-65) and closed the case. The case was not permitted to be closed since all matters were not finalized. As such, there can be no pending appeal as the November 23, 2016 order stipulates. See Rule 3.

To highlight the cause and effect of the illegality of these proceedings, I have provided a detailed list. It will serve no purpose since this court is doing exactly what the district court is doing – bending the rules to find a way to push this out of court and protect judges. But I want it as part of the record nonetheless.

Let's get a few facts straight on the prejudicial delays taking place at the so-called federal court known as the US District Court of New Jersey:

1. March 23, 2016 motion (ECF 59) has not been adjudicated.
TEN MONTHS and counting.
2. May 2016 motion to dismiss with prejudice has not been vacated as a result of this known error. (See Rule 3 and controlling law on piecemeal litigation.)
EIGHT MONTHS and counting.
3. May 2016 FRAP motions not adjudicated.
EIGHT MONTHS and counting.
4. June 2016, motions filed addressing missing documents not filed in this case by the Clerk known to both the district and appellate court. Still not part of the record as of today.
EIGHT MONTHS and counting.
5. September 21, 2016 order stipulating Judge Shipp will address FRAP 4 motions still not address.
FOUR MONTHS and counting.

This kind of crap would never be pulled on a lawyer or law firm. And you, the appellate court, knows it. But then again, this is what comes when judges place themselves above the rule of law and are accountable to no one.

Rule 1, Rule 3, Rule 8 and Civil Rights Cases

Rule 1 requires speedy and inexpensive adjudication on the merits. But who cares what the US Supreme Court and Congress dictates, right? Lawyers and judges are above the law!

And thanks to the failures of Judge Shipp and his deliberate, prejudicial, intentional delays, I have had to commence with yet another civil rights suit rather than supplement this suit because he illegally dismissed with prejudice this case – and is waiting until God knows when to undo his errors. Eight months and counting...

Rule 3 requires an appeal on a case involving the finality of all matters. Documents have not been filed and all motions have not been adjudicated. As a matter of procedure, someone **(like a federal judge or appellate court judge)** should have vacated the dismissal with prejudice upon the known fact that ECF 59 has never been adjudicated. (See piecemeal litigation and Rule 3)

Instead (much like the missing documents not filed in this case and known to all), both the federal court and appellate court continue on with the total illegalities taking place under the guise that there is an appeal pending. In addition to that wrong determination in the law, no represented party would have to wait **MORE THAN TWO YEARS** to address a R. 12 motion, obtain discovery, have a conference, etc...

In other words, thanks for destroying my case deliberately and intentionally. If it takes two years to pass the golden gates to the district court, what other tricks do you all have up your sleeve for me moving forward? What other blockades? Barriers? You judges are good at your tricks of the trade – I have to give you that.

As to Rule 8, the simplicity of it speaks for itself. It is as simple as it gets. And yet it is taking Judge Shipp eight months to figure out whether or not he erred in applying the *Twombly* standard over the Rule 8 standard. For the record, he erred. And he knows it. And yet, eight months – and counting.

A high school student could look at the complaint and make the determination that all required elements to survive a R. 12 motion are there. Civil rights cases only require a Rule 8 pleading. This is not rocket science. But for reasons unknown, Judge Shipp needs years of time, thought and reflection.

One must assume he is hoping I will die before he decides this singular issue of this case. Yeah, that seems to be in keeping with Rule 1 and the "spirit of the rules" as to the administration of justice.

On a final note – remember, **IT HAS BEEN MORE THAN TWO YEARS SINCE I HAVE FILED**. The case has been dismissed twice in error by two judges – both of whom did not certify my challenges to state statutes nor remanded state claims to the state courts.

It has been more than TWO YEARS SINCE I FILED and I have yet had my complaint heard since I cannot get pass the golden gates of the US District Court of New Jersey due to all these illegal games being played. And you call this justice, right?

Tricks, Delays, Tactics and Obstruction of Justice

The US Court of Appeals demanded monthly updates. I will do you one better. I will highlight why you have no jurisdiction over this appeal and the delays being caused by the district court to ensure that my case never comes to light.

While enjoying this detailed list of violations, keep in mind that federal judges are doing this to a pro se litigant in a civil rights case. And remember, you, the federal judges, took oaths and are supposed to be the guardians of my constitutional rights.

Thanks for nothing and wasting years of my life with these endless games.

- **Illegality One:** Judge Shipp dismissed the case with prejudice and closed the case without adjudicating all motions.

This case is not only not appealable until all matters are decided, Judge Shipp had no right to close the case as Judge Shipp did since there were matters pending that were not adjudicated. This court, the appellate court, has been made aware of this *ad nauseum* and still continues to act as if there is an appeal.

However, as it pertains to the forever motion in limbo, ECF 59, it was filed on March 28, 2016. We are now ten (10) months since that motion was filed without adjudication. And we are now four months, numerous motion cycles and in an entirely new year since Judge Shipp has vacated his own order based on his own errors pertaining to this motion.

- **Illegality Two:** Judge Shipp has caused yet another delay in this case to deprive me of the relief I have sought. And this has been done in total violation of R. 1.

Judge Shipp refused to address post-judgment motions for months. (ECF 69) Attempting to play some game with this case and my rights, Judge Shipp deemed these timely filed motions not within his jurisdiction due to an appeal that was nullified by these motions filed by me.

Judge Shipp then vacated this erroneous order (ECF 70) and then corrected that erroneous order (ECF 71) to highlight his errors, noting that he did have a duty to adjudicate those motions. Of course, this revelation came after a letter to the US Court of Appeals was written by me noting that it was continuing with an appeal although FRAP 4 motions had not been heard and the record was not complete. Clearly, someone intervened and Judge Shipp realized he could not "pass the buck."

These pending FRAP 4 motions have still not been heard since they were filed on May 28, 2016. We are now eight (8) months since they were filed and nearly five (5) months since Judge Shipp realized he a duty to adjudicate them.

- **Illegality Three:** Judge Shipp has delayed adjudicating post-judgment motions for MONTHS by his own errors and "mistakes." The result is the spoliation of discovery and additional harm at the state level that continues by and through the acts of these defendants/state actors and now their legal counsel.

Throughout his case, Judge Shipp repeatedly lied in his orders and violated the rules to render illegal and invalid decision that ensured my rights in the law, specifically 28 U.S. Code § 1654, would be violated. These lies in these order would then be deemed true upon an appeal of same.

- **Illegality Four:** Upon review of ECF 19 (Plaintiff's motion for reconsideration), Judge Shipp had a had a duty to ensure that R. 15 was granted to me absent any motion.
- **Illegality Five:** Judge Shipp had a duty to vacate the dismissal/closure order (ECF 10) and adjudicate ECF 3 and ECF 7. Judge Shipp had a duty to vacate the subsequent order (ECF 17) by Judge Sheridan and adjudicate motions he could not adjudicate due to his conflicts (ECF 12 and 13).

As a matter of law, Judge Pisano had no right to close the case (R. 15) and Judge Sheridan had no right to hear the case (ECF 16, ECF 17) since he should have recused himself at the start and not by my motion. (ECF 25) And so Judge Shipp had a duty to do what they failed to do — adjudicate the motions that they did not or could not.

Instead of doing that which was required by the law, Judge Shipp chose to seek a reason to allow these denials to stand when neither Judge Pisano nor Judge Sheridan had any legal right to deny as moot or dismiss with prejudice anything while a R. 15 amended complaint was pending before the court. The denial of reconsideration and to vacate all orders as well as the failure to adjudicate that which was improperly deemed moot or denied was a violation of R. 1 and the spirit of the rules and controlling law.

- **Illegality Six:** In addition to the violation of R. 15 that was upheld, Judge Pisano did not *sua sponte* provide me an opportunity to amend this civil rights case.

Fletcher-Harlee v. Pote Concrete Contractors, 482 F. 3d 247 - 3rd Circuit 2007

In District Council 47 v. Bradley, 795 F.2d 310, 316 (3d Cir.1986), we used a footnote from Borelli v. City of Reading, 532 F.2d 950 (3d Cir.1976) (*per curiam*), and our decision in Darr, to create a rule that district courts in civil rights cases must extend the plaintiff an opportunity to amend — irrespective of whether it was requested and irrespective of whether the plaintiff was counseled — before dismissing a complaint.

- **Illegality Seven:** Judge Shipp illegally ordered I amend a perfectly acceptable amended complaint based on Judge Sheridan's findings when no such review of the amended complaint was sought nor needed to be sought. (See R. 15 and R. 12 as to defendants' filings)
- **Illegality Eight:** Judge Shipp had a duty to vacate Judge Sheridan's orders (all of them) since he had recused himself from this case only after a motion was filed by the pro se Plaintiff. (ECF 25 per ECF 16 and ECF 19)

By directing me to file another amended that which complied with R. 8 (see *Erickson*), Judge Shipp placed in the record that my first amended complaint was not valid. (ECF 30-31) Judge Shipp burdened me with an additional task and expense of amending a valid complaint to the benefit of the defendants and to my detriment. (Rule 1) Thus, another tactic of delay.

Moreover, and by and through this order, Judge Shipp ensured that the record reflected that Judge Shipp bestowed upon me the gift to amend when no leave to amend required. (See R. 15)

- **Illegality Nine:** Judge Shipp had a duty to administer justice as per R. 1. The case had been lingering in limbo since the illegal closure by Judge Pisano (ECF 10), the illegal adjudication by a judge who failed to recuse himself as required (ECF 25) and for six months since the filing of my motions on May 28, 2015. (ECF 19)
- **Illegality Ten:** It took Judge Shipp and this court nearly a year from the time of Judge Pisano's illegal order (ECF 10) to order that I file a second amended complaint (ECF 30-31) before the case was reopened.¹

Judge Shipp further protected the defendants (state actors and his former colleagues) by ensuring no R. 16 conference nor any disclosures were required. Clearly, it was assumed at the start this case would be dismissed regardless of how artful or inartful my pleadings were.

- **Illegality Eleven:** R. 16(b)(2) timeline was not observed. No attempt to communicate with me was made. Judge Shipp relied on my lack of knowledge to deprive me of that which I had a right to have.
- **Challenges to the standing of the NJ AG to defend state actors in their individual capacity** remained unaddressed since no discovery was permitted.

¹ Counsel for the Defendants did not cite *Erickson* in either of their two motions to dismiss. Judge Shipp did not cite this case in the motion to dismiss with prejudice. However, *Erickson* was noted in my opposition to the second motion to dismiss – which was never filed by the Clerk. Copy of the stamped document can be found in the US Court of Appeals Third Circuit where it was filed and not ordered to be included into the record.

Further steps were taken by Judge Shipp to ensure that state actors and their illegal racket would not be impacted by challenges to state statutes. By not certifying them, they were never addressed.

- **Illegality Twelve:** Judge Shipp refused to comply with federal law and certify the Challenges to State Statutes filed with my complaint in December 2014.
- **Illegality Thirteen:** Judge Shipp still has not certified my challenges to state statutes and have since deemed them moot. (ECF 64-65) ²

The FRCP 5.1, states: (b) CERTIFICATION BY THE COURT. The court must, under 28 U.S.C. §2403, certify to the appropriate attorney general that a statute has been questioned. But why should a federal judge comply with federal rules?

Relying on the illegal acts of the judges who have been involved in this case, Judge Shipp has declared in the most recent motion to dismiss with prejudice with no opportunity to amend and my state claims not remanded (the second such order in the this case). His reason is that I failed to plead in accordance to the *Twombly* standard.

