

APR - 5 2025

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24A977
Case No.

In the
United States Supreme Court

Mawule Tepe,

Plaintiff—Applicant,

v.

Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, BRADLEY ARANT BOULT
CUMMINGS LLP, Lucille Lattimore Nelson, William Stewart Rutchow, OGLETREE
DEAKINS NASH SMOAK & STEWART P.C., Derek Wayne Mullins, Justin Michael Sveadas,
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ P.C., WHIRLPOOL
CORPORATION, Dakia Taylor, Mark Jones, Patton Joshua Musick, Monica Jill Culpepper,
CLEVELAND HIGH SCHOOL, BRADLEY COUNTY, AND JONE DOE,

To the Honorable Brett M. Kavanaugh, Associate Justice of the Supreme Court
of the United States and Circuit Justice for the Sixth Circuit

Application from the United States Court of Appeals for the Sixth Circuit (No. 25-5088)

EMERGENCY APPLICATION FOR INJUNCTION RELIEF

IMMEDIATE RELIEF REQUESTED

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SUPREME COURT, U.S.

QUESTIONS PRESENTED

1. Whether Applicant is not only entitled to a preliminary injunction enjoining the proceeding pending before the U.S. District Court for Eastern District of Tennessee (or EDTN) but also, whether he is entitled to a preliminary injunction enjoining Respondents from unconstitutionally removing any of his cases from Bradley County Civil Circuit Court of State of Tennessee to the U.S. District Court for Eastern District of Tennessee because they are not eligible to practice law at EDTN and because of EDTN's bias against Applicant.
2. Did the courts below err in not enjoining the unconstitutional proceedings and thereby subject Applicant to a here-and-now injury that cannot be remedied after the proceeding is over?

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TABLE OF AUTHORITIES

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Canal Authority of State of Florida v. Callaway, 489 F.2d 567, 572-73 (5th Cir. 1974)

Matthews v. Rodgers, 284 U.S. 521, 525 (1932);

Aircraft & Diesel Equipment Corp. v. Hirsch, 331 U.S. 752 (1947);

Porto Rico Telephone Co. v. P.R. Communications Auth., 189 F.2d 39 (1st Cir.), cert. denied, 342 U.S. 830 (1951).

County of Santa Barbara v. Hickel, 426 F.2d 164 (9th Cir. 1970), cert. denied, 400 U.S. 499 (1971)

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Sierra Club v. Morton, 405 U.S. 727 (1972)

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Denver Area Meat Cutters and Employers Pension Plan ex rel.

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Ohio Republican Party v. Brunner, 543 F.3d 357, 361 (6th Cir. 2008)

Nanoexa Corp. v. Univ. of Chi., 2010 U.S. Dist. LEXIS 95688, at *8 (N.D. Cal. Aug. 27, 2010)

SEC v. Banc de Binary, Ltd., 964 F. Supp. 2d 1229, 1232 (D. Nev. 2013)

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Illinois vs. Allen Court: U.S. Date published: Mar 31, 1970, 397 U.S. 337 (1970), 90 S. Ct. 1057.

Ryland vs. Shapiro, 708 F.2D 967, (5TH Circuit, 1985).

JURISDICTION

Injunctive relief may also be sought from the U.S. Supreme Court under the All Writs Act, 28 U.S.C. § 1651(a). See, e.g., *FTC v. Dean Foods Co.*, 384 U.S. 597 (1966).

CONSTITUTIONAL PROVISIONS INVOLVED

5TH Amendment: No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

The U.S. Const. amend. VI: The Sixth Amendment to the U.S. Constitution guarantees the right to obtain evidences, to confront and to challenge the opposing parties, and to equal access to the court.

Laws:

28 U.S.C. § 1651(a)

APPLICATION

To the Honorable Brett M. Kavanaugh, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Sixth Circuit

This Application arises from a Sixth Circuit's decision denying Tepe's Emergency Application for Injunctive Relief seeking not only to stop Respondents' unlawful cases' removal from State Court to EDTN but also to stop EDTN's unconstitutional usurpation of jurisdiction, and to stop the implementation of the unconstitutional sanction and restriction implemented against him.

On February 9, 2025, Tepe has filed an Emergency Application for Injunctive Relief, and Sixth Circuit Court of Appeals has failed to address the relief sought. On April 2, 2025, SCCA Deputy Clerk Kelly L Stephens (not a Judge) has unconstitutionally issued a NON-RECOMMENDED FOR PUBLICATION order and judgment denying the requests. See *Mawule Tepe v. Connor McCarthy Blair, et al.*, USCA6 No. 25-5088, ECF No. 5-6, or **APPENDIX 7**. This type of issues are going on since 2022, almost 3 years now, and the Sixth Circuit Court of Appeals and the EDTN have repeatedly failed to address the issue. This latest appeal has been dismissed without even been calendared for a brief. Parties did not have a chance to present their respective briefing.

As presented, the action of SCCA is abusive, unconstitutional and has deprived Tepe of his fundamental rights to be heard under the 5th Amendments.

At the current stage of this litigation, Tepe does not have any other alternative than seeking the intervention of this honorable Court.

OPINIONS BELOW AND STATEMENT OF THE CASE

Pursuant to 28 U.S.C. § 1651(a), Applicant Mawule Tepe (or Tepe), respectfully files this Petition to enjoin Respondents BRADLEY ARANT BOULT CUMMINGS LLP and its employees-attorneys Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, OGLETREE DEAKINS NASH SMOAK & STEWART P.C., and its employees-attorneys Lucille Lattimore Nelson, William Stewart Rutchow, and BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ P.C., and its employees-attorneys Derek Wayne Mullins, Justin Michael Sveadas to stop unconstitutionally removing any of his cases from Bradley County Civil Circuit Court of State of Tennessee to the U.S. District Court for Eastern District of Tennessee and to stop litigating cases that are pending before EDTN since they are not eligible to practice law at EDTN.

Besides this, Applicant would like an order from this honorable court enjoining EDTN to stop exercising jurisdiction over his cases due to the unlawful practice of law of Respondents BRADLEY ARANT BOULT CUMMINGS LLP and its employees-attorneys Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, OGLETREE DEAKINS NASH SMOAK & STEWART P.C., and its employees-attorneys Lucille Lattimore Nelson, William Stewart Rutchow, and BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ P.C., and its employees-attorneys Derek Wayne Mullins, Justin Michael Sveadas.

Moreover, Applicant would like an order from this honorable court enjoining EDTN to stop the implementation of sanctions and restrictions against him since the sanctions because it is void and violates Applicant's 6th Amendment Rights.

In support of this motion, Plaintiff states the following:

On around November 2, 2020, Applicant filed Workers Compensation Retaliation Complaint and Discrimination Claims based on National Origin before Bradley County Civil Circuit Court of State of Tennessee against Whirlpool Corporation. Defendant Whirlpool Corporation retained as a counsel the Law Firm Ogletree Deakins Nash Smoak & Stewart PC that appointed Attorneys Lucille Lattimore Nelson, and William Stewart Rutchow who removed the case to EDTN despite the fact that they are not admitted to practice law at EDTN. See State Court case *Tepe v. Whirlpool Corporation et al.*, case no. V-20-00523 docketed as *Tepe v. Whirlpool Corporation et al.*, no. 1:20-cv-00332-TRM-CHS at EDTN.

Besides this, on around April 24, 2022, Applicant filed a separate complaint against Whirlpool Corporation before Bradley County Civil Circuit Court of State of Tennessee on the ground that after his wrongful termination, Whirlpool Corporation unlawfully confiscated his Health Saving Account Balance, and made unlawful salary Overpayment disclosure to Internal Revenue Service without justification. Defendant Whirlpool Corporation retained as a counsel the Law Firm Ogletree Deakins Nash Smoak & Stewart PC that appointed Attorneys Lucille Lattimore Nelson, and William Stewart Rutchow who removed the case to EDTN despite the fact that they are not admitted to practice law at EDTN. See State Court Case *Tepe v. Whirlpool Corporation*, case no. V-22-173 docketed as *Tepe v. Whirlpool Corporation et al.*, no. 1:22-cv-00136-TRM-CHS at EDTN.

Apart from this, on around June 26, 2023, Applicant filed a Wrongful

Termination and breach of employment contract claims before Bradley County Civil Circuit Court of State of Tennessee against Whirlpool Corporation, Patton Joshua Musick, Dakia Taylor, Mark Jones, Monica Jill Culpepper, Danny Bradley, Cynthia Morrison, Lucille Lattimore Nelson, William Steward Rutchow, and Ogletree Deakins Nash Smoak & Stewart, P.C.. On July 21, 2023, attorneys Lucille Lattimore Nelson, William Steward Rutchow, and Ogletree Deakins Nash Smoak & Stewart, P.C. unlawfully removed the case to EDTN despite the fact they are not eligible to practice law at EDTN. See State Court Case *Tepe v. Patton Joshua Musick et al.*, case no. V-23-00390 docketed as *Tepe v. Whirlpool Corporation et al.*, case no. 1:23-cv-00161-DCLC-CHS at EDTN.