- **Illegality Fourteen:** ECF 64-65 fraudulently declares that Judge Shipp provided me opportunities to amend. This is not true. By the FRCP, I had a right to amend per R. 15.
- **Illegality Fifteen:** Judge Shipp was fully aware I was a pro se litigant and was fully aware that the pleading standard of R. 8 (see *Erickson*) was the appropriate standard in this case – a civil rights case.

Relying on orders in this case, Judge Shipp has also sabotaged another case by stating false facts pertaining to the "opportunities" given me to me in this case as a basis to deny the right to amend my complaint in that case. (15-8324, ECF 305 & 306)

² These challenges did not disappear, but have been ignored. We are now two years since these have been filed. The same disregard of these challenges in the matter of 15-8324 were deemed "moot."

- **Illegality Sixteen:** The lies of this case told by Judge Shipp have now impacted another case and deprived me rights in that case. Judge Shipp was fully aware I sought a right to amend that complaint in that other case. He denied it based on false facts he created in this case and based on orders which have not been appealed. I have been denied right in another case due to lies told in this case.

At no time and throughout the case, did Judge Shipp apply controlling law and the appropriate standard as it pertains to civil rights cases and stays of state action. As stated in my documents, this was done with the intent to have the state render a verdict in advance of this court's verdict. By having the state rule first (due to Judge Shipp delaying adjudicating motions in this case for months), this court (and Judge Shipp) clearly expect that they can *improperly* rely on *Rooker-Feldman* as an out in the future as it pertains to other matters or supplemental pleadings sought if his order to dismiss with prejudice is not overturned. These are tactics, not judicial acts.

- **Illegality Seventeen:** It is the duty of a federal judge to apply both state and federal law to all cases. Judge Shipp did not apply the exception to the rule as it pertains to stays of state action in civil rights cases at any time. Judge Shipp denied such stays for every reason under the sun absent the exception in the law – and failing to address the cases I cited which supported my right to such relief.
- **Illegality Eighteen:** Judge Shipp illegally delayed adjudicating motions and this case to ensure that a related state civil rights case proceeded and were adjudicated (dismissed) by the state. Judge Shipp, having violated his duties under R. 1, then conveniently deemed all relief sought to supplement the case as moot. (ECF 64-65)
- **Illegality Nineteen:** Judge Shipp illegally deprived me the right to supplemental jurisdiction over a state case (causing piecemeal litigation) by delaying adjudicating a motion for supplemental jurisdiction until such time the matter was decided by the NJ Appellate Court and conveniently deemed "moot."
- **Illegality Twenty:** Despite my letters opposing extensions not provided in the rules, Judge Shipp coordinated with Judge Bongiovani to extend time for the

defendant's opposition to my timely filed motions (ECF 40 and 41) to ensure that adjudication by the state was had prior to his decision rendering a dismissal with prejudice. (ECF 64-65)

Judge Shipp lied in his motion to dismiss with prejudice (denying the right to amend and refusing to remand state claims) as it pertained to *Rooker-Feldman*. Considering there were state claims, *Rooker-Feldman* did not apply to them. Considering the court relied on pleadings (statements pertaining to state judgments) which were outside the face of the complaint, *Rooker-Feldman* could not apply unless the defendants provided proof. The motion was required by the rules to be treated as a summary judgment. It was not.

Judge Shipp did not require any certification of proof from the defendants and their counsel (all state actors). The word of the liars (defendants and counsels) was sufficient to dismiss this case (and state claims) with prejudice.

Of course, federal judges are not allowed to make assumptions and must look to proofs. This does not happen in cases where there is an agenda set by the court to rid the courts of pro se litigants.

- **Illegality Twenty-Two:** The order to dismiss based on *Rooker-Feldman* (ECF 64-65) was not only legally wrong since no final judgment existed at the time the suit was filed. It was not supported with any documentary evidence. (ECF 42)
- **Illegality Twenty-Three:** Judge Shipp improperly treated a R. 12 motion for summary judgment (ECF 42) without the required procedures being followed and absent proofs, affidavits, etc.
- **Illegality Twenty-Four:** Judge Shipp allowed counsel to create new law that Judge Shipp knew did not apply to this case and permitted same to not cite contradicting law, such as *Erickson*, in its papers to render his decision.
- **Illegality Twenty-Five:** Judge Shipp dismissed a state claim with prejudice based on *Rooker-Feldman* when that only applies to federal cases.
- **Illegality Twenty-Six:** Judge Shipp was made aware that the defendants had lied in their pleadings and did not immediately seek to vacate his order *sua sponte*.

- **Illegality Twenty-Seven:** Judge Shipp was made aware that my opposition was not filed (as well as other documents) and still continued to advise all parties that he would address FRAP 4 motions on an incomplete record. (ECF 70 and ECF 71)

Total Disregard of Judicial Notice

Taking judicial notice of a case in the same court to which Judge Shipp was assigned, the case of 15-8324, including but not limited to ECF 127, would have provided ample proof to any competent judge that the state actors being sued for violating my civil rights had – in fact – violated my civil rights. Although on notice and having had this available to him for consideration, Judge Shipp did nothing with this information.

Fully aware by court records (considered evidence) that the state actor defendants in this case entertained legal argument from counsel without standing and rendered decision not permitted in the law due to the relief being based in criminal acts, Judge Shipp continued to protect the defendants in this case.

And it continued in this court when relief addressing the lies of the defendants and their counsel were denied by this court and ignored by Judge Shipp.

As it pertains to judicial notice and the evidence in the case of 15-8324, Judge Shipp denied my motion for summary judgment in that case (ECF 127) three days after it was filed (ECF 129) for no reason in the law. Not a single defendant had to respond to it. Not only does this show that Judge Shipp can make fast rulings when it fits his agenda, it demonstrates nothing but yet another protective act by this federal judge to protect the liars and violators of my civil rights in this civil rights case.

And, of course, Judge Shipp could have also considered the appeal on the interlocutory order in that case (Docket 16-2315) and the petition filed to the US Supreme Court (Docket 16-451).

But why look at evidence when state actor-defendants and their counsel can simply lie and get their way.

Conclusion

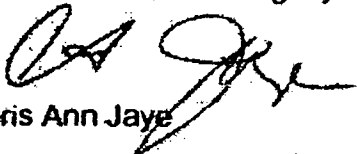
This court has no jurisdiction to hear any appeal. But you ordered we give you updates. In turn, again judicial notice of all of this case and all facts presented are being requested.

The evidence is before you. The delays are before you. The games are before you. The lies are before you. Lawyers-turned-judges acting in these case are not as skillful as they think they are in playing these games with my rights. They simply have the power to violate the law and hide behind immunities to do so. But that will not deter me. I am prepared to call out every lie, trick and tactic along the way until something is done to address these abuses of power.

I am certain that stating this will result in some illegal order from this court to silence me. I am expecting that. Judge Ciccone barred me from using public audio tapes of motions hearings I purchased to ensure the illegalities in her court were not made known. Of course, she had no right. But who cares about rights? So to put it plainly, I am expecting some creative next move from the federal court as well as the court to find some other creative reason why this case can be dismissed.

Since the reasons given by Judge Shipp are without merit, I am sure you are all scouring the books to see how you can rid me from the courts while using certain words to ensure that the orders are as insulting to me as possible. All in all, I expect the court to act against me rather than uphold my rights. This is not my first time at the rodeo.

As to the delays, illegal findings of fact and insulting orders, these are also nothing new. It has been done time and again, by both state and federal actors. All the while, the thieves and embezzlers are still in place committing their crimes -- and still backed by the state via state-sanctioned extortion. And now the same criminals involved are backed by the federal court. But no one can say they were not told. You have all been told. And the evidence is in the record as is this update pertaining to an appeal that does not exist involving my civil rights case filed on December 2, 2014.


Chris Ann Jaye

Subject: 2017 Oak Knoll Village Meeting Dates

From: Oak Knoll Village COA, Inc. - TRACYB (tblair@accesspm.com)

To: contactcaj@yahoo.com;

Date: Monday, January 23, 2017 6:03 PM

Oak Knoll Village Owners:

Attached please find the year's schedule of board meetings for 2017. Please print this or mark your calendars - we hope to see you at a few this year. The next meeting is next Tues. Jan. 31st at 7:00pm at the pool house.

Tracy Blair, PCAM, CMCA, AMS
Vice President & Regional Manager
Access Property Management
3477 Corporate Parkway, Suite 100
Center Valley, PA 18034
484.224.3463 / 610.791.4600 fax

Attachments

- 2017 Board Meeting Dates.pdf (287.10KB)

Filed At Chambers

APR 11 2013

Judge P. Buchsbaum

ORDER PREPARED BY THE COURT

Plaintiff:

Defendant

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION

HUNTERDON COUNTY

DOCKET NC. HNT-L-375-12

**CIVIL ACTION
ORDER**

**CERTIFIED TO BE
A TRUE COPY**

It is on this 10 day of April, 2013,

ORDERED

1. Defendant is awarded counsel fees for pursuing the collection action as permitted by the homeowner documents. The amount shall be \$8,000 which is fairly attributable to the collection action, that forms only a part of the overall litigation.
2. The amount as modified as reasonable because plaintiff claimed that her affirmative claims should act as a bar to collection. The bills are specific and detailed. The modification of the request is due mainly to make the fee award reasonably commensurate with the amount at issue. It also eliminates amounts spent by Berman, Sauter on its own defense.
3. The objections, except regarding law firm self-defense, have no merit. Defendant has a right to fees under the governing documents and plaintiff has not, as she acknowledged, challenged any particular fee entry. Her other legal objections have no merit.

PETER A. BUCHSBAUM, J.S.C.

COPY SENT

4/11/13 to both
parties

FILED, Clerk of the Appellate Division, January 13, 2017, A-004942-15

ORDER ON MOTION

OAK KNOLL CONDOMINIUM
OWNERS ASSOCIATION
V.
CHRIS ANN JAYE

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-004942-15T3
MOTION NO. B-002825-16
BEFORE PART B
JUDGE(S): CARMEN MESSANO

MOTION FILED: 12/19/2016

BY: CHRIS JAYE

ANSWER(S)
FILED:

SUBMITTED TO COURT: January 09, 2017

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
13th day of January, 2017, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT

MOTION TO DEMAND FOR REFERRAL TO
ONE PER STEVE ROWLAND AND KENNETH
SAUTER REGARDING NJ RPC VIOLATION DENIED

SUPPLEMENTAL:

FOR THE COURT:



CARMEN MESSANO, P.J.A.D.

DC-004807-15 MERCER
ORDER - REGULAR MOTION
ET

PO Box 5015
Clinton, NJ 08809

Date: August 14, 2017

Chris Ann Jaye

Appellant

v.

NJ Attorney General John J. Hoffman,

et. al.

Appellee

United States Court of Appeals

Third Circuit

Case Number: 16-2641

Emergent Injunctive Relief to Stay All
Federal Cases and Motion
to Transfer Case and Appeal to A
Neutral Venue

Dear Justices Ambro, Krause and Nygaard,

As has been the case and continues to be the case, this court has ensured that the judges of the district and state courts could continue to violate my rights without any intervention of any kind. And it is more apparent that more is to come as of tomorrow when you rule in this matter.

For the record, no one in this matter has scheduled my August 3, 2017 and August 4, 2017 motions. I sought emergent relief to change the venue. I did not do that for amusement. I did that because there is a concerted effort to bar me from seeking relief against state and federal actors in these courts. And there is a concerted effort to stop me from taking action against illegal acts taking place in the State of New Jersey.

Instead of any relief, I have been barred, blocked and denied any and all remedies in the law. And it is happening in this court as well.

If not for the improper conduct of the district court judges, I would not be before you now. And yet this court has just turned a blind eye to it. And so the harm continues in the district and state courts while this court does nothing.

As the record proves, Judge Shipp knew full well that I sought to seek a suit against him in the matter of 1:16-cv-07771. He was fully aware that I deemed him unfit. He was fully aware I filed a judicial complaint against him. And yet he continued to act when any reasonable person would find that he was no longer impartial.

The result has been the dismissal of all parties in that matter, except Defendant Melfi. He has vacated her default. And by doing this, my pending appeal of 17-2231 has also been harmed. He knows exactly how to rule and when to rule to do the most damage. And he has done this while being a named litigant in the suit of 17-cv-05257.

As to that matter, the judges in the district court further conspired to ensure that 1:17-05257 has never come to light. The transfer of the case was done without notice of assignment. I was ordered to comply with an OTSC. The summons from the Clerk have been withheld. My filing of July 18, 2017 has not been posted. Attached.

And yet conveniently, Judge Shipp (a named defendant in that case) ruled to protecting these same state actors in the matter of 1:16-cv-07771 which gives the other district court some authority to rely on this ruling to block the suit of 1:17-cv-05257. Of course - Judge Shipp would have and should have recused himself upon notice of the suit in the matter of 1:17-cv-05257. But he did not. He chose to continue to rule against me with full knowledge of all that he could not be impartial - and nor could the district court.

Through these recent rulings, Judge Shipp has used his bench to save others from harm, including himself. His intent in ruling in the case of 1:16-cv-07771 was not only to impact not that case, but this pending appeal, the appeal of 17-2231 and now 1:17-cv-05257. And now this court is going to rule on orders by this same judge via this same district court which has shown such a total regard for my rights, the rules and due process.

This conspiracy and illegality involving such orders and the manipulation of public records is further proven by the fact that no one in this US Appellate Court, Third Circuit found it worthy to remand an incomplete docket (falsely certified) or even bother to schedule the emergent motions filed by me on August 4, 2017. There is no end to what can be done in total violation of the law. There is no end.

Unless you all think I am blind, I am fully aware of the hell that you intend to unleash upon me tomorrow as vengeance for seeking accountability of judges. If justice was going to be given and the law was going to be applied to this case, it would have come by now via stays of state actions, remands for adjudication on the merits and other orders which would have prevented the records from being manipulated. Emergent motions would have been scheduled for adjudication and this court would have removed this entire matter to a neutral venue as sought by me.

Instead, it did not schedule the motions, has ignored the fact that it is dealing with an incomplete record, has entertained a motion to dismiss based on nothing (in order to affirm via plenary review) and has allowed a judge being sued by me to protect his own (and himself) as he has just done in the matter of 16-cv-07771 (ECF 80, 81).

Clearly, this court has no intention of even considering have neutral eyes placed on these cases and adjudicated according to the law. It is without wonder why so many US Court of Appeals, Third Circuit judges have failed to uphold the dictate of the US Supreme Court, have allowed this appeal to proceed when all matters are not final and have failed to protect my rights in terms of ensuring that challenges to state statutes and other motions were addressed.

And there is no doubt that you can see the manipulation of the district court records in this case and in others, such as 17-cv-05257. But you simply choose to ignore it. And by ignoring it, you are guaranteeing that there will never be any path to any justice in this court. You are the protectors of the district court judges in the same manner the district court judges have protected the state judges. There is ample proof in this case and others aforementioned that demonstrate an absolute contempt for my civil rights. Whatever the reason, this court and its judges should no longer be a party to it.

But instead of taking judicial notice of all of these illegal games and taking steps to uphold the law, you -- Justice Ambro, Krause and Nygaard -- are prepared to rule tomorrow - on an incomplete record, based on Judge Shipp's *sua sponte* orders and with full knowledge that I have sought a total change of venue.

I still seek a change of venue. My August 4, 2017 motion did not disappear. But since the only goal is to unleash hell on me, there is nothing I can do but wait for the hell that is to come while all my rights are ignored by all involved.



Chris Ann Jaye

Robert B. Kugler, presiding
 Karen M. Williams, referral
 Date filed: 07/18/2017
 Date of last filing: 08/14/2017

History

Doc. No.	Dates	Description
1	<i>Filed:</i> 07/18/2017 <i>Entered:</i> 07/20/2017	☒ Complaint
2	<i>Filed & Entered:</i> 07/21/2017	☒ Order to Show Cause
3	<i>Filed & Entered:</i> 08/14/2017	☒ Notice of Appearance

PACER Service Center			
Transaction Receipt			
08/14/2017 11:21:22			
PACER Login:	Ammandale123:4706514:0	Client Code:	
Description:	History/Documents	Search Criteria:	I:17-cv-05257-RBK-KMW
Billable Pages:	1	Cost:	0.10

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CHRIS ANN JAYE,

Plaintiff,

v.

NJ ATTORNEY GENERAL JOHN
HOFFMAN, et al.,

Defendants.

Civil Action No. 14-7471 (MAS) (TJB)

ORDER

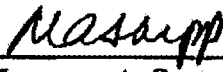
This matter comes before the Court on Plaintiff Chris Ann Jaye's ("Plaintiff") Motions to Vacate, Establish Findings of Fact, Hold New Trial, and Take Judicial Notice. (ECF No. 67.) Opposition was filed by Defendants New Jersey Attorney General John Hoffman in his official capacity, Deputy Attorney General Ione Curva in her official capacity, the Honorable Peter Buchsbaum in his individual and official capacities, the Honorable Yolanda Ciccone in her individual and official capacities, the Honorable Mary Jacobson in her official capacity, the Honorable Patrick McManimon in his official capacity, Christopher Koos in his official capacity, Judith Irizzari in her official capacity, and Caroline Record in her individual and official capacities (collectively, "Defendants").⁵ (ECF No. 73.) Plaintiff then replied. (ECF No. 74.) For the reasons set forth in the accompanying Memorandum Opinion, and other good cause shown,

IT IS on this 24th day of January 2017, hereby **ORDERED** that:

1. Plaintiff's Motions to Vacate, Establish Findings of Fact, Hold New Trial, and Take Judicial Notice (ECF No. 67) are **DENIED**.

⁵ Defendants' opposition indicates that it is also filed on behalf of Shari K. Black who was terminated as a party to this case on January 14, 2016. (ECF No. 73.)

2. Because Plaintiff has already paid the filing fee in connection to her appeal to the United States Court of Appeals for the Third Circuit, Plaintiff need not pay a second time after the issuance of this decision.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CHRIS ANN JAYE,
Plaintiff,

v.

NJ ATTORNEY GENERAL JOHN
HOFFMAN, et al.,

Defendants.

Civil Action No. 14-7471 (MAS) (TJB)

MEMORANDUM OPINION

SHIPP, District Judge

This matter comes before the Court on Plaintiff Chris Ann Jaye's ("Plaintiff") Motions to Vacate, Establish Findings of Fact, Hold New Trial, and Take Judicial Notice. (ECF No. 67.) Opposition was filed by Defendants New Jersey Attorney General John Hoffman in his official capacity, Deputy Attorney General Ione Curva in her official capacity, the Honorable Peter Buchsbaum in his individual and official capacities, the Honorable Yolanda Ciccone in her individual and official capacities, the Honorable Mary Jacobson in her official capacity, the Honorable Patrick McManimon in his official capacity, Christopher Koos in his official capacity, Judith Irizzari in her official capacity, and Caroline Record in her individual and official capacities (collectively, "Defendants").¹ (ECF No. 73.) Plaintiff then replied. (ECF No. 74.)

The Court has carefully considered the submissions from the parties and decides the matters without oral argument pursuant to Local Civil Rule 78.1. For the reasons set forth below, Plaintiff's Motions are **DENIED**.

¹ Defendants' opposition indicates that it is also filed on behalf of Shari K. Black who was terminated as a party to this case on January 14, 2016. (ECF No. 73.)

I. Background²

This action arises from several state court lawsuits in which Plaintiff was a litigant. Plaintiff alleges that the state court wrongfully ruled against her. On December 2, 2014, Plaintiff, proceeding pro se, filed a sixty-three-page Complaint against the New Jersey Attorney General, a deputy attorney general, several members of the New Jersey judiciary, and various state court personnel. (Compl., ECF No. 1.) In her Complaint, Plaintiff alleges, *inter alia*, that Defendants violated 42 U.S.C. § 1983 and the New Jersey Civil Rights Act in connection with their involvement in a state court action against Plaintiff for unpaid condominium common charges and in actions by Plaintiff against her condominium association. (Compl. 61-62.) After a series of motions resulted in the dismissal of Plaintiff's Complaint (ECF No. 1) and Amended Complaint (ECF No. 13), Plaintiff filed a Second Amended Complaint (ECF No. 34). Upon Defendants' Motions to Dismiss (ECF Nos. 42, 45, 46), the Court dismissed the Second Amended Complaint with prejudice (ECF Nos. 64, 65). Within one week of the Court's decision, Plaintiff filed the instant Motions to Vacate, Establish Findings of Fact, Hold New Trial, and Take Judicial Notice. (ECF No. 67.)

II. Motion to Vacate

Under Rule 60(b) of the Federal Rules of Civil Procedure, courts have discretion to grant a party relief from a final judgment, order, or proceeding. *See Shapiro v. Baker*, 646 F. Supp. 1127, 1128 n.1 (D.N.J. 1986) (citing *Greco v. Reynolds*, 416 F.2d 965 (3d Cir. 1969)). Rule 60(b) "applies only to 'final' judgments and orders." *Penn W. Assocs., Inc. v. Cohen*, 371 F.3d 118, 125

² The Court assumes familiarity with the facts of this case, which are set forth in the Court's previous opinion. (Feb. 10, 2015 Op., ECF No. 10.) The Court, therefore, includes only the facts relevant to the pending motions.

(3d Cir. 2004) (quoting *Torres v. Chater*, 125 F.3d 166, 168 (3d Cir. 1997)). Rule 60(b) provides for relief from a final judgment only for the following reasons: “(1) mistake,³ inadvertence, surprise, or excusable neglect; (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b); (3) fraud, . . . misrepresentation, or misconduct by an opposing party; (4) the judgment is void; (5) the judgment has been satisfied, released or discharged . . . ; or (6) any other reason that justifies relief.” Fed. R. Civ. P. 60(b).

Here, Plaintiff’s Motion to Vacate arises under subsection (3) and Plaintiff alleges that counsel for Defendants made fraudulent misrepresentations to the Court in their February 17, 2016 Motion to Dismiss Plaintiff’s Amended Complaint (ECF No. 42). (Pl.’s Moving Br. 2-7, ECF No. 67.) Specifically, Plaintiff points to Defendants’ argument that the *Rooker-Feldman* Doctrine precludes the Court from exercising jurisdiction due to underlying state court judgments. (*Id.* at 3.) Plaintiff contends that Defendants mischaracterized the “finality” of the state court judgments and that Defendants failed to attach relevant court documents in support of their statements. (*Id.*)

Plaintiff further contends that Defendants mischaracterized the nature of her action as arising out of state court judgments against Plaintiff, and by failing to mention that her action arose from a civil rights violation. (*Id.* at 4.) Plaintiff argues that Defendants possess no right to characterize the nature of her case. (*Id.*) Finally, Plaintiff makes numerous legal arguments regarding the inapplicability of the *Rooker-Feldman* Doctrine to her case. (*Id.* at 5-7.)

³ Rule 60(b) does not apply to a court’s alleged “legal error.” *United States v. Fiorelli*, 337 F.3d 282, 288 (3d Cir. 2003) (“[A] Rule 60(b) motion may not be used as a substitute for an appeal, and . . . legal error, without more does not warrant relief under that provision”) (internal quotation marks and citation omitted).