Moreover, around May 27, 2023, Applicant filed a Workers Compensation Claims before Bradley County Civil Circuit Court of State of Tennessee against Whirlpool Corporation. On June 28, 2023, attorneys Lucille Lattimore Nelson, William Steward Rutchow, of the law firm Ogletree Deakins Nash Smoak & Stewart, P.C. unlawfully removed this latest case to EDTN despite the fact they are not eligible to practice law at EDTN. See State Court Case *Tepe v. Whirlpool Corporation*, case no. V-23-00356 docketed as *Tepe v. Whirlpool Corporation.*, case no. 1:23-cv-00144-DCLC-CHS at EDTN.

Furthermore, on around September 14, 2022, Applicant filed a Breach of Contract Complaint against Bank of America and its counsel Frankie Neil Spero, and Bradley Arant Boult Cummings LLP before Bradley County Civil Circuit Court of State of Tennessee. On October 14, 2022, attorney Frankie Neil Spero of the law firm

Bradley Arant Boult Cummings LLP unlawfully removed the case to EDTN despite the fact that he is not admitted to practice law at EDTN. See State Court Case *Tepe v. Bank of America et al.*, case no. V-22-00540 docketed as *Tepe v. Bank of America*, case no. 1:22-cv-00261-DCLC-CHS.

In addition, on around May 17, 2024, Applicant filed a Breach of Fiduciary Duty and Breach of Contract Complaint against National Life Insurance Company of the Southwest, Erik Halvorson, and his law firm Bradley Arant Boult Cummings LLP before Bradley County Civil Circuit Court of State of Tennessee. On June 17, 2024, attorney Erik Halvorson and Connor McCarthy Blair of the law firm Bradley Arant Boult Cummings LLP unlawfully removed the case to EDTN despite the fact that they are not admitted to practice law at EDTN. See State Court Case *Tepe v. Erik Halvorson et al.*, case no. V-24-00302 docketed as *Tepe v. National Life Insurance Company of the Southwest et al.*, case no. 1 1:24-cv-00197-DCLC-CHS at EDTN.

Moreover, on around March 19, 2023, Applicant filed a Breach of Data Complaint against Truist Financial Corporation before Bradley County Civil Circuit Court of State of Tennessee. On April 14, 2023, attorney Derek Wayne Mullins and Justin M Sveadas of the law firm Baker, Donelson, Bearman, Caldwell & Berkowitz PC unlawfully removed the case to EDTN despite the fact that they are not admitted to practice law at EDTN. See State Court Case *Tepe v. Truist Financial Corporation.*, case no. V-23-00186 docketed as *Tepe v. Truist Financial Corporation*, case no. 1:23-cv-00093-DCLC-CHS.

Lastly, on around May 17, 2024, Applicant filed a Breach of Fiduciary Duty or

Contract Complaint against National Life Insurance Company of the Southwest Erik Halvorson and his law firm Bradley Arant Boult Cummings LLP before Bradley County Civil Circuit Court of State of Tennessee. On June 17, 2024, attorney Erik Halvorson and Connor McCarthy Blair of the law firm Bradley Arant Boult Cummings LLP unlawfully removed the case to EDTN despite the fact that they are not admitted to practice law at EDTN. EDTN needs to be enjoined to stop exercising jurisdiction over Applicant's cases and to remand the case *sua sponte* to avoid any further delays. See State Court Case *Tepe v. National Life Insurance Company of the Southwest et al.*, case no. V-24-00302 docketed as *Tepe v. National Life Insurance Company of the Southwest et al.*, case no. 1 1:24-cv-00197-DCLC-CHS at EDTN.

As presented, there is a same pattern of fraud, unethical, unlawful, and unprofessional conduct among these respective counsels to prevent the State Court from exercising jurisdiction over Applicant's cases. It appears that these latest counsels conspired with their clients against the State court and Applicant to impede justice. Their wrongful collusion has forced Applicant to incur unnecessary costs and resources in an attempt to reverse the unlawful cases' removal.

These latest Respondents are fraudulently inducing their respective clients and Applicant into a protracted litigation and forcing them to incur unnecessary and needless costs. Applicant has unsuccessfully asked EDTN to remand above referenced cases back to the State court, but EDTN has denied Applicant's requests. Now Applicant would like the U.S. Supreme Court to enjoin all proceedings pending before EDTN in order for him to continue his case litigation at Bradley County Civil

Circuit Court since he has started refiling some of his complaint before the State Court. Applicant has requested the Sixth Circuit Court of Appeals (or SCCA) to enjoin Respondents to stop their unlawful cases' removal but, SCCA Deputy Clerk Kelly L Stephens (not a Judge) has unconstitutionally issued a NON-RECOMMENDED FOR PUBLICATION order and judgment denying the requests. See *Mawule Tepe v. Connor McCarthy Blair, et al.*, USCA6 No. 25-5088, ECF No. 5-6, or **APPENDIX 7**.

Beside this, Applicant would like Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, BRADLEY ARANT BOULT CUMMINGS LLP, Lucille Lattimore Nelson, William Stewart Rutchow, OGLETREE DEAKINS NASH SMOAK & STEWART P.C. Derek Wayne Mullins, Justin Michael Sveadas, BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ P.C., WHIRLPOOL CORPORATION, Dakia Taylor, Mark Jones, Patton Joshua Musick, Monica Jill Culpepper to be enjoined from removing Applicant's cases to EDTN since their respective counsel are not admitted to practice law at EDTN.

On December 12, 2022 Applicant filed a motion to challenge the qualification of attorneys Lucille Lattimore Nelson, William Stewart Rutchow, Emily Louise Nenni, and Frankie Neil Spero to practice laws at EDTN and/or to disqualify them for unlawful practice of laws at EDTN. Applicant requested these latest attorneys to disclose their respective oath of office along with the certificate of admission to the federal bar of EDTN. However, they have failed to produce the requested documents.

Despite the fact that attorneys Lucille Lattimore Nelson, William Stewart Rutchow, Emily Louise Nenni, and Frankie Neil Spero were not able to prove their

eligibility to practice law at EDTN, Honorable U.S. District Chief Judge Travis R. McDonough issued a statement in his ruling that these latest attorneys are admitted to practice law at EDTN. **See Appendix 1.** He stated the following:

“Tepe has also filed motions to challenge the qualifications of the attorneys who are representing individuals and entities he has sued.¹ Specifically, Tepe seeks to disqualify attorneys Lucille Lattimore Nelson, William Stewart Rutchow, Emily Louise Nenni, and Frankie Neil Spero based on “lack of proof of admission and/or lack of attorneys’ pro hac vice status authorization.” (See, e.g., Doc. 107, at 3.) Nelson was admitted to practice in this Court in 2018, Rutchow was admitted in 1995, Nenni was admitted in 2016, and Spero was admitted in 2014. Accordingly, Tepe’s motions to disqualify these attorneys from practicing before this Court are **DENIED.**”

See *Tepe v. United States et al.*, case no. 1:22-cv-00275-DCLC-CHS, ECF No. 73.

Similarly in the case *Tepe v. Truist Financial Corporation*, case no. 1:23-cv-00093-DCLC-CHS, Applicant has challenged attorneys Derek Wayne Mullins and Justin M Sveadas to prove on the record that they are admitted to practice law at EDTN, and they have failed to prove it. However, Honorable U.S. District Judge Clifton L. Corker made a statement on behalf of these latest attorneys that they are admitted to practice law at EDTN without disclosing any evidence. **See Appendix 2.** He stated:

“Before the Court is Plaintiff Mawule Tepe’s motion challenging the qualifications of the attorneys representing Defendant Truist Financial Corporation in this action [Doc. 12]. Specifically, Plaintiff seeks to disqualify attorneys Derek Wayne Mullins and Justin Michael Sveadas along with the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz P.C. unless they or the firm “present proof of admission to practice laws at this court along with the Oaths that [they] have respectfully taken upon their admission pursuant to Local Rule 83.5(a)(5)” [Id. at pg. 3].¹ Mr. Mullins was admitted to practice in this Court in 2018 and Mr. Sveadas was admitted in 2003. Accordingly, Plaintiffs’ motion [Doc. 12] is **DENIED.**

SO ORDERED.”