Despite Plaintiff's characterization of Defendants' conduct as based upon "fraud" and "lies," Plaintiff fails to identify any instance in which Defendants committed fraud upon the Court. Plaintiff fails to identify or submit any evidence indicating that the underlying state court judgments were not "final." In contrast, Defendants submitted copies of the underlying state court decisions that dismissed Plaintiff's state claims on their merits. (*See* ECF No. 42-2.) By arguing that Defendants did not submit any evidence in support of their claim that underlying state court judgments existed, when clearly Defendants submitted the relevant documents, Plaintiff makes a gross misrepresentation to the Court. Further, Plaintiff's argument that Defendants have no right to characterize the nature of her case in their own statement of facts is without merit. Similarly, Plaintiff's legal arguments regarding the applicability of the *Rooker-Feldman* Doctrine do not raise any issue of fraud. For these reasons, Plaintiff's Motion to Vacate is denied.

III. Motion to Amend Judgment

Plaintiff also moves to amend the Court's May 25, 2016 Order (ECF No. 65), which dismissed Plaintiff's claims with prejudice, to add "findings of fact." (Pl.'s Moving Br. 7.) Plaintiff argues that federal law permits the relief Plaintiff seeks, and Plaintiff does not provide further explanation with regard to this Motion. (*Id.* at 7-8.) As Plaintiff provides no basis for her Motion, and because the Court is not aware of any legitimate basis upon which to grant the Motion, Plaintiff's Motion to Amend Judgment is denied.

IV. Motion for New Hearing

Plaintiff seeks a "new hearing" pursuant to Federal Rule of Civil Procedure 59, which provides the procedure for seeking a new trial. (Pl.'s Moving Br. 8.) In support, Plaintiff only argues that Defendants' fraudulent statements to the Court and the inapplicability of the *Rooker-Feldman* Doctrine justify a "new hearing." (*Id.*) Given that Rule 59 governs "new trials" and does

not provide for the reconsideration of decisions on motions to dismiss, the Court denies Plaintiff's Rule 59 Motion.

V. Motion for the Court to Take Judicial Notice

Plaintiff moves for the Court to take judicial notice of the fact that "Judge Ciccone, as alleged in [Plaintiff's] [C]omplaint, took it upon herself to render decisions via a cross-motion involving an order that was ordered by the Appellate Court and for which no relief was sought by anyone to the Appellate Court." (*Id.* at 10.) Federal Rule of Evidence 201(b) governs judicial notice: "The court may judicially notice a fact that is not subject to reasonable dispute because it: (1) is generally known within the trial court's territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." Accordingly, it is within the Court's discretion whether to take judicial notice of a fact. *See Dzielak v. Whirlpool Corp.*, 26 F. Supp. 3d 304, 319 (D.N.J. 2014).

After reviewing the facts in the record, Plaintiff's proffered statement, and the referenced provisions in Plaintiff's Complaint, the Court declines to take judicial notice. The statement incorporates Plaintiffs' pleading, which contains numerous facts subject to reasonable dispute. In addition, the Court cannot accurately and readily determine Plaintiff's alleged fact. For these reasons, the Court denies Plaintiff's Motion to Take Judicial Notice.

VI. Conclusion

For the reasons set forth above, Plaintiff's Motions to Vacate, Establish Findings of Fact, Hold New Trial, and Take Judicial Notice (ECF No. 67) are **DENIED**. The Court will enter an order consistent with this decision.⁴



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE

Dated: January 24th, 2017

⁴ The Court notes that Plaintiff has already paid the filing fee in connection to her appeal to the United States Court of Appeals for the Third Circuit. Plaintiff, therefore, need not pay a second time after the issuance of this decision.

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 16-2641

CHRIS ANN JAYE,
Appellant

v.

ATTORNEY GENERAL NEW JERSEY;
DEPUTY ATTORNEY GENERAL IONE K. CURVA, in her Official Capacity;
THE HON. PETER A. BUCHSBAUM, individually and in his
Official Capacity as Judge of the Law Division of Hunterdon County;
THE HON. YOLANDA CICCONE, individually and in her
Official Capacity of Assignment Judge Law Judge of the
Superior Court of Hunterdon, Somerset and Warren;
THE HON. MARY C. JACOBSON, in her Official Capacity as
Assignment Judge and Presiding Judge in the Law Division of the
Superior Court of Mercer County;
HON. PATRICK MCMANIMON, in his Official Capacity as
Special Civil Part Judge of the Superior Court of Mercer County;
CHRISTOPHER KOOS, in his Official Capacity as Civil Division Team Leader
for the Superior Court of Mercer County;
JUDITH IRIZZARI, in her Official Capacity as
Civil Division Manager for the Superior Court of Mercer County;
CAROLINE RECORD, individually and in her Official Capacity as
NJ Supreme Court's Secretary for the Office of Attorney Ethics;
JOHN DOES 1-25 (FICTITIOUS NAMES), individually and
in their official capacities as State actors,
including but not limited to the NJ Judgment Processing Service Defendants

On Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil Action No. 3:14-cv-07471)
District Judge: Honorable Michael A. Shipp

Submitted Pursuant to Third Circuit LAR 34.1(a)
August 15, 2017

Before: AMBRO, KRAUSE and NYGAARD, Circuit Judges

JUDGMENT

This cause came to be considered on the record from the United States District Court for the District of New Jersey and was submitted pursuant to Third Circuit LAR 34.1(a) on August 15, 2017. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the judgment of the District Court entered May 25, 2016, and January 24, 2017, be and the same are hereby affirmed. Costs taxed against the appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

s/Marcia M. Waldron
Clerk

Dated: August 22, 2017



Teste: *Marcia M. Waldron*
Clerk, U.S. Court of Appeals for the Third Circuit

NOT PRECEDENTIAL

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

No. 16-2641

CHRIS ANN JAYE,
Appellant

v.

ATTORNEY GENERAL NEW JERSEY;
DEPUTY ATTORNEY GENERAL IONE K. CURVA, in her Official Capacity;
THE HON. PETER A. BUCHSBAUM, individually and in his
Official Capacity as Judge of the Law Division of Hunterdon County;
THE HON. YOLANDA CICCONE, individually and in her
Official Capacity of Assignment Judge Law Judge of the
Superior Court of Hunterdon, Somerset and Warren;
THE HON. MARY C. JACOBSON, in her Official Capacity as
Assignment Judge and Presiding Judge in the Law Division of the
Superior Court of Mercer County;
HON. PATRICK MCMANIMON, in his Official Capacity as
Special Civil Part Judge of the Superior Court of Mercer County;
CHRISTOPHER KOOS, in his Official Capacity as Civil Division Team Leader
for the Superior Court of Mercer County;
JUDITH IRIZZARI, in her Official Capacity as
Civil Division Manager for the Superior Court of Mercer County;
CAROLINE RECORD, individually and in her Official Capacity as
NJ Supreme Court's Secretary for the Office of Attorney Ethics;
JOHN DOES 1-25 (FICTITIOUS NAMES), individually and
in their official capacities as State actors,
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On Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil Action No. 3:14-cv-07471)
District Judge: Honorable Michael A. Shipp

Submitted Pursuant to Third Circuit LAR 34.1(a)
August 15, 2017

Before: AMBRO, KRAUSE and NYGAARD, Circuit Judges

(Opinion filed: August 22, 2017)

OPINION*

PER CURIAM

Chris Ann Jaye, proceeding pro se, appeals from orders of the United States District Court for the District of New Jersey dismissing her civil rights action and her post-judgment motion for reconsideration. For the reasons that follow, we will affirm.

Jaye filed a complaint pursuant to 42 U.S.C. § 1983 and the New Jersey Civil Rights Act, which she later amended in response to an order directing her to comply with Federal Rule of Civil Procedure 8(a), alleging that various New Jersey state court judges, state court staff, and the New Jersey Attorney General and Deputy Attorney General violated her rights in connection with several state court cases. Those cases involve an ongoing dispute between Jaye and her condominium association regarding unpaid condominium fees. Defendants filed a motion to dismiss. The District Court dismissed the second amended complaint, determining that it still failed to comply with the requirements of Rule 8(a) and that, in any event, Jaye's claims were subject to dismissal for lack of subject matter jurisdiction pursuant to the Rooker-Feldman doctrine. The

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

District Court's order also "terminated" various other motions that Jaye had filed in the case, including motions to stay the state court proceedings. Jaye timely appealed. She also filed a "Motion to Vacate," which the District Court denied. Jaye filed another notice of appeal.

We have jurisdiction pursuant to 28 U.S.C. § 1291. Our review of the dismissal of the complaint is de novo. See Allah v. Seiverling, 229 F.3d 220, 223 (3d Cir. 2000); cf. Turner v. Crawford Square Apartments III, L.P., 449 F.3d 542, 547 (3d Cir. 2006) (exercising plenary review over district court's invocation of the Rooker-Feldman doctrine). We review for abuse of discretion the District Court's order denying Jaye's motion for reconsideration. See Jackson v. Danberg, 656 F.3d 157, 162 (3d Cir. 2011). We may affirm on any basis supported by the record. See Fairview Twp. v. EPA, 773 F.2d 517, 525 n.15 (3d Cir. 1985).

The Rooker-Feldman doctrine deprives a District Court of jurisdiction to review, in some circumstances, a state court adjudication.¹ See Turner, 449 F.3d at 547. In Exxon Mobil Corp. v. Saudi Basic Industries Corp., 544 U.S. 280, 284 (2005), the Supreme Court emphasized the narrow scope of the Rooker-Feldman doctrine, holding that it "is confined to . . . cases brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments." It is difficult to fully determine the status of all of Jaye's state court cases, as she has filed

¹ The doctrine is derived from Rooker v. Fidelity Trust Co., 263 U.S. 413 (1923), and District of Columbia Court of Appeals v. Feldman, 460 U.S. 462 (1983).

several different lawsuits concerning her condominium fees. But at least some of her claims seek relief for injuries caused by judgments that were entered against her before she commenced the underlying action. To the extent that is the case, the District Court correctly determined that those claims are barred by the Rooker-Feldman doctrine. See Great W. Mining & Mineral Co. v. Fox Rothschild LLP, 615 F.3d 159, 165 (3d Cir. 2010) (stating that the Rooker-Feldman doctrine deprives lower federal courts of jurisdiction over suits that are essentially appeals from state-court judgments).

To the extent, however, that Jaye's claims stem from rulings in matters that are ongoing in state court, those claims are not barred under the Rooker-Feldman doctrine. Nevertheless, they are subject to dismissal on other grounds.² In particular, the New Jersey Attorney General and Deputy Attorney General are immune from suit for money damages under the Eleventh Amendment. See Pa. Fed'n of Sportsmen's Clubs, Inc. v. Hess, 297 F.3d 310, 323 (3d Cir. 2002) ("[T]he Eleventh Amendment ... has been interpreted to render states—and, by extension, state agencies and departments and officials when the state is the real party in interest—generally immune from suit by

² Jaye sought to stay any ongoing state court proceedings, but the District Court properly denied this request. The Anti-Injunction Act provides that "[a] court of the United States may not grant an injunction to stay proceedings in a State court except as expressly authorized by Act of Congress, or where necessary in aid of its jurisdiction, or to protect or effectuate its judgments." 28 U.S.C. § 2283. These exceptions do not apply here. Only the "necessary in aid of its jurisdiction" exception is even remotely relevant to this action and, as we have explained, it applies only when the state court proceedings "so interfere with a federal court's consideration or disposition of a case as to seriously impair the federal court's flexibility to decide that case." 1975 Salaried Ret. Plan for Eligible Emps. of Crucible, Inc. v. Nobers, 968 F.2d 401, 408 (3d Cir. 1992) (citation and internal quotation marks omitted). The circumstances of this case do not meet this standard.

private parties in federal court.”); see also Pennhurst State Sch. & Hosp. v. Halderman, 465 U.S. 89, 119-20 (1984) (holding that the Eleventh Amendment bars state law claims against state officials in federal court). In addition, the named judges (and members of their staff and court personnel) are immune from suit to the extent they were sued in their individual and official capacities. See Stump v. Sparkman, 435 U.S. 349, 356-57 (1978) (judges immune from suit unless they act in complete absence of jurisdiction); Gallas v. Supreme Court of Pa., 211 F.3d 760, 772-73 (3d Cir. 2000) (court personnel entitled to quasi-judicial immunity for alleged acts pursuant to judge’s instructions). Jaye did not set forth information which might suggest that the judges in her cases acted in the absence of all jurisdiction. Nor did she set forth information which might show that court personnel acted contrary to judicial instruction. Rather, Jaye appears to be merely dissatisfied with the judicial rulings against her. See Azubuko v. Royal, 443 F.3d 302, 303 (3d Cir. 2006) (per curiam) (“A judicial officer in the performance of his duties has absolute immunity from suit and will not be liable for his judicial acts.”).

The District Court also did not abuse its discretion in denying Jaye’s “Motion to Vacate.” That motion, which the District Court treated as seeking relief under Federal Rule of Civil Procedure 60(b)(3), alleged that the defendants’ motion to dismiss mischaracterized the finality of her state court judgments, misinterpreted her claims as arising out of those judgments, and misapplied the Rooker-Feldman doctrine. Rather than identify instances of fraud or misconduct, however, these allegations challenge the substance of the Defendants’ arguments. See Stridiron v. Stridiron, 698 F.2d 204, 206-07 (3d Cir. 1983) (to prevail under Rule 60(b)(3) the moving party must establish that the

adverse party engaged in fraud or other misconduct, and that this misconduct prevented the moving party from fully and fairly presenting her case). Indeed, Jaye's "Motion to Vacate" essentially sought to relitigate issues the District Court had already decided. But Rule 60(b) relief is available "only in cases evidencing extraordinary circumstances" and is not a substitute for an appeal. Morris v. Horn, 187 F.3d 333, 341 (3d Cir. 1999).

For the foregoing reasons, we will affirm the judgment of the District Court.³

³ Jaye's motion to expand the record and the Appellees' motion for leave to file a supplemental appendix are granted. But we deny Jaye's motion to strike Appellees' brief and their motion for leave to file a supplemental appendix, as well as her opposition to the Appellees' submission of a supplemental appendix. We also deny Jaye's motion for judicial notice, her motion to summarily set aside, her motion to summarily remand, and her letter titled "Still Waiting on Reason for Basis for Delay." To the extent that Jaye's letter captioned "Judge Shipp is Unfit to Act as a Federal Judge" seeks his disqualification, relief is denied. We also deny Jaye's "Emergent Injunctive Relief to Stay All Federal Cases and Motion to Transfer Case and Appeal to a Neutral Venue" and her "Motion for Emergent Change of Venue."

OFFICE OF THE CLERK

MARCIA M. WALDRON

CLERK



UNITED STATES COURT OF APPEALS

21400 UNITED STATES COURTHOUSE

601 MARKET STREET

PHILADELPHIA, PA 19106-1790

Website: www.ca3.uscourts.gov

TELEPHONE

215-597-2995

September 13, 2017

Mr. William T Walsh
United States District Court for the District of New Jersey
Clarkson S. Fisher Federal Building and United States Courthouse
402 East State Street
Trenton, NJ 08608

RE: Chris Jaye v. Attorney General New Jersey, et al

Case Number: 16-2641

District Case Number: 3-14-cv-07471

Dear District Court Clerk,

Enclosed herewith is the certified judgment together with copy of the opinion in the above-captioned case(s). The certified judgment is issued in lieu of a formal mandate and is to be treated in all respects as a mandate.

We release herewith the certified list in lieu of the record in the case(s).

Counsel are advised of the issuance of the mandate by copy of this letter. The certified judgment or order is also enclosed showing costs taxed, if any.

Very truly yours,

A handwritten signature in cursive script that reads "Marcia M. Waldron".

Marcia M. Waldron, Clerk

By: Carmella, Case Manager
267-299-4928

cc: Benjamin E. Bryant, Esq.
Chris Ann Jaye
Randall B. Weaver, Esq.

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SEND TO COURT WHEN LISTING

ORDER ON MOTION

CHRIS ANN JAYE
V.
OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-004856-12T2
MOTION NO. M-000259-13
BEFORE PART B
JUDGE(S): JANE GRALL
WILLIAM E NUGENT

MOTION FILED: 08/23/2013

BY: CHRIS ANN JAYE

ANSWER(S) 09/03/2013

BY: OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION - AS DEFENDANT
OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION-AS PLAINTIFF
IN COUNTERCLAIM

FILED: 09/10/2013

SUBMITTED TO COURT: September 26, 2013

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
1st day of October, 2013, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT

MOTION TO EXTEND TIME TO FILE
APPELLANT'S BRIEF
MOTION FOR CLARIFICATION OF
PARTIES WITH STANDING

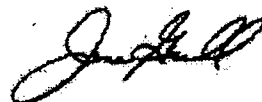
GRANTED AND OTHER

DENIED

SUPPLEMENTAL:

A thirty-day extension is granted from the date of this order. No further
extensions will be granted.

FOR THE COURT:



JANE GRALL, P.J.A.D.

L-000375-12 HUNTERDON
ORDER - REGULAR MOTION
NEL

NOT FOR PUBLICATION WITHOUT THE
APPROVAL OF THE APPELLATE DIVISION

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-4856-12T2

CHRIS ANN JAYE,

Plaintiff-Appellant,

v.

OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION,

Defendant-Respondent,

and

ERICK P. SPRONCK, ROBERT STEPHENSON, BERMAN,
SAUTER, RECORD & JARDIM, P.C.,

Defendants.

Argued December 9, 2014 – Decided January 28, 2015

Before Judges Accurso and Manahan.

On appeal from the Superior Court of New
Jersey, Law Division, Hunterdon County,
Docket No. L-375-12.

Chris Ann Jaye, appellant, argued the cause
pro se.

Steven R. Rowland argued the cause for
respondent (Brown Moskowitz & Kallen, P.C.,
attorneys; Mr. Rowland, of counsel and on
the brief).

PER CURIAM

Chris Ann Jaye (appellant) appeals from orders granting judgment in favor of Oak Knoll Village Condominium Association (OKV) for arrearages associated with common element assessments pursuant to N.J.S.A. 46:8B-17 and from an award of counsel fees to OKV in pursuit of its collection action.

After reviewing appellant's contentions in light of the record, we affirm substantially for the reasons set forth by Judge Peter Buchsbaum in his written decisions dated September 28, 2012, and March 8, 2013, as well as for the reasons stated in the order of April 10, 2013. We add only the following.

Appellant is, and at all relevant times was, a unit owner at Oak Knoll Village, a condominium community. Appellant failed to pay her common element expenses. As a result of the delinquency in those expenses, OKV instituted legal action seeking a judgment against appellant for the outstanding amount. Prior to the entry of judgment, a settlement was reached between the parties whereby in exchange for a "zero-out" of the claimed balance owed by appellant to OKV, appellant would commence payment of the common element charges. Notwithstanding the agreement, appellant ceased payments after a few months. Thereafter, OKV instituted another action by way of counterclaim seeking judgment for unpaid common element expenses and counsel

fees.¹ OKV filed a motion for summary judgment which appellant opposed on grounds other than OKV's entitlement to the outstanding fees and costs. The judge, after providing appellant with the opportunity to contest the quantum of fees and costs sought by OKV, granted the motion.

Among the powers assigned by law to a condominium association is the authority to assess and collect funds for the payment of common expenses. N.J.S.A. 46:8B-14. A unit owner's obligation to pay common expenses is unconditional. N.J.S.A. 46:8B-17. Here, the judge's finding that OKV was entitled to judgment for outstanding common expenses owed by appellant was both in accord with the uncontroverted facts and the controlling law.

N.J.S.A. 46:8B-21 authorizes a condominium association to charge a nonpaying member with "reasonable" attorney's fees. Here the judge determined that \$8,000 in attorney's fees was reasonable. In this matter, the judge did not exceed his prerogative in awarding counsel fees. The fees were reasonably incurred through efforts by OKV to secure payment from appellant. Fee determinations by trial courts should be

¹ Appellant instituted a lawsuit seeking damages as a result of the alleged improper conduct of OKV, two of its members and OKV's outside law firm. Those claims were dismissed by the court on July 28, 2013. Appellant did not appeal that decision.

disturbed "only on the rarest occasions, and then only because of a clear abuse of discretion." Rendine v. Pantzer, 141 N.J. 292, 317 (1995). We detect no clear abuse of discretion. Indeed, the judge employed equitable principles by containing the fee award to less than that which OKV could arguably recover. In the order of April 10, 2013, the judge noted the bases for the award including the method of calculation. The fee award was fair. We find no basis to disturb it.

Finally, appellant raises several arguments on appeal which are without sufficient merit to warrant discussion in a written opinion. R. 2:11-3(e)(1)(E).

Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.


CLERK OF THE APPELLATE DIVISION

**NOT FOR PUBLICATION WITHOUT THE
APPROVAL OF THE APPELLATE DIVISION**

This opinion shall not "constitute precedent or be binding upon any court."
Although it is posted on the internet, this opinion is binding only on the
parties in the case and its use in other cases is limited. R.1:36-3.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-3298-14T3

OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION, INC.,

Plaintiff-Respondent,

v.

CHRIS ANN JAYE,

Defendant-Appellant.

Submitted March 7, 2017 — Decided March 30, 2017

Before Judges Fasciale and Sapp-Peterson.

On appeal from the Superior Court of New
Jersey, Law Division, Mercer County, Docket
No. DC-5300-14.

Chris Ann Jaye, appellant pro se.

Brown Moskowitz & Kallen, P.C., attorneys for
respondent (Steven R. Rowland, of counsel and
on the brief).

PER CURIAM

Defendant, Chris Ann Jaye, a condominium owner at Oak Knoll Village, in Clinton Township, appeals from the trial court order entering judgment in favor of plaintiff, Oak Knoll Village Condominium Association, Inc. ("Oak Knoll"). The judgment, in the amount of \$15,000, represents unpaid 2013-2014 condominium assessments and legal fees. We affirm.

In May 2014, plaintiff filed a complaint against defendant seeking payment of the outstanding condominium assessments. Rather than file an answer, defendant moved to dismiss the complaint. The court treated defendant's motion to dismiss as her responsive pleading and denied the motion. The court then scheduled this matter for trial on October 27, 2014, but due to a lack of notice, defendant failed to appear.

The court rescheduled the trial for December 3, 2014. Plaintiff's counsel notified defendant of the new trial date. Plaintiff requested an adjournment claiming that the judiciary's Automated Case Management System (ACMS) listed the December trial date as postponed. In correspondence dated November 26, 2014, plaintiff's counsel advised the court that defendant "has repeatedly been apprised of the trial date both by counsel and the court, and has actual knowledge that the date has not been cancelled or postponed." In an email sent to defendant on November 26, 2014, plaintiff's counsel advised defendant that he had been

informed by court staff that her adjournment request had been denied.