See *Tepe v. Truist Financial Corporation*, Case 1:23-cv-00093-DCLC-CHS ECF No. 20 Filed 05/01/23 Page 1 of 1 PageID #: 133.

As presented, despite the failure of attorneys Lucille Lattimore Nelson, William Stewart Rutchow, Emily Louise Nenni, Frankie Neil Spero, Derek Wayne Mullins and Justin M Sveadas to justify their qualification and admission to the federal bar of EDTN, they were declared eligible without justification.

According to ABA Rule 2.9(C) (on Ex Parte Communications): A judge shall not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed.

The rationale of Rule 803(8) is to allow reliable, non-hearsay evidence. Also, in considering whether admissibility extends to conclusions or opinions contained in a public record, the US Supreme Court held "[t]hat portions of investigatory reports otherwise admissible under Rule 803(8)(C) are not inadmissible merely because they state a conclusion or opinion. As long as the conclusion is based on a factual investigation and satisfies the Rule's trustworthiness requirement, it should be admissible along with other portions of the report." *Beech Aircraft Corp. v. Rainey*, 488 US 153 (1988).

As presented, the respective statement made by Honorable U.S. District Chief Judge Travis R. McDonough and Honorable U.S. District Judge Clifton L. Corker are a hearsay, not admissible and not reliable. Applicant has requested these latest attorneys to disclose their respective Oath and their certificate of admission pursuant to the Local Rule 83.5, and they have failed to disclose it. It is not therefore, the

responsibility of any Judge to prove any matter on behalf these latest attorneys. Thus, these latest attorneys must be disqualified, and EDTN must be enjoin to seize/to stop its unlawful usurpation of subject matter jurisdiction.

Furthermore, on July 1, 2024 in the case *Mawule Tepe v. Connor McCarthy Blair et al.*, No. 1:24-cv-338-DCLC-CHS, Applicant has subpoenaed EDTN and he has also issued Freedom Information (FOIA) Request to EDTN to produce a copy of the certificate admission as well as the respective Oaths of Office of attorneys Erik Halvorson, Connor McCarthy Blair. However, EDTN has failed to produce the requested documents. See **APPENDIX 3**.

Moreover, on June 28, 2024 Applicant has also issued a Request of Production to BRADLEY ARANT BOULT CUMMINGS LLP to produce the certificate of admission of attorneys Erik Halvorson, and Connor McCarthy Blair to the federal bar of EDTN and the oath they have taken and signed upon their admission pursuant to the Local Rule LR 83.5, and BRADLEY ARANT BOULT CUMMINGS LLP has failed to produce the requested document. See **APPENDIX 4**. Applicant has not received any response from BRADLEY ARANT BOULT CUMMINGS LLP until now. However, these latest attorneys keep unlawfully removing cases to EDTN with no justification and keep litigating cases at EDTN without being disqualified and sanctioned. Applicant has asked unsuccessfully EDTN to remand these respective cases. Despite the fact that the above mentioned cases' proceeding are void, EDTN has refused to vacate and/or to remand the respective cases.

Applicant has started refiling his cases before Bradley County Civil Circuit

Court, and Applicant would like an order enjoining EDTN to stop usurping jurisdiction, and to enjoin BRADLEY ARANT BOULT CUMMINGS LLP Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, OGLETREE DEAKINS NASH SMOAK & STEWART P.C., Lucille Lattimore Nelson, William Stewart Rutchow, BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ P.C., Derek Wayne Mullins, Justin Michael Sveadas to stop litigating the respective cases they are assigned to at EDTN, and to stop removing cases from Bradley County Civil Circuit Court.

On November 11, 2024, Applicant has filed a Motion for preliminary injunction asking EDTN to enjoin these latest Attorneys and/or Defendants from unlawfully removing cases from Bradley County Civil Court without justification and EDTN has refused to address Applicant's request until now. See **Appendix 5**, or Case *Mawule Tepe v. Connor McCarthy Blair, et al.*, No. 1:24-cv-00338-DCLC-CHS, ECF No. 11.

On January 20, 2025, since EDTN has failed to address the issue, Applicant has filed an Emergency Application for Injunctive Relief with Sixth Circuit Court of Appeal. However, Sixth Circuit Court of Appeals has failed to docket the Application for Injunctive Relief. This is not Applicant's First attempt to stop the unlawful case's removal. See USCA6, *In re Mawule Tepe*, No. Case No. 24-5101.

In its response to the Application for Injunctive Relief, the Chief Legal Advisor of Sixth Circuit Court of Appeals (not a Judge), Mrs. Alicia Harden, has issued the following statement. See **Appendix 6**.

On January 20, 2025, this office received from you an "Emergency Application for Injunction Relief" along with tendered appendices. In your correspondence, you ask that the clerk file the tendered documents on Case No. 24-

5101. After careful review, please find your documents returned unfiled.

The electronic casefile in Case No. 24-5101, In re: Mawule Tepe, reflects that you filed a petition for a writ of mandamus on February 1, 2024. A three-judge panel of this court denied relief on September 4, 2024, and judgment entered the same date. This resulted in the closure of your case. As your case is closed, no further filings will be accepted. Further, a search of the court's electronic records reveals that you have no active appeal or other open case. As such, we are returning your tenders unfiled.

As presented, Mawule Tepe's Application for Injunctive Relief did not even make it before any Judge. They just return the Application for Injunctive Relief on January 21, 2025, a day after the Application is filed. See **Appendix 6**.

Now, on January 30, 2025, Applicant Mawule Tepe has an appeal docketed since Sixth Circuit Court of Appeals Chief Legal Advisor of Sixth Circuit Court of Appeals Mrs. Alicia Harden claimed there is no appeal opened on the record.

On February 9, 2025, Applicant has refiled the same Application for Injunctive Relief, and Sixth Circuit Court of Appeals has failed to address the relief sought. On April 2, 2025, SCCA Deputy Clerk Kelly L Stephens (not a Judge) has unconstitutionally issued a NON-RECOMMENDED FOR PUBLICATION order and judgment denying the requests. See *Mawule Tepe v. Connor McCarthy Blair, et al.*, USCA6 No. 25-5088, ECF No. 5-6, or **APPENDIX 7**. This type of issues are going on since 2022, almost 3 years now, and the Sixth Circuit Court of Appeals and the EDTN have repeatedly failed to address the issue.

Through this new request to the U.S. Supreme Court, Applicant Mawule Tepe respectfully request an order enjoining Defendants/Respondents BRADLEY ARANT BOULT CUMMINGS LLP Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, OGLETREE DEAKINS NASH SMOAK & STEWART P.C., Lucille Lattimore

Nelson, William Stewart Rutchow, BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ P.C., Derek Wayne Mullins, Justin Michael Sveadas to stop removing Applicant's cases from Bradley County Civil Circuit Court to EDTN, and to stop litigating the respective cases they are assigned to at EDTN. Besides this, Applicant Mawule Tepe requests an order enjoining EDTN to stop usurping subject matter jurisdiction since these latest respective Respondents has repeatedly failed to prove their eligibility to practice law at EDTN, and EDTN has also failed to produce the Certificate of admission and the Oaths of these latest respondents.

REASONS FOR GRANTING THE APPLICATION

A preliminary injunction is an extraordinary and drastic remedy. *Canal Authority of State of Florida v. Callaway*, 489 F.2d 567, 572-73 (5th Cir. 1974). No injunction will issue if there is an adequate remedy at law. See *Matthews v. Rodgers*, 284 U.S. 521, 525 (1932); *Aircraft & Diesel Equipment Corp. v. Hirsch*, 331 U.S. 752 (1947); *Porto Rico Telephone Co. v. P.R. Communications Auth.*, 189 F.2d 39 (1st Cir.), cert. denied, 342 U.S. 830 (1951). Irreparable injury is an essential prerequisite to the issuance of a preliminary injunction. *County of Santa Barbara v. Hickel*, 426 F.2d 164 (9th Cir. 1970), cert. denied, 400 U.S. 499 (1971). Temporary loss of income or other alleged injury involving only the loss of money is not irreparable injury. *Sampson v. Murray*, 415 U.S. 61, 90 (1974). The injury alleged must be immediate and non-speculative. *Louisiana Environmental Society, Inc. v. Coleman*, 524 F.2d 930, 933 (5th Cir. 1975). There must be a convincing showing of irreparable injury, and mere litigation expense will not suffice. *Sierra Club v. Morton*, 405 U.S. 727

(1972). Even if there will be irreparable injury, the granting of a temporary injunction is not a matter of right and may be refused in the exercise of judicial discretion.