In an email dated December 2, 2014, defendant advised the court that she had commenced an action in federal court, naming, among others, as the defendants, the trial judge scheduled to hear the matter and plaintiff's counsel. She also advised the court that she had been prescribed medication that day and had "no intention of driving anywhere tomorrow morning for [her] safety and plan[ned] on shutting my phone off within the next fifteen minutes." She further indicated that if the court or any court staff wanted to speak to her they would have to "do so another day."

On December 3, 2014, the trial court, satisfied that defendant had actual notice of the trial date, treated her failure to appear as an act of voluntarily absenting herself from the proceeding. Trial commenced with plaintiff putting forth its proofs. At the conclusion of the proceeding, the court found that plaintiff established, by the preponderance of the evidence, defendant failed to pay her 2013-2014 assessments. The court found the assessments and counsel fees exceeded the jurisdictional limit for the Special Civil Part. Therefore, the court entered judgment in favor of plaintiff for \$13,000.

The following month, the court permitted defendant the opportunity to present any proofs or arguments demonstrating that the court had erred in its findings and entry of final judgment. Defendant appeared for this proceeding. Concluding defendant failed to demonstrate any error, the court entered an order on January 28, 2015, denying relief to defendant. Thereafter, defendant filed yet another motion seeking to vacate the judgment, which the court denied on March 12, 2015. The present appeal followed.

On appeal, defendant contends reversal is warranted because the final judgment was not certified as final, her civil rights were violated and she was denied due process. Additionally, defendant maintains reversal is also required because plaintiff lacked standing to bring the cause of action against her, engaged in fraudulent conduct, and committed perjury. Finally, defendant urges that the judgment entered should be reversed because the Supremacy Clause of the United States Constitution trumps state law. We reject each of these contentions.

We find no error in the court's denial of defendant's adjournment request, proceeding with the trial on December 3, 2014, or the subsequent entry of final judgment. A trial court has the authority to control its calendar and to prevent trial delays. State v. Coolack, 43 N.J. 14, 16 (1964); State v. Johnson,

274 N.J. Super. 137, 147-48 (App. Div.), certif. denied, 138 N.J. 265 (1994); State v. Furquson, 198 N.J. Super. 395, 402 (App. Div.), certif. denied, 101 N.J. 266 (1985). "Absent an abuse of discretion, denial of a request for an adjournment does not constitute reversible error." State v. Smith, 87 N.J. Super. 98, 105 (App. Div. 1965).

Adjournment requests "implicate[] a trial court's authority to control its own calendar and is reviewed under a deferential standard." State v. Miller, 216 N.J. 40, 65 (2013), cert. denied, ___ U.S. ___, 134 S. Ct. 1329, 188 L. Ed. 2d 339 (2014). "[B]road discretion must be granted trial courts on matters of continuances[.]" Ibid. (quoting Morris v. Slappy, 461 U.S. 1, 11-12, 103 S. Ct. 1610, 1616, 75 L. Ed. 2d 610, 620 (1983)).

Indeed, "New Jersey long has embraced the notion that [a request] 'for an adjournment is addressed to the discretion of the court, and its denial will not lead to reversal unless it appears from the record that the defendant suffered manifest wrong or injury.'" State v. Hayes, 205 N.J. 522, 537 (2011) (quoting State v. Doro, 103 N.J.L. 88, 93 (E & A. 1926)). "It is peculiarly within the sound discretion of the trial court to deal with problems of this sort[,] and an appellate court should not interfere unless it appears an injustice has been done." Allegro

v. Afton Vill. Corp., 9 N.J. 156, 161 (1952) (citations omitted).

We must adhere to this standard of review.

We find no such exceptional circumstances, abuse of discretion, or injustice here. Defendant sought adjournment of the trial merely because she claimed the notice of the December 3, 2014 trial date came from plaintiff's counsel. Whether due process requirements have been met requires, at a minimum, fair notice and the opportunity to be heard. In re C.A., 146 N.J. 71, 94 (1996). It is undisputed that defendant was fully aware of the December trial date as evidenced by her statement in the pro se complaint she filed in federal court on December 2, 2014, in which she acknowledged that plaintiff's counsel advised her that trial "was to take place on December 3, 2014[.]"

Consequently, accepting as true defendant's claim that she never received notice of the December trial date from the court, the notice from plaintiff's counsel provided defendant with fair notice and the opportunity to be heard at the December trial. Moreover, the following month, the court afforded defendant the opportunity to present any evidence demonstrating that the court had erred in entering judgment in favor of plaintiff. Defendant appeared at that proceeding, but offered no evidence from which the court could conclude that it erred in reaching any of its findings.

Likewise, we discern no error in the court's decision to proceed with the trial in defendant's absence on December 3, 2014. The court was satisfied defendant had notice of the trial date, but voluntarily absented herself. This finding is amply supported by the record.

As for the remaining issues raised, which we have not addressed, we conclude they lack sufficient merit to warrant discussion in a written opinion. R. 2:11-3(e)(1)(E). We have carefully reviewed the entire record in this matter and we are satisfied that the judgment of the trial court is based on findings of fact which are adequately supported by the evidence. R. 2:11-3(e)(1)(A).

Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.


CLERK OF THE APPELLATE DIVISION

**NOT FOR PUBLICATION WITHOUT THE
APPROVAL OF THE APPELLATE DIVISION**

This opinion shall not "constitute precedent or be binding upon any court."
Although it is posted on the internet, this opinion is binding only on the
parties in the case and its use in other cases is limited. R. 1:36-3.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-4942-15T3

OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION, INC.,

Plaintiff-Respondent,

v.

CHRIS ANN JAYE,

Defendant-Appellant.

Argued October 12, 2017 – Decided October 30, 2017

Before Judges Nugent and Geiger.

On appeal from Superior Court of New Jersey,
Law Division, Special Civil Part, Mercer
County, Docket No. DC-004807-15.

Chris Ann Jaye, appellant, argued the cause
pro se.

Steven R. Rowland argued the cause for
respondent (Brown Moskowitz & Kallen, PC,
attorneys; Mr. Rowland, on the brief).

PER CURIAM

Defendant Chris Ann Jaye is a unit owner at Oak Knoll Village,
a condominium community in Clinton Township. She appeals from the
June 2, 2016 order denying her motion for reconsideration of the

March 23, 2016 order entering judgment in favor of plaintiff Oak Knoll Village Condominium Association, Inc. (Oak Knoll). The order awarded Oak Knoll damages for unpaid common element expense assessments pursuant to N.J.S.A. 46:8B-17 and attorney's fees incurred in pursuit of its collection action pursuant to N.J.S.A. 46:8B-21. After careful review of the record and applicable legal principles, we affirm.

On June 8, 2015, Oak Knoll filed this collection action in Hunterdon County on account of defendant's undisputed failure to pay her common element expense assessments for 2015. On June 16, 2015, venue was transferred to Mercer County.

On July 7, 2015, defendant removed this action to the United States District Court for the District of New Jersey on the basis of a proposed counterclaim against Oak Knoll under the Fair Debt Collection Practices Act, 15 U.S.C.A. §§ 1692 to - 1692p. On July 9, 2015, Oak Knoll filed a motion to remand the case to the Superior Court of New Jersey, Special Civil Part, and for a fee award pursuant to 15 U.S.C.A. § 1447(c). On July 30, 2015, United States District Court Judge Peter G. Sheridan issued an order and memorandum opinion granting Oak Knoll's motion to remand the case back to the Superior Court but denying its application for fees. In reaching that decision, Judge Sheridan applied well-settled law that a federal question appearing in a counterclaim is insufficient

to establish federal question jurisdiction before the District Court. Finding no basis for federal question or diversity jurisdiction, Judge Sheridan remanded the case to the Superior Court, Special Civil Part.

On November 4, 2015, Oak Knoll filed a motion for summary judgment, supported by a certification of Oak Knoll's property manager, detailing the common element expense arrearages. On November 30, 2015, defendant filed opposing papers. While Oak Knoll's motion was pending, defendant filed several applications in District Court to re-open the federal action. Judge Sheridan denied each of those applications.

On February 25, 2016, the rescheduled return date of the motion, the trial court heard oral argument. Defendant chose not to appear. Defendant was permitted to present opposing oral argument, however, on March 23, 2016. Defendant does not dispute that she did not pay her common element expense assessments for 2015. After hearing this additional oral argument, the trial court granted summary judgment to Oak Knoll, entering judgment in the amount of \$11,485.80, comprised of association fees of \$4415 and attorney's fees of \$7070.08.

On April 12, 2016, defendant moved for reconsideration of the entry of judgment and a stay of post-judgment collection efforts

pending appeal. The trial judge issued a June 2, 2016 order denying defendant's motion.

On July 14, 2016, defendant filed this appeal. Defendant then moved for leave to consider her appeal timely as to both the earlier summary judgment ruling and the subsequent order denying reconsideration. In an August 15, 2016 order, another panel of this court ruled: "The motion is denied as to the March 23, 2016 order. The appeal is timely as to the June 2, 2016 order denying reconsideration. The appeal is limited to that order."

Defendant later moved before this court for emergent relief to remove the judgment and lien as well as a later lien obtained by plaintiff as a result of her failure to pay her 2016 assessments.¹ On August 11, 2016, yet another panel of this court denied defendant's motion for emergent relief. The Supreme Court also denied emergent relief.

Defendant accused the trial court of not reading the condominium association agreement. We note that defendant did not provide a copy of the agreement as part of the appellate record. Defendant also failed to provide a transcript of the oral argument

¹ Plaintiff has recovered a subsequent judgment against defendant for unpaid 2016 common element expenses, Oak Knoll Village Condominium Association v. Jaye, Docket No. HNT-DC-683-16.

on February 25, 2016 and the additional oral argument and trial court's oral decision on March 23, 2016. See R. 2:5-4(a).

Defendant raises the following issues in this appeal: (1) the Appellate Division lacks jurisdiction because no trial court order has been properly certified as final; (2) default was improperly entered against her; (3) the trial judge, who is retired on recall, denied her due process and is incompetent, biased, and unfit; and (4) plaintiff lacks standing because the plaintiff did not authorize the commencement of this action and did not retain the law firm representing plaintiff.

Defendant sued the trial judge twice in the past for his actions as a judge. On that basis, defendant claims the trial judge was biased and should have disqualified himself from hearing the matter.

Under our rules, the judge of any court "shall be disqualified" if there is any reason "which might preclude a fair and unbiased hearing and judgment, or which might reasonably lead counsel or the parties to believe so." R. 1:12-1(g); see also Code of Judicial Conduct, Canon 3.17(B)(1) ("Judges shall disqualify themselves if they have a personal bias or prejudice toward a party or a party's lawyer. . . ."). "The disqualification decision is initially left to the discretion of the trial court." State v. Marshall, 148 N.J. 89, 275-76 (1997). "[J]udges are not

free to err on the side of caution; it is improper for a court to recuse itself unless the factual bases for its disqualification are shown by the movant to be true or are already known by the court." Id. at 276; see also State v. De Maio, 70 N.J.L. 220, 222 (E. & A. 1904).

Defendant did not file a motion to recuse the trial judge pursuant to Rule 1:12-2. Nor does the record in this matter disclose any basis to conclude that the trial judge should have disqualified himself on the court's own motion. See R. 1:12-1.

"Fundamental to any consideration of possible judicial disqualification is a showing of prejudice or potential bias." Marshall, supra, 148 N.J. at 276 (quoting State v. Flowers, 109 N.J. Super. 309, 312 (App. Div. 1970)). "Bias cannot be inferred from adverse rulings against a party." Strahan v. Strahan, 402 N.J. Super. 298, 318 (App. Div. 2008); see Marshall, supra, 148 N.J. at 276. Defendant has not demonstrated that the trial judge was biased against her.