In considering whether to grant a preliminary injunction or temporary restraining order, courts weigh the following four factors: (1) whether the movant has demonstrated a likelihood of success on the merits; (2) whether the movant will suffer irreparable harm if the injunction is not issued; (3) whether the injunction will cause substantial harm to others if it is issued; and (4) whether granting the injunction will serve the public interest. See *Tenn. Scrap Recyclers Ass'n. v. Bredesen*, 556 F.3d 442, 447 (6th Cir. 2009); see also *Denver Area Meat Cutters and Employers Pension Plan ex rel. Clayton Homes, Inc. v. Clayton*, 120 S.W.3d 841, 857 (Tenn. Ct. App. 2003). The factors to be weighed in considering whether to grant a temporary restraining order and a preliminary injunction are the same. See *Ohio Republican Party v. Brunner*, 543 F.3d 357, 361 (6th Cir. 2008).

A. THE APPLICANT AS THE MOVANT IS LIKELY TO SUCCEED ON THE MERITS

In order to succeed on its request for a preliminary injunction, movant must make a clear showing that it is likely to succeed on the merits. *Nanoexa Corp. v. Univ. of Chi.*, 2010 U.S. Dist. LEXIS 95688, at *8 (N.D. Cal. Aug. 27, 2010).

In a typical case, the court would require a movant to show that he is more likely than not to succeed on the merits. *SEC v. Banc de Binary, Ltd.*, 964 F. Supp. 2d 1229, 1232 (D. Nev. 2013).

Whether a claim on the merits is strong enough depends on the balance of harms: the more net harm an injunction can prevent, the weaker the plaintiff's claim on the merits can be while still supporting some preliminary relief. *Colo. River Indian Tribes v. DOI*, 2015 U.S. Dist. LEXIS 182548, at *99 (C.D. Cal. June 11, 2015).

At an irreducible minimum, the moving party must demonstrate a fair chance of success on the merits or questions serious enough to require litigation. *Guzman v. Shewry*, 552 F.3d 941, 948 (9th Cir. 2009).

Serious questions refers to questions that cannot be resolved one way or the other at the hearing on the injunction and as to which the court perceives a need to preserve the status quo lest one side prevent resolution of the questions or execution of any judgment by altering the status quo. *EEOC v. Evans Fruit Co.*, 2010 U.S. Dist. LEXIS 146991, at *21–22 (E.D. Wash. Oct. 26, 2010).

Serious questions are substantial, difficult, and doubtful, so as to make them a fair ground for litigation and thus for more deliberative investigation. Serious questions need not promise a certainty of success, nor even present a probability of success, but must involve a fair chance of success on the merits. *EEOC v. Evans Fruit Co.*, 2010 U.S. Dist. LEXIS 146991, at *22 (E.D. Wash. Oct. 26, 2010).

As presented above, BRADLEY ARANT BOULT CUMMINGS LLP, Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, OGLETREE DEAKINS NASH SMOAK & STEWART P.C., Lucille Lattimore Nelson, William Stewart Rutchow, BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ P.C., Derek Wayne Mullins, Justin Michael Sveadas keep unlawfully removing Applicant's cases from

Tennessee State Court to EDTN even though they are not admitted to practice law at EDTN. Applicant has repeatedly asked EDTN and SCCA to vacate the respective cases proceeding as void and to remand them, but EDTN is not willing to do so depriving Applicant of due process, speedy trial, and justice

Applicant has now started refileing his respective case before the State Court and he would like EDTN to be enjoined from trying his cases; he also would like to enjoin BRADLEY ARANT BOULT CUMMINGS LLP, Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, OGLETREE DEAKINS NASH SMOAK & STEWART P.C., Lucille Lattimore Nelson, William Stewart Rutchow, BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ P.C., Derek Wayne Mullins, Justin Michael Sveadas to stop removing his cases from Tennessee State Court to EDTN.

Applicant is deprived of his due process rights for five (5) years now as his first case was filed in May 2019 (See *Tepe v. Whirlpool Customer Experience Center et al.*; case no: 1:c19-cv-00158), and he keeps suffering of constitutional harms and financial injuries because attorneys Lucille Lattimore Nelson, William Stewart Rutchow, Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, Derek Wayne Mullins, Justin Michael Sveadas are not eligible to practice law at EDTN but they were allowed to litigate the respective cases' they are assigned to. Applicants has loss countless resources, money and time throughout these 5 years of litigation. Without the U.S. Supreme Court intervention, Applicant will keep being deprived of his due process rights, and the case resolution will be unreasonably delayed even more. Applicant has filed an Emergency Motion for Preliminary Injunctive Relief before

EDTN since November 20, 2024. However, EDTN has refused to enjoin itself from usurping jurisdiction. EDTN has also failed to prevent unlawful cases' removal. See *Mawule Tepe v. Connor McCarthy Blair et al.*, No. 1:24-cv-00338-DCLC-CHS, ECF No. 11.

Since EDTN and the Sixth Circuit Court of Appeals have failed to stop the unlawful cases' removal as well as EDTN's unconstitutional usurpation of subject matter jurisdiction, Applicant would like this honorable court to issue an order enjoining Respondents from litigating the respective case at EDTN, and to prevent EDTN from usurping jurisdiction, and to allow Applicant's cases in State Court to proceed without being remove again to EDTN.

As we can see, Workers Compensation claims, Breach of contract and fiduciary claims are State Laws Claims and not meant to be litigated before a federal court, and Applicant has not filed above mentioned respective cases before EDTN. Applicant has properly filed them before Bradley County Civil Circuit Court but, they were unlawfully removed to EDTN.

At the current stage of the Applicant's cases, Parties are not disputing the merit of cases. Applicant has attempted to challenge the subject matter jurisdiction of EDTN, and that is where the issue has begun as EDTN keeps allowing attorneys Frankie Neil Spero, Erik Halvorson and Connor McCarthy Blair, Lucille Lattimore Nelson, Williams Stewart Rutchow, Emily Louise Nenni, Justin M. Sveadas, Derek W. Mullins to represent their respective client illegally.

Applicant is likely to succeed on the merit of the case. Applicant has filed the

case *Tepe v. United States et al.*, No. 1:22-cv-00275-DCLC-CHS as collateral attack on his pending case to challenge the subject matter jurisdiction of EDTN and to vacate his respective cases' proceeding as void and null. Bases on the evidences provided in Appendixes, Applicant will win on the merit. The cases' proceeding needs to be vacated for want of jurisdiction, and Applicant will be compensated if justice is properly served. As presented, Applicant will succeed on the merit in this case. Thus this Emergency Application for Injunctive Relief should be granted.

**B. APPLICANT IS SUFFERING AND WILL KEEP SUFFERING
IRREPARABLE HARM IN ABSENCE OF A PRELIMINARY INJUNCTION**

A court cannot grant an injunction unless the movant has shown that irreparable harm is likely; the possibility of harm is insufficient to meet the movant's *Burden. Small v. Avanti Health Sys., LLC*, 661 F.3d 1180, 1191 (9th Cir. 2011).

Irreparable harm is traditionally defined as harm for which there is no adequate legal remedy, such as an award of damages. Because intangible injuries generally lack an adequate legal remedy, intangible injuries may qualify as irreparable harm. *Ariz. Dream Act Coal. v. Brewer*, 757 F.3d 1053, 1068 (9th Cir. 2014).

Speculative injury does not constitute irreparable injury that is sufficient to warrant granting a preliminary injunction. *Disney Enters. v. Vid Angel, Inc.*, 224 F. Supp. 3d 957, 975 (C.D. Cal. 2016).

To support injunctive relief, harm must not only be irreparable, it must be

imminent; establishing a threat of irreparable harm in the indefinite future is not enough. Rather, a plaintiff must demonstrate immediate threatened injury as a prerequisite to preliminary injunctive relief. *Amylin Pharm., Inc. v. Eli Lilly & Co.*, 456 F. App'x 676, 679 (9th Cir. 2011).

To demonstrate immediate threatened injury as a prerequisite to preliminary injunctive relief, a plaintiff must proffer probative evidence that the threatened injury is imminent and irreparable. Conclusory affidavits are insufficient to demonstrate irreparable harm. *Rubin ex rel. NLRB v. Vista Del Sol Health Servs., Inc.*, 80 F. Supp. 3d 1058, 1100-01 (C.D. Cal. 2015).