The mere suggestion that the trial judge is biased because defendant has previously sued him does not necessarily require disqualification or render the judge's rulings void or improper. "A judge shall not be automatically disqualified upon learning that a complaint has been filed against the judge with the Advisory Committee on Judicial Conduct, litigation naming the judge as a

party, or any other complaint about the judge by a party." Code of Judicial Conduct, Canon 3.17(E). "If, however, the judge concludes that there is a reasonable basis to question the court's impartiality, the judge may recuse himself or herself." Ibid. We have carefully considered the entire record and find no reasonable basis to question the trial judge's impartiality or any evidence of bias. We are satisfied the trial judge did not abuse his discretion by not disqualifying himself.

Defendant's remaining arguments lack sufficient merit to warrant discussion in a written opinion. R. 2:11-3(e)(1)(E).

Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.


CLERK OF THE APPELLATE DIVISION

ORDER ON MOTION

OAK KNOLL VILLAGE CONDOMINIUM,
OWNERS ASSOCIATION, INC.
v.
CHRIS ANN JAYE

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-003298-14T3
MOTION NO. M-003006-15
BEFORE PART G
JUDGE(S): JOSEPH L. YANNOTTI
FRANCIS J. VERNOLIA

MOTION FILED: 12/21/2015

BY: CHRIS JAYE

ANSWER(S) 01/07/2016
FILED:

BY: OAK KNOLL CONDOMINIUM OWNERS
ASSOC

SUBMITTED TO COURT: January 11, 2016

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
12th day of January, 2016, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT:

MOTION TO ADDRESS VIOLATIONS OF
THE DEFENDANT'S CONSTITUTIONAL
RIGHTS AND THIS COURT'S
JURISDICTION
AND DIRECT RETURN OF MONIES PAID
ON NON-FINAL ORDER TO DEFENDANT

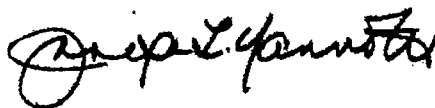
DENIED AND OTHER

DENIED AND OTHER

SUPPLEMENTAL:

Appellant's brief and appendix shall be filed within 30 days after the
date of this order.

FOR THE COURT:



JOSEPH L. YANNOTTI, P.J.A.D.

DC-005300-14
MERCER

SLW

ORDER ON MOTION

OAK KNOLL VILLAGE CONDOMINIUM
OWNERS ASSOCIATION, INC.
V.
CHRIS ANN JAYE

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-003298-14T3
MOTION NO. M-009600-15
BEFORE PART D
JUDGE(S): CARMEN H. ALVAREZ
THOMAS V. MANAHAN

MOTION FILED: 08/18/2016

BY: CHRIS JAYE

ANSWER(S) 08/24/2016
FILED:

BY: OAK KNOLL CONDOMINIUM OWNERS
ASSOC

SUBMITTED TO COURT: September 12, 2016

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
13th day of September, 2016, HEREBY ORDERED AS FOLLOWS:

) MOTION BY APPELLANT:

MOTION FOR RELIEF FROM
CONSTITUTIONAL VIOLATIONS OF DUE
PROCESS, REMOVE JUDGMENTS AND
LIENS FROM THE PUBLIC RECORDS,
INJUNCTIVE RELIEF, DECLARATORY
RELIEF, RECEIVERSHIP AND REFERRAL
TO THE OFFICE OF ATTORNEY ETHICS
AND NJ ATTORNEY GENERAL FOR
CRIMINAL INVESTIGATION

DENIED

SUPPLEMENTAL:

FOR THE COURT:



CARMEN H. ALVAREZ, P.J.A.D.

DC-005300-14
MERCER

SLW

FILED May 02, 2016

CONTESTED

Chris Ann Jaye
PO Box 5015
Clinton, NJ 08809

Date: May 2, 2016

Wilmington Savings Fund

Plaintiff

v.

Chris Ann Jaye

Defendant

Superior Court of New Jersey

Chancery Division

Hunterdon County

Docket F-6447-16

ANSWER AND DEFENSES

Defendant, Chris Ann Jaye, answers the Verified Complaint as follows:

FIRST COUNT

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
4. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
5. Denied to the extent that the two liens noted in subsections a and b have been discharged and recorded as discharged on April 13, 2016. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.

6. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
7. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
8. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
9. Denied.

SECOND COUNT

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs.
3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. Defendant leaves plaintiff to their proofs. Plaintiff has no standing to speak to the rights of any party other than themselves per this Complaint.
4. Defendant denies Plaintiff has a right to such relief.

SEPARATE DEFENSES

Each Defense Numbered Accordingly As a Separate Defense

1. Plaintiff's claims are barred by the Unclean Hands Doctrine.
2. Plaintiff's claims are barred due to fraud.

3. Plaintiff's claims are barred due to lack of standing.
4. Plaintiff's claims are barred by the Entire Controversy Doctrine.
5. Plaintiff's claims, if any, are barred by statute of limitations and/or laches.
6. Plaintiff's damages, if any, are barred by the doctrines of waiver and/or estoppel.
7. Plaintiff's claims, if any, are barred since this matter was brought forth without compliance to state and federal laws.
8. Plaintiff's claims, if any, are barred by the doctrine of avoidable consequences.
9. Plaintiff's claims, if any, are barred, by contributory negligence.
10. Plaintiff's claims, if any, are barred, by illegality.
11. Plaintiff's claims, if any, are barred as any contract relied upon is voidable by Defendant.
12. Plaintiff's claims, if any, are barred as any contract relied upon is unenforceable.
13. Plaintiff's claims, if any, are barred by a lack of mutual assent.
14. Plaintiff's claims or parts thereof are barred by a prior settlement agreement.
15. Plaintiff's claims, if any, are frivolous.
16. Plaintiff's claims, if any, are barred due to lack of required verification as per the Fair Debt Collection Practice Act.
17. Plaintiff's pleadings do not conform with the NJ Rules of Court.

VERIFICATION

I am plaintiff in the above-entitled action. The contents are true of my own knowledge, except as to matters stated on information and belief, and, as to such matters, they are true to the best of my knowledge and belief.

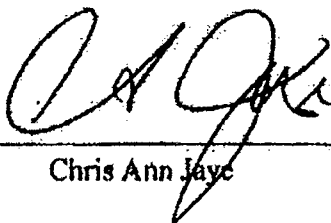
DEMAND FOR TRIAL BY JURY

Defendant hereby demands trial by jury on all issues.

CERTIFICATION

Pursuant to Rule 4:5-1, I hereby certify that I have no knowledge of any other pending actions or proceedings concerning the subject matter of this foreclosure action, except that there are suits pending in state and federal court involving Oak Knoll Village Condominium Owners Association, a codefendant, including, but not limited to, a civil RICO suit filed by the Defendant against this corporation and others for obtaining money and rights to this property through chargeable criminal acts as well as the illegal recordation of documents involving rights given to third-parties involving the common area noted on the deed of the property in noted in this matter.

Dated:



Chris Ann Jaye

KNUCKLES, KOMOSINSKI & MANFRO, LLP
John E. Brigandi, Esq. - N.J. Attorney ID 028512008
Attorneys for Plaintiff
50 Tice Boulevard
Woodcliff Lake, NJ 07677
(201) 391-0370

WILMINGTON SAVINGS FUND SOCIETY, FSB,
DOING BUSINESS AS CHRISTIANA TRUST, NOT IN
ITS INDIVIDUAL CAPACITY, BUT SOLELY AS
TRUSTEE FOR BCAT 2015-14BTT
Plaintiff,

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
HUNTERDON COUNTY
DOCKET NO: F-006447-16

CIVIL ACTION

vs.

FINAL JUDGMENT

CHRIS ANN JAYE, et al.
Defendants.

This matter having been opened to the Court by Knuckles, Komosinski & Manfro, LLP, attorneys for plaintiff, and it appearing that service of Summons and Complaint has been made upon the defendants in accordance with the Rules of this Court and default having been entered against said defendants and plaintiff's obligation and Mortgage having been presented and marked as exhibits by the Court, and proof having been submitted of the amount due on plaintiff's Mortgage and sufficient cause appearing,

Contested Answer filed by Chris Ann Jaye and stricken by Order Granting Summary Judgment entered September 23, 2016 by the Honorable Douglas H. Hurd.

It is on this 2nd day of May 2017, ORDERED and ADJUDGED that the plaintiff is entitled to have the sum of \$179,387.31 together with interest at the contract rate of 7.39000% on \$ 128,454.20 being the principle sum in default including advances from December 31, 2016 to May 2, 2017, and lawful interest thereafter on the total sum due to plaintiff together with cost of this suit to be taxed including a counsel fee of

\$ 1943.87 raised and paid in the first place out of the mortgaged premises, and it is further ordered that plaintiff, its assignee or purchaser at sale recover against the following defendants: CHRIS ANN JAYE; MR. JAYE, HUSBAND OF CHRIS ANN JAYE; OAK KNOLL VILLAGE CONDOMINIUM OWNERS' ASSOCIATION, INC., and all parties holding under said defendants the possession of the premises so mentioned and described in the said Complaint with the appurtenances; and it is further

ORDERED and ADJUDGED that the mortgaged premises be sold to raise the several sums of money due, in the first place to the plaintiff, WILMINGTON SAVINGS FUND SOCIETY, PSB, DOING BUSINESS AS CHRISTIANA TRUST, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR BCAT 2015-14BTT in the sum of \$179,367.31, with interest thereon to be computed as aforesaid, the plaintiff's costs to be taxed, with interest thereon, and that an execution for the purpose be duly issued out of this Court directed to the Sheriff of HUNTERDON County, commanding said Sheriff to make sale according to law of the mortgaged premises described in the Complaint, and out of the money arising from said sale, that said Sheriff pay in the first place, to the plaintiff, said plaintiff's debt, with interest thereon as aforesaid and said plaintiff's costs with interest thereon as aforesaid, and in case more money shall be realized by the said sale than shall be sufficient to satisfy such several payments as aforesaid, that such surplus be brought into this Court to abide the further Order of this Court and that the Sheriff aforesaid make a report of the aforesaid sale without delay as required by the rules of this Court, and it is further

ORDERED and ADJUDGED that the defendants in cause, and each of them stand absolutely debarred and foreclosed of and from all equity of redemption of, in and to the mortgaged premises described in the Complaint, when sold as aforesaid by virtue of this

judgment, except as provided by 28 U.S.C. section 2410, and it is further

NOTWITHSTANDING anything herein to the contrary, this judgment shall not affect the rights of any person protected by the New Jersey Tenant Anti-Eviction Act, N.J.S.A. 2A:18-61.1, et seq., the right of redemption given the United States under 28 U.S.C. §2410, the limited priority rights of the aggregate customary condominium assessment for the six-month period prior to the recording of any association lien as allowed by N.J.S.A. 45:8B-21 or rights afforded by the Servicemembers Civil Relief Act, 50 U.S.C. App. 581 et seq. or N.J.S.A. 38:23C-4.

This judgment shall not affect the right of any person protected by the provisions of the New Jersey Tenant Anti-Eviction Statute (N.J.S.A. 2A: 18-61.1 et seq.)