As presented, Applicant is already suffering irreparable harm since not only, he is deprived of his due process rights under the 5th amendments but also, he is denied access to the court, and he is prevented from challenging and confronting the opposing Parties. He is also deprived of speedy trial. In addition, Applicant is forced to spend financial resources to file Petitions with Sixth Circuit Court of Appeals and with the U.S. Supreme Court. He is also inflicted unnecessary cases' resolution delay. It is well established that "Justice delayed is Justice Denied." As presented, Applicant is denied justice by EDTN and Sixth Circuit Court of Appeals; thus the U.S. Supreme Court needs to intervene to remediate the situation by stopping the unlawful usurpation of jurisdiction of EDTN and the unlawful cases' removal from the State Court to EDTN. Applicant is also under unlawful restriction and Applicant prays this honorable court to issue an order to stop the implementation of the sanction and restriction by demanding EDTN and Sixth Circuit Court of Appeals to vacate and/or

to remand Applicant's cases back to Bradley County Civil Circuit Court.

C. THE BALANCE OF EQUITIES TIPS IN THE APPLICANT'S FAVOR

In assessing whether the Applicant have met this burden, the court has a duty to balance the interests of all parties and weigh the damage to each. *Stormans, Inc. v. Selecky*, 586 F.3d 1109, 1138 (9th Cir. 2009). The relative size and strength of each enterprise may be pertinent to this inquiry. *Gold Club-SF, LLC v. Platinum SJ Enter.*, 2013 U.S. Dist. LEXIS 134379, at *37 (N.D. Cal. Sep. 18, 2013). The court must evaluate the interim harm the respondents/Defendants are likely to sustain if the injunction is granted and compare it with the harm the plaintiff is likely to suffer if an injunction does not enter. *De Vico v. United States Bank*, 2012 U.S. Dist. LEXIS 155622, at *22 (C.D. Cal. Oct. 29, 2012).

The real issue is the degree of harm that will be suffered by the plaintiff or the defendant if the injunction is improperly granted or denied. *Scotts Co. v. United Indus. Corp.*, 315 F.3d 264, 284 (4th Cir. 2002). If the balance of hardships tips strongly in a defendant's favor, a plaintiff is required to demonstrate a stronger likelihood of success on the merits. *Mitchell v. Cate*, 2014 U.S. Dist. LEXIS 87274, at *28 (E.D. Cal. June 25, 2014). If an applicant can only show that there are serious questions going to the merits—a lesser showing than likelihood of success on the merits—then a preliminary injunction may still issue if the balance of hardships tips sharply in the applicant's favor and the other two Winter factors are satisfied. *Shell Offshore, Inc. v. Greenpeace, Inc.*, 709 F.3d 1281, 1291 (9th Cir. 2013) (emphasis in

original).

As presented above and in the respective Appendixes, none of the leading attorneys and/or the respective counsels BRADLEY ARANT BOULT CUMMINGS LLP Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, OGLETREE DEAKINS NASH SMOAK & STEWART P.C., Lucille Lattimore Nelson, William Stewart Rutchow, BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ P.C., Derek Wayne Mullins, Justin Michael Sveadas are admitted to practice law at EDTN and they cannot remove the State Court Cases to EDTN to impede justice. As Applicant has started refiling his cases before the States, these latest attorneys and counsels need to be enjoined to stop litigating cases at EDTN due to unlawful practice of law, and as the subject matter jurisdiction of EDTN was never properly evoked. Enjoining them will help Parties not incur unnecessary costs and resources to litigate cases before both State Court and Federal Court (EDTN).

In above mentioned cases, none of the leading Attorneys and/or respondents will suffer an appreciable injury if this request is granted because they are not supposed to take part or to lead the respective cases at the first place, and the rule is strict about this issue. The injunctive order will make them comply with laws moving forward. Unlawful practice of law is a criminal activity and it is not authorized. Thus, they need to be enjoined to stop the unlawful practice of law.

D. THE INJUNCTION IS IN THE PUBLIC INTEREST

As argued above, the remaining questions are largely moot because of the substantial likelihood that Applicant will prevail on his claims. For example, how can

a workers compensation claims, breach of contract and fiduciary claims be removed from State Court to Federal Court by a non-eligible attorney? And how can EDTN refuse to remand the cases back to the State Court? The public is losing confidence in Federal Court system because of the unlawful usurpation of subject matter jurisdiction by EDTN, and the unlawful practice of law of attorneys Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, Lucille Lattimore Nelson, William Stewart Rutchow, Derek Wayne Mullins, and Justin Michael Sveadas.

The public interest is served by the granting of the injunction because the public "as a whole has a significant interest in ... protection against usurpation of subject matter jurisdiction by EDTN. Pro Se Parties and the public will be reassured through the court's ruling that they can legally have justice served if the opposing Parties unlawfully represent themselves. Issuing this injunction will serve Applicant's interest and the interest of the Public since it will prevent EDTN and the respective leading Attorneys from infringing upon U.S. Citizens fundamental rights. It will also demonstrate to the Public that No men can prevent a State Court from exercising its jurisdiction over cases that it is meant to try. As presented, Applicant prays this honorable court to issue the injunction to protect him and the public.

E. COURT BOND.

Under 28 U.S. Code § 1651, the applicant for an injunction must provide a bond for the payment of costs and damages as may be incurred or suffered by any person who would have been wrongfully enjoined. The bond is an issue for the court to determine. See *Moltan Co. v. Eagle-Picher Indus.*, 55 F.3d 1171, 1176 (6th Cir. 1995)

(courts "possess discretion over whether to require the posting of security.").

A bond is unnecessary and, in fact, does not make sense. The bond is to be set in the amount of "costs and damages as may be incurred or suffered by any person who is found to have been wrongfully restrained or enjoined." There are no costs and damages that could result. Applicant is not suing over money at this stage through this Application/motion. Indeed, Applicant is not asking for any compensatory damages through this Application for injunctive relief. This Application only seeks injunctive relief so EDTN can stop usurping jurisdiction and to stop infringing upon the fundamental rights of the Applicant. It is over 3-4 years that despite the fact that attorneys Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, Lucille Lattimore Nelson, William Stewart Rutchow, Derek Wayne Mullins, Justin Michael Sveadas are not admitted to practice law at EDTN, the District Court keeps wrongfully allowing them to practice law before it. They have wrongfully colluded to deprive Bradley County Civil Circuit Court of its legitimate right to try Applicant's cases. Entering an injunction will fix the jurisdictional defect issues and will restore Applicant into his constitutional rights. Suspending or enjoining EDTN to stop the implementation of the restriction and sanction will permit Parties to litigate properly the cases.

It appears in **APPENDIX 8** that Tepe is denied access to the court by EDTN. Even though Tepe is not a vexatious litigant. The EDTN has declared Tepe a vexatious litigant (in an internal unpublished order) without cause, and it has failed to present the ground of such illegal and unconstitutional declaration. For having denied access to the court to Tepe, EDTN

has infringed upon Tepe's fundamental rights under the Sixth Amendment. The U.S. Supreme Court makes it clear that regardless how "unruly a Party is", his right to access to the court cannot be denied. In *Illinois vs. Allen Court*: U.S. Date published: Mar 31, 1970, 397 U.S. 337 (1970), 90 S. Ct. 1057, the U.S. Supreme Court makes it clear that: Plaintiff's Sixth Amendment right to attend his own trial was so "absolute" that, regardless of how unruly his conduct, he could never be held to have lost that right so long as he insisted on it."

In above captioned cases, Petitioner Mawule Tepe was not even unruly; he was respectful and courteous, abiding by all rules and laws, but he was unjustly and unlawfully denied access to the court. **The right of access to the Courts is basic to our system of government, and it is well established that it is one of the fundamental rights protected by the constitution. Citing: *Ryland vs. Shapiro*, 708 F.2D 967, (5TH Circuit, 1985).** As presented above, Tepe has never waived his rights under the Sixth Amendment as he keeps taking appropriate steps to claim his fundamental rights. Thus, the EDTN cannot restrict Tepe's access to the court. Therefore, its decisions needs be reversed, and vacated as void for having infringed upon Tepe's 6th Amendment rights. EDTN needs to be enjoin stop the implementation of the unconstitutional sanctions and restrictions.

RELIEF REQUEST AND CONCLUSION

Wherefore, Applicant, Mawule Tepe, respectfully requests this honorable court: (1) to enjoin EDTN to seize its unconstitutional usurpation of subject matter jurisdiction, (2) to enjoin EDTN to stop the implementation of the sanction and restriction against Applicant and to vacate this latest sanction order, (3) to Remand the applicable or concerned cases back to Tennessee State Court for further proceeding, and (4) to enjoin attorneys Connor McCarthy Blair, Erik Halvorson,

Frankie Neil Spero, Lucille Lattimore Nelson, William Stewart Rutchow, Derek Wayne Mullins, Justin Michael Sveadas, and their respective Law Firm BRADLEY ARANT BOULT CUMMINGS LLP, OGLETREE DEAKINS NASH SMOAK & STEWART P.C., and BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ P.C., to stop removing Applicant's cases from Bradley County Civil Circuit Court to EDTN, and prohibit them from practicing law unlawfully at EDTN, and to stop litigating any cases that are pending before EDTN moving forward.