/s/ Paul Innes, P.J.Ch

Respectfully Recommended
R. 1:34-6 Office of Foreclosure

FILED

SEP 20 2017

Mark J. Kline
CLERK



Supreme Court of New Jersey
Single-Justice Disposition on Application for Emergent Relief (Rule 2:9-8)

Case title: Wilmington Savings Fund Society v. Chris Ann Jaye

Supreme Court
docket number: 080064 (S-9-17)

Appellate Division
docket number (if available): A-4262-16

Applicant's name: Chris Ann Jaye

The applicant's request for permission to file an emergent motion and any related request for a temporary stay or other relief pending disposition of an emergent motion are **DENIED** for the following reason(s):

- ☒ 1. The matter does not concern a genuine emergency or otherwise does not warrant adjudication on short notice. The applicant may file a regular motion for review by the Superior Court, Appellate Division in the ordinary course.
- ☐ 2. The Appellate Division has entered an order or judgment, and the matter is not emergent or otherwise does not warrant adjudication on short notice. The applicant may file a regular motion for review by the Supreme Court in the ordinary course.
- ☐ 3. The application concerns an order entered during or on the eve of trial as to which there is no prima facie showing that immediate interlocutory intervention is required. The applicant may ~~file a regular motion in the appropriate court for review in the ordinary course.~~
- ☐ 4. The applicant must obtain a signed order or disposition from the Appellate Division before requesting relief from the Supreme Court.
- ☐ 5. Other:

Date: 9/20/2017

By: *Anne M. Patterson*

Name: Justice Anne M. Patterson

ORDER ON MOTION

WILMINGTON SAVINGS FUND SOCIETY
V
CHRIS ANN JAYE

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-004262-16T3
MOTION NO. M-000604-17
BEFORE PART D
JUDGE(S): WILLIAM E. NUGENT
RICHARD J. GEIGER

MOTION FILED: 09/14/2017

BY: CHRIS ANN JAYE

ANSWER(S)
FILED:

SUBMITTED TO COURT: October 10, 2017

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
13th day of October, 2017, HEREBY ORDERED AS FOLLOWS:

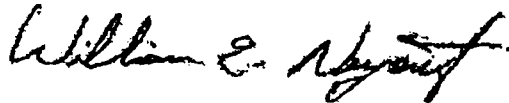
MOTION BY APPELLANT

MOTION TO PRODUCE ORIGINAL NOTE &
MORTGAGE ASSIGNMENT

DENIED

SUPPLEMENTAL:

FOR THE COURT:



WILLIAM E. NUGENT, J.A.D.

F-006447-16 HUNTERDON
ORDER - REGULAR MOTION
CLO

ORDER ON MOTION

WILMINGTON SAVINGS FUND SOCIETY
V
CHRIS ANN JAYE

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-004262-16T3
MOTION NO. M-000559-17
BEFORE PART D
JUDGE(S): WILLIAM E. NUGENT
RICHARD J. GEIGER

MOTION FILED: 09/21/2017

BY: CHRIS ANN JAYE

ANSWER(S)
FILED:

SUBMITTED TO COURT: October 10, 2017

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS
13th day of October, 2017, HEREBY ORDERED AS FOLLOWS;

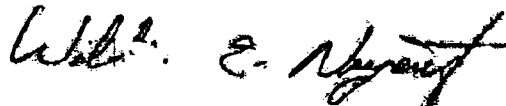
MOTION BY APPELLANT

MOTION FOR REMAND OR DISMISS ---
CHALLENGING JURISDICTION AND
STANDING OF PLAINTIFF

DENIED

SUPPLEMENTAL:

FOR THE COURT:



WILLIAM E. NUGENT, J.A.D.

F-006447-16 HUNTERDON
ORDER - REGULAR MOTION
CLD

BLD-051

November 16, 2017

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 17-2231

CHRIS ANN JAYE,
Appellant

v.

JOHN HOFFMAN, NJ Attorney General, et al.

(D.N.J. Civ. No. 1-16-cv-07771)

Present: AMBRO, RESTREPO and NYGAARD, Circuit Judges

Submitted is Appellant's "motion for summary action to vacate all Judge Shipp orders and direct recusal of Judge Shipp"

in the above-captioned case.

Respectfully,

Clerk

MMW/CAC/clw

ORDER

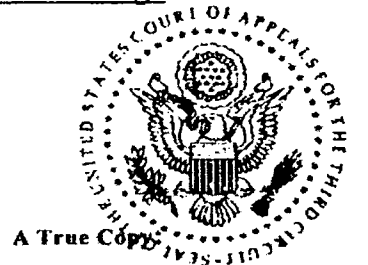
The foregoing "motion for summary action to vacate all Judge Shipp orders and direct recusal of Judge Shipp" is denied. See 3d Cir. LAR 27.4; I.O.P. 10.6. The only order subject to review in this appeal is the District Court's order entered May 2, 2017. See Notice of Appeal (filed June 1, 2017). Other than requesting that we order the recusal of District Judge Shipp, Appellant offers no legal argument in support of vacating that order. See Fed. R. App. P. 27(a)(2)(A) ("A motion must state with particularity the grounds for the motion, the relief sought, and the legal argument necessary to support it."). To the extent that Appellant's request to recuse Judge Shipp could be construed as sounding in mandamus, she has not demonstrated that this Court's intervention is warranted. We have reviewed the District Court docket report and see no evidence of undue delay or bias. See 28 U.S.C. § 455(a), (b)(1) (requiring recusal when a judge's "impartiality might reasonably be questioned" or he "has a personal bias or prejudice against a party"); Jones v. Pittsburgh Nat'l Corp., 899 F.2d 1350, 1356 (3d Cir. 1990) ("Disagreement with a judge's determinations certainly cannot be equated with the showing required to so reflect on his impartiality as to dictate recusal."). Furthermore, the fact that Jaye has named Judge Shipp as a defendant in a separate action cannot alone

serve as a basis for recusal. See Azubuko v. Royal, 443 F.3d 302, 304 (3d Cir. 2006) (per curiam). The Appellees' brief is due within 30 days from the date of this order, as the Clerk advised by order of August 22, 2017.

By the Court,

s/ Thomas L. Ambro, Circuit Judge

Dated: November 20, 2017
CLW/cc: Chris Jaye
Ian C. Doris, Esq.



Marcia M. Waldron

Marcia M. Waldron, Clerk

DLD-365

September 28, 2017

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 17-2564

CHRIS ANN JAYE, Appellant

VS.

OAK KNOLL VILLAGE CONDOMINIUM OWNERS ASSOCIATES INC, et al.

(D.N.J. Civ. No. 3-15-cv-08324)

Present: CHAGARES, VANASKIE and KRAUSE, Circuit Judges

Submitted are:

- (1) Appellant's Motion for Remand for Adjudication on the Merits; and
- (2) Appellant's Emergent Motion to Stay Appeal until all Disclosures are Provided and Defendants can provide Proof of Representation

in the above-captioned case.

Respectfully,
Clerk

MMW/CAC/clw

ORDER

Appellant's Motion for Full Remand to the District Court for Adjudication on the Merits and Emergent Motion to Stay Appeal until all Disclosures are Provided and Defendants can provide Proof of Representation are denied. The Clerk will issue a briefing schedule. To the extent that Appellant wishes to revisit the arguments she raises in the foregoing motions, or raise any other relevant arguments on appeal, she may do so in her brief on the merits of the appeal.

By the Court,

s/ Cheryl Ann Krause
Circuit Judge

Dated: October 19, 2017
sb/cc: Chris Ann Jaye
All Counsel of Record

Steven R. Rowland - 010121988
BROWN MOSKOWITZ & KALLEN, P.C.
 180 River Road
 Summit, New Jersey 07901
 (973) 376-0909

Attorneys for Judgment-Creditor, Oak Knoll Village Condominium Owners' Association, Inc.



CHRIS ANN JAYE,

Plaintiff,

v.

**OAK KNOLL VILLAGE CONDOMINIUM
 OWNERS ASSOCIATION, ERICK P.
 SPRONCK, ROBERT STEPHENSON,
 BERMAN, SAUTER, RECORD & JARDIN,**

Defendants.

And

**OAK KNOLL VILLAGE CONDOMINIUM
 OWNERS ASSOCIATION, INC.,**

Plaintiff-in-Counterclaim,

v.

CHRIS ANN JAYE,

Defendant-in-Counterclaim.

**SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION: MERCER COUNTY**

SWA-A-74586-12
 L-2733-143
 SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION: MERCER COUNTY
RECEIVED
 CIVIL ACTION
 JUN 30 2015

Sue Regan
 DEPUTY CLERK OF COURT
 SUE REGAN

**DIRECTING TURN OVER OF
 FUNDS AND ENFORCING LITIGANTS'
 RIGHTS**

A True Copy
Sue Regan

**SUE REGAN
 Deputy Clerk of Superior Court**

THIS MATTER having come before the court by way of motion by judgment-creditor, Oak Knoll Village Condominium Owners' Association, Inc. ("Association") seeking an order pursuant to R. 4:57 directing the Clerk of the Superior Court to retrieve and turn over the deposit made by judgment-debtor, Chris Ann Jaye ("Jaye") to the Trust Unit Fund for disbursement to the Association, permitting the Association to apply those funds against the sanctions against Jaye arising from Judge Ciccone's September 25, 2013 order, and ordering a warrant of arrest to issue in support of litigant's rights due to Jaye's failure to abide by the September 25, 2013 order

in the event that Jaye continues to be non-compliant with the information subpoena, that is the subject of the September 25, 2013 order, for good cause shown, and as set forth on the record,

IT IS this 30th day of June, 2015

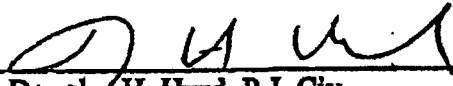
ORDERED that the Superior Court Trust Fund Unit shall pay the \$6529.92 by judgment-debtor, Chris Ann Jaye, in connection with A-4856-12 to judgment creditor, Oak Knoll Village Condominium Owners' Association, Inc. by check made payable to "Oak Knoll Village Condominium Owners' Association, Inc." and mailed forthwith to Tracy Blair, Regional Vice President, Access Property Management, 4 Walter E. Foran Blvd., Suite 311, Flemington, New Jersey 08822, and it is further

ORDERED that the Association shall credit the monies received from the Trust Fund Unit first towards the sanctions entered by the Hon. Yolanda Ciccone, A.J.S.C. in this matter on September 25, 2013, namely, the \$1,000.00 in sanctions arising during the 10 weeks after the expiration of the 30 day compliance period, the \$5,200 in sanctions arising from Jaye's failure to provide full and complete answers to the Association's information subpoena during calendar year 2014; and ~~\$_____ arising from Jaye's failure to provide full and complete answers to the Association's information subpoena for the calendar year 2015 up to and including _____, 2015; and it is further~~

ORDERED that in the event that Jaye fails to provide full and complete answers to the Association's information subpoena by August 1, 2015, with a copy to counsel for the Association and the Court, the Court shall issue the accompanying warrant for her arrest, directing the Sheriff of Hunterdon County to arrest Jaye and bring her to this courthouse for detention until Jaye fully and completely answers the aforesaid information subpoena, and it is further

~~ORDERED that the Association is entitled to its reasonable attorneys' fees and costs of this application and that counsel shall within () days of the entry of this order submit a certification setting forth same, which Jaye may file specific objections thereto within () days, and the Court shall determine the attorneys' fees and costs awarded within () days thereafter, and it is further~~

ORDERED that counsel for the Association shall serve a copy of this Order within 7 () days of his receipt upon Jaye via first class mail, certified mail, return, receipt requested and e-mail at contactcaj@yahoo.com and contactcaj2@yahoo.com; and it is


Hon. Douglas H. Hurd, P.J. Civ.

On 6.30.15 the
court's statement of reasons have
been set forth on the record.

VERIFIED AS TO THE PRINCIPAL
AMOUNT ON DEPOSIT - \$ 6527.92
CLERK, SUPERIOR COURT

BY: EAS 6/4/15

Pursuant to Court Rule, please present
proof that notice of your application for
withdrawal of funds was given to all
parties to the action