CERTIFICATE OF COMPLIANCE

I Mawule Tepe hereby certify that the accompanying Emergency Application for Injunctive Relief complies with the word count limitations which are 6467 words. I declare under penalty of perjury that the foregoing is true and correct.

CERTIFICATE OF SERVICE

Applicant Mawule Tepe hereby certifies that a copy of the foregoing Application is served electronically upon Bradley Arant Boulton Cummings LLP, Ogletree Deakins Nash Smoak & Stewart P.C., Javitch Block LLC, Baker Donelson Bearman Caldwell & Berkowitz P.C., Leah McClanahan – the counsel of EDTN - on this date of April 5, 2025

Dated: April 5, 2025

Respectfully submitted,



Mawule Tepe
3403 Peerless RD NG Apt# G
Cleveland, TN 37312
Tel: +1 423 994 3805



Mawule TEPE <tepealex2002@gmail.com>

ELECTRONIC PROCESS SERVICE of Emergency Application for Injunctive Relief

1 message

Mawule TEPE <tepealex2002@gmail.com>

Sat, Apr 5, 2025 at 2:37 AM

To: Emily Nenni <EStrumpf@jblc.com>, Michael Slodov <MSlodov@jblc.com>, "Spero, Frankie" <fspero@bradley.com>, "Halvorson, Erik" <ehalvorson@bradley.com>, "Blair, Connor" <CBlair@bradley.com>, "McClanahan, Leah (USATNE)" <Leah.McClanahan@usdoj.gov>, "Mullins, Derek" <dmullins@bakerdonelson.com>, "Sveadas, Justin" <jsveadas@bakerdonelson.com>, "Rutchow, William S." <william.rutchow@ogletree.com>, "Nelson, Luci L." <luci.nelson@ogletree.com>

To the Respective Counsels,

Please see the attached foregoing Emergency Application for Injunctive Relief mailed out to be filed with the U.S. Supreme Court. This email is deemed to be an electronic process service upon you.

Case References: *Mawule Tepe v. Connor McCarthy Blair et al.*, No. 1:24-cv-338-DCLC-CHS, USCA6 No: 25-5088.

Thank you,
Mawule Tepe
Tel: +1 423 994 3805

9 attachments

 **Appendix 1.pdf**
196K

 **Appendix 2.pdf**
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 **Appendix 5.pdf**
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 **Appendix 7.pdf**
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 **Appendix 6.pdf**
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 **Appendix 8.pdf**
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 **Appendix 4.pdf**
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 **Appendix 3.pdf**
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 **Application for Injunctive Relief Supreme Court.pdf**
1023K

APPENDIX 1

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

MAWULE TEPE,)	
	)	Case No. 1:19-cv-158
<i>Plaintiff,</i>)	
)	
v.)	
)	
WHIRLPOOL CUSTOMER)	
EXPERIENCE CENTER)	
)	
<i>Defendant.</i>)	

MAWULE TEPE,)	
	)	Case No. 1:20-cv-332
<i>Plaintiff,</i>)	
)	
v.)	
)	
WHIRLPOOL CORPORATION, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	

MAWULE TEPE,)	
	)	Case No. 1:21-cv-40
<i>Plaintiff,</i>)	
)	
v.)	
)	
JAVITCH BLOCK, LLC, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	

MAWULE TEPE,)	
	)	Case No. 1:22-cv-111
<i>Plaintiff,</i>)	
)	
v.)	
)	
BANK OF AMERICA, <i>et al.</i>)	
)	
<i>Defendants.</i>)	

MAWULE TEPE,)	
	)	Case No. 1:22-cv-136
<i>Plaintiff,</i>)	
)	
v.)	
)	
WHIRLPOOL CORPORATION,)	
)	
<i>Defendant.</i>)	

MAWULE TEPE,)	
	)	Case No. 1:22-cv-231
<i>Plaintiff,</i>)	
)	
v.)	
)	
BANK OF AMERICA,)	
)	
<i>Defendant.</i>)	

MAWULE TEPE,)	
	)	Case No. 1:22-cv-252
<i>Plaintiff,</i>)	
)	
v.)	
)	
LUCILLE LATTIMORE NELSON, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	

MAWULE TEPE,)	
	)	Case No. 1:22-cv-261
<i>Plaintiff,</i>)	
)	
v.)	
)	
BANK OF AMERICA, N.A., <i>et al.</i>)	
)	
<i>Defendants.</i>)	

MAWULE TEPE,)	
	)	Case No. 1:22-cv-264
<i>Plaintiff,</i>)	
)	
v.)	
)	
EMILY LOUISE NENNI, <i>et al.,</i>)	
)	
<i>Defendants.</i>)	

MAWULE TEPE,)	
	)	Case No. 1:22-cv-275
<i>Plaintiff,</i>)	
)	
v.)	
)	
UNITED STATES OF AMERICA, <i>et al.</i>)	
)	
<i>Defendants.</i>)	

ORDER

Since 2019, Plaintiff Mawule Tepe, proceeding pro se, has initiated ten different lawsuits against various individuals and entities. His complaints, however, appear to center around two

primary issues: (1) his employment and eventual termination by Whirlpool Corporation; and (2) circumstances surrounding payment of credit card debt owed to Bank of America. Although all of his cases are related to these issues, Tepe's lawsuits name as defendants Whirlpool and Bank of America, as well as individual employees at Whirlpool, law firms and attorneys that have represented Whirlpool and Bank of America in litigation, and, in his most recent lawsuit, judges who have presided over his cases.

In December 2022, all of Tepe's lawsuits were reassigned to the undersigned. There are currently numerous motions pending across Tepe's ten cases, including numerous dispositive motions. Other motions, however, are identical motions filed in some or all of his cases and motions filed in a single case that relate to issues affecting all of his cases. On February 15, 2023, the Court held a hearing to discuss certain pending motions, as well as to discuss case management and scheduling. For the reasons set forth below, and for reasons stated during the hearing, the Court hereby **ORDERS** as follows:

I. TEPE'S MOTION TO SET ASIDE ELECTRONICALLY SIGNED ORDERS AND JUDGMENTS AND MOTION TO CHALLENGE THE CONSTITUTIONALITY OF THE DISTRICT'S ELECTRONIC CASE FILING RULES AND PROCEDURES

In his most recently filed action, Tepe argues that all orders and judgments previously entered by United States District Judges Curtis L. Collier and Katherine A. Crytzer, as well as United States Magistrate Judge Susan K. Lee, must be set aside because the judges applied electronic signatures, instead of handwritten signatures, to their orders and judgments. (Doc. 30 in Case No. 1:22-cv-275). Specifically, Tepe contends that the judges' use of electronic signatures renders their orders and judgments unsigned, unauthenticated, and void. (*Id.*) Tepe has also filed a motion to challenge the constitutionality of the district's electronic case-filing rules and procedures, because it does not require judges to sign their judgments and orders by

handwritten signature. (Doc. 39 in Case No. 1:22-cv-275.) Instead, the district's case-filing rules and procedures provide that "[a]ny order or other court-issued document filed electronically without the handwritten signature of a judge or clerk has the same force and effect as if the judge or clerk had signed a paper copy of the document and it had been entered on the docket in paper form." Rule 11 of the Eastern District of Tennessee Electronic Case Filing Rules and Procedures.

In support of his argument that the judges' previously entered orders and judgments must be set aside, Tepe cites 28 U.S.C. § 1961, which provides that "[a]ll writs and process issuing from a court of the United States shall be under the seal of the court and signed by the clerk thereof." This section, however, applies only to "writs" and "process" that issue from the district court, "not orders and judgments." *See United States v. Dawes*, 161 F. App'x 742, 745 (10th Cir. 2005); *Davalos v. HSBC Bank, N.A.*, Case No. 21-10005-DJC, 2021 WL 916215, at *2 (D. Mass. Mar. 10, 2021). Tepe has not demonstrated that a handwritten signature is required on the Court's orders and judgments, and he has not demonstrated that application of electronic signatures to orders and judgments entered in his cases violates his constitutional rights. Accordingly, Tepe's motion to set aside the orders and judgments entered by Judge Collier, Judge Crytzer, and Judge Lee (Doc. 30 in Case No. 1:22-cv-275) and his motion to challenge the constitutionality of the Court's electronic-case-filing rules and procedures (Doc. 39 in Case No. 1:22-cv-275) are **DENIED**.

II. MOTIONS TO CHALLENGE ATTORNEY QUALIFICATIONS

Tepe has also filed motions to challenge the qualifications of the attorneys who are representing individuals and entities he has sued.¹ Specifically, Tepe seeks to disqualify attorneys Lucille Lattimore Nelson, William Stewart Rutchow, Emily Louise Nenni, and Frankie Neil Spero based on “lack of proof of admission and/or lack of attorneys’ pro hac vice status authorization.” (*See, e.g.*, Doc. 107, at 3.) Nelson was admitted to practice in this Court in 2018, Rutchow was admitted in 1995, Nenni was admitted in 2016, and Spero was admitted in 2014. Accordingly, Tepe’s motions to disqualify these attorneys from practicing before this Court are **DENIED**.

III. MOTIONS FOR HEARING AND FOR SCHEDULING ORDER

In several of his cases, Tepe has filed a motion for hearing and for the Court to enter scheduling orders.² Tepe’s motions for hearing are **GRANTED** to the extent the Court held a hearing on February 15, 2023, to address issues related to his cases. Tepe’s motions for entry of scheduling orders are **GRANTED IN PART**. As discussed at the hearing, the Court will enter a scheduling order setting certain cases for trial to begin on August 28 and August 29, 2023.

IV. MOTIONS FOR EXTENSION OF TIME AND AMENDING COMPLAINT AS A MATTER OF COURSE UNDER FEDERAL RULE OF CIVIL PROCEDURE 15

In several of Tepe’s cases, he has not filed substantive responses to Defendants’ motions to dismiss. Nonetheless, he filed a motion for extension of time to respond to “pending motions,” citing his desire for the Court to rule on his motions to disqualify attorneys and his

¹ Doc. 107 in Case No. 1:19-cv-158; Doc. 27 in Case No. 1:20-cv-332; Doc. 58 in Case No. 1:21-cv-40; Doc. 53 in Case No. 1:22-cv-111; Doc. 34 in Case No. 1:22-cv-136; Doc. 21 in Case No. 1:22-cv-231.

² Doc. 54 in Case No. 1:21-cv-40; Docs. 28, 30 in Case No. 1:22-cv-252; Doc. 20 in Case No. 1:22-cv-261; Doc. 31, in Case No. 1:22-cv-275.

motions to set aside the Court's previously entered orders and judgments before being required to respond. (*See, e.g.*, Doc. 108 in Case No. 1:19-cv-158.)³

Tepe's motions for extension of time are **GRANTED IN PART** and **DENIED IN PART**. The motions are **GRANTED** to the extent Tepe is ordered to substantively respond to the following motions on or before **March 1, 2023**:

- Javitch Block LLC's motion to dismiss in Case No. 1:22-cv-111 (Doc. 16);
- Lucille Lattimore Nelson and Ogletree, Deakins, Nash, Smoak & Stewart, P.C.'s motion to dismiss in Case No. 1:22-cv-252 (Doc. 14);
- Bank of America, N.A.'s motion to dismiss in Case No. 1:22-cv-261 (Doc. 8).

Additionally, at the hearing, Tepe represented that, in Case Nos. 1:22-cv-264⁴ and 1:22-cv-275, rather than substantively respond to pending motions to dismiss, he intended to file an amended complaint as a matter of course pursuant to Federal Rule of Civil Procedure 15(a)(1). Tepe also indicated that he may seek to "roll up" or "consolidate" allegations and claims from previously-filed cases into his most recently filed cases, because, in Tepe's words, he "will lose" motions to dismiss those claims if he does not. For example, Tepe indicated that he may seek to include his claims against Javitch Block LLC in Case No. 1:22-cv-111 in his amended complaint against Javitch Block LLC in Case No. 1:22-cv-264. Javitch Block LLC has had a motion to

³ Doc. 108 in Case No. 1:19-cv-158; Doc. 28 in Case No. 1:20-cv-332; Doc. 57 in Case No. 1:21-cv-40; Doc. 52 in Case No. 1:22-cv-111; Doc. 33 in Case No. 1:22-cv-136; Doc. 20 in Case No. 1:22-cv-231.

⁴ Tepe initiated this action on October 18, 2022 (Doc. 1), and, on October 20, 2022, Javitch Block LLC and Emily Nenni moved to dismiss his complaint (Doc. 4). On October 27, 2022, United States District Judge Curtis Collier stayed this case, noting that "a substantial part of the factual basis of [Tepe's] complaint involves the Court's denial of [Tepe's] motion to strike in Case No. 1:22-cv-111," which, at that time, was before the court of appeals because of Tepe's interlocutory appeal. (Doc. 12.) The Sixth Circuit has since resolved Tepe's interlocutory appeal, and Tepe has moved to lift the stay in this case. (Doc. 22.) Tepe's motion to lift the stay (Doc. 22 in Case No. 1:22-cv-264) is **GRANTED**.

dismiss pending in Case No. 1:22-cv-111 since June 15, 2022 (Doc. 16 in Case No. 1:22-cv-111), to which Tepe has not substantively responded. The Court will not permit Tepe to further delay or escape substantively responding to that motion to dismiss simply by reasserting the same allegations and claims in a subsequently filed case. Accordingly, Tepe is hereby put **ON NOTICE** that any amended complaints filed in Case Nos. 1:22-cv-264 and 1:22-cv-275 **SHALL NOT** include claims previously asserted against any of the defendants in previously-filed actions. Tepe is also hereby put **ON NOTICE** that his amended complaints **SHALL NOT** seek to relitigate matters already decided by the Court, including but not limited to, attempting to reassert claims that the Court has previously dismissed with prejudice. To the extent Tepe intends to file an amended complaint in Case Nos. 1:22-cv-264 and 1:22-cv-275, he is **ORDERED** to do so on or before **March 9, 2023**.⁵

SO ORDERED.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE

⁵ If Tepe elects to not file amended complaints in Case Nos. 1:22-cv-264 and 1:22-cv-275, he is hereby **ORDERED** to respond to the following motions to dismiss on or before **March 9, 2023**:

- Javitch Block LLC and Emily Nenni's motion to dismiss in Case No. 1:22-cv-264 (Doc. 4);
- Javitch Block LLC and Emily Nenni's motion to dismiss in Case No. 1:22-cv-275 (Doc. 6)
- Whirlpool Corporation, Patton Musick, Mark Jones, Dakia Taylor, Monica J. Culpepper, Lucile Lattimore Nelson, and Ogletree, Deakins, Nash, Smoak & Stewart, P.C.'s motion to dismiss in Case No. 1:22-cv-275 (Doc. 8)
- Bank of America, N.A.'s motion to dismiss in Case No. 1:22-cv-275 (Doc. 35); and
- United States District Judge Curtis L. Collier, United States District Court Judge Katherine A. Crytzer, and United States Magistrate Judge Susan K. Lee's motion to dismiss in Case No. 1:22-cv-275 (Doc. 67).

APPENDIX 2

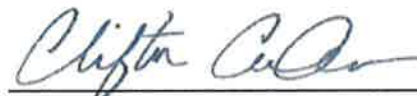
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
CHATTANOOGA DIVISION

MAWULE TEPE,)	
)	
Plaintiff,	)	1:23-CV-00093-DCLC-CHS
)	
v.)	
)	
TRUIST FINANCIAL CORPORATION,)	
)	
Defendant.)	

ORDER

Before the Court is Plaintiff Mawule Tepe's motion challenging the qualifications of the attorneys representing Defendant Truist Financial Corporation in this action [Doc. 12]. Specifically, Plaintiff seeks to disqualify attorneys Derek Wayne Mullins and Justin Michael Sveadas along with the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz P.C. unless they or the firm "present proof of admission to practice laws at this court along with the Oaths that [they] have respectfully taken upon their admission pursuant to Local Rule 83.5(a)(5)" [*Id.* at pg. 3].¹ Mr. Mullins was admitted to practice in this Court in 2018 and Mr. Sveadas was admitted in 2003. Accordingly, Plaintiffs' motion [Doc. 12] is **DENIED**.

SO ORDERED:



United States District Judge

¹ Plaintiff asserts he checked the Federal Bar Association website and could not find the attorneys' names [Doc. 12, pg. 2]. The Federal Bar Association, a voluntary professional organization, is wholly unrelated to admission to practice in this Court.

APPENDIX 3

Mawule Tepe

3403 Peerless RD NW #G

Cleveland, TN 37312

E-mail: tepealex2002@gmail.com

Tel: +1 423 994 3805

July 1, 2024

OFFICE OF THE CLERK

900 Georgia Ave, Room 309

Chattanooga, TN 37402

Freedom of Information Act Request Letter

Dear Clerk,

This is a request under the Freedom of Information Act.

I respectfully request that a copy of the following documents be provided to me: (i) a copy of the Oath of Office as well as (ii) a copy of the Certificate of Admission to the Federal Bar of the U.S. District Court for the Eastern District of Tennessee (EDTN) of attorneys Erik Halvorson and Connor McCarthy Blair.

I am the Plaintiff in the case *Tepe v. Halvorson et al.*, No. 1:24-cv-00197-DCLC-CHS. The case was originally filed in Bradley County Civil Circuit Court and was unlawfully removed to this court by attorneys Erik Halvorson and Connor McCarthy Blair who are believed not to be admitted to the Federal Bar of EDTN. I am in process of seeking the vacatur of the case removal proceeding for improper removal and lack of subject matter jurisdiction, and one of the reasons I would like to point out is the non-admission to the federal bar of EDTN of attorneys Erik Halvorson and Connor McCarthy Blair since according to the Local Rule 83.5, before practicing law at EDTN, attorneys must sign an Oath of Office and must have a Certificate of admission. (Please note that I am not requesting these latest attorneys' certificate of good standing.)

Please note that the information requested will be used to support my motion to vacate and motion to remand.

I enclose \$10 to cover the printing fee of the requested documents.

Along with the FOIA Request, I also issue a Subpoena Duces Tecum since Tenn. Civ. R. Proc. Rule 34 permits a request of production without seeking a leave from the court.

I will be looking forward to your response.

Dated July 1, 2024

Respectfully Submitted,



Mawule Tepe



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

Joel W. Solomon United States Courthouse
900 Georgia Avenue
Chattanooga, Tennessee 37402
(423) 752-5200
www.tned.uscourts.gov

LEANNA R. WILSON
Clerk of Court

CHRIS FIELD
Chief Deputy Clerk

July 2, 2024

Mawule Tepe
3403 Peerless Rd Nw Apt #G
Cleveland, TN 37312

Re: FOIA Request

Dear Mr. Tepe:

Enclosed is your Freedom of Information Request and ten dollars cash that our office received. The Freedom of Information Act does not apply to the United States District Courts. *See* 5 U.S.C. § 551(1)(B). However, except under certain limited circumstances, such as where the Court has placed documents under seal, the records of the court are generally open to the public for inspection and copying.

Court documents are available to the public online. Please visit www.pacer.uscourts.gov for more information. The admission status of any attorney can be found on our public website at <https://www.tned.uscourts.gov/bar-status-search>.

LeAnna R. Wilson

By: s/ Russell Eslinger
Russell Eslinger
Deputy Clerk

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

www.led.uscourts.gov

LeAnna R. Wilson
Clerk of the Court

Chris Field
Chief Deputy Clerk

Date: 7/2/24

Dear Sir/Madam:

Enclosed you will find your Cash ~~check/money order~~ (#) in the amount of \$ 10.00. This payment is being returned to you for the following reason(s):

☐ Check/Money order is not signed.

☐ Check/Money order does not indicate a payee.

☐ We cannot accept the following types of checks: counter checks, post-dated checks, third-party checks and checks that have been altered by written changes made to the date, payee, amount or signature. All checks must be preprinted bank checks with the payer's name and current address.

☐ The case number and/or name provided does not match one of our cases. Please provide additional information.

☐ There is no filing fee for this type of petition.

☒ Other: See letter

Very truly yours,


Deputy Clerk

Enclosure

UNITED STATES DISTRICT COURT

for the
Eastern District of Tennessee

Mawule Tepe

Plaintiff

v.

Erik Halvorson et al.

Defendant

Civil Action No. 1:24-cv-00197-DCLC-CHS

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: U.S. DIST. COURT FOR EASTERN DISTRICT OF TN, CLERK'S OFFICE, 900 GEORGIA AVENUE, ROOM 309
CHATTANOOGA, TN 37402-2259

(Name of person to whom this subpoena is directed)

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: The Certificate of Admission to Practice Law at this Federal Court and the Oath of Office of the following Attorneys: Erik Halvorson and Connor McCarthy Blair.

Place: 3403 Peerless RD NW Apt# G, Cleveland, TN 37312	Date and Time: 08/05/2024 10:00 am
---	---------------------------------------

☒ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place: 3403 Peerless RD NW Apt# G, Cleveland, TN 37312	Date and Time: 08/05/2024 10:00 am
---	---------------------------------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 07/01/2024

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Mawule Tepe
MAWULE TEPE, who issues or requests this subpoena, are:

Address: 3403 Peerless RD NW Apt# G, Cleveland, TN 37312; E-mail: tepealex2002@gmail.com; Tel# +1 423 994 3805

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 1:24-cv-00197-DCLC-CHS

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____
_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____
_____.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

- (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE**

Joel W. Solomon United States Courthouse
900 Georgia Avenue
Chattanooga, Tennessee 37402
(423) 752-5200
www.tned.uscourts.gov

LEANNA R. WILSON
Clerk of Court

CHRISTOPHER FIELD
Chief Deputy Clerk

July 16, 2024

Mawule Tepe
3403 Peerless Rd., NW Apt #G
Cleveland, TN 37312

In re: Notice of the Clerk's Denial of Subpoena Request in Case No. 1:24-CV-197

Mr. Tepe,

On July 2, 2024, the Clerk's Office at Chattanooga received by mail¹ the attached subpoena requesting "U.S. DIST. COURT OF THE EASTERN DISTRICT OF TN, CLERK'S OFFICE, 900 GEORGIA AVENUE, ROOM 309, CHATTANOOGA, TN 37402-2259" to produce The Certificate of Admission to Practice Law at this Federal Court and the Oath of Office of the following Attorneys: Erik Halvorson and Connor McCarthy Blair" on August 4, 2024.

A subpoena directed to the United States District Court for the Eastern District of Tennessee or Clerk's Office requesting testimony is governed by the *Guide to Judicial Policy* ("Guide"), Volume 20, Chapter 8.² Judicial personnel may not produce records in a legal proceeding without the prior approval of a "determining officer" in compliance with the guidelines. *Guide*, Vol. 20 § 820(a) and 840(a). For a request directed to the Clerk of Court's Office, the determining officer is the Clerk of Court. *Id.* § 830(a)(3).

The determining officer may deny a request if the request does not meet any of the requirements imposed by Volume 20, Chapter 8 of the *Guide*. *Id.* § 850(a). Pursuant to the *Guide* requirements, a request for the production of documents must include an affidavit or written statement by the party containing "an explanation of the nature of the testimony or records sought, the relevance of the testimony or records sought to the legal proceedings, and the reasons

¹ The undersigned reserves the argument that the subpoena was not personally served as required by Fed. R. Civ. P. 45.

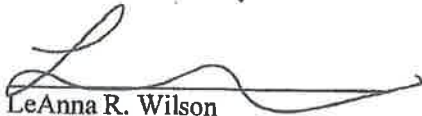
² Available at <https://www.uscourts.gov/rules-policies/judiciary-policies/subpoena-regulations>.

why the testimony or records sought, or the information contained therein, are not readily available from other sources or by other means.” *Id.* § 830(a).

The subpoena served on the Clerk’s Office did not include a statement explaining the nature and relevance of the production sought or why the information sought is not readily available from other sources or by other means.³ A request may be denied on this fact alone. *Id.* § 830(a)(2) (“Where the request does not contain an explanation sufficient [to determine whether federal judicial personnel should be allowed to testify], the determining officer may deny the request...”) and § 850(a) (“The determining officer may deny a request if the request does not meet any requirement imposed by these regulations.”).

Accordingly, the Clerk’s Office respectfully declines to comply with the attached document request. *See id.* 850(b) (“If the determining officer determines, upon consideration of the requirements of these regulations ... that the federal judicial personnel upon whom the request was made should not comply with the request, the federal judicial personnel upon whom the request was made should notify the requester of these regulations and must respectfully decline to comply with the request.”).

Sincerely,


LeAnna R. Wilson
Clerk of Court

³ The admission status of any attorney is available on the Court’s public website at:
<https://www.tned.uscourts.gov/bar-status-search>.

APPENDIX 4

Case Tepe v. Halvorson et al., Case No: 1:24-cv-00197-DCLC-CHS // Interrogatories and RFP

Mawule TEPE <tepealex2002@gmail.com>

Fri, Jun 28 at 6:25 PM

To: <mpalmer@bradley.com>, Blair, Connor <CBlair@bradley.com>, Walters, Jason <jwalters@bradley.com>, Halvorson, Erik <ehalvorson@bradley.com>, Remson, Sarah <sremson@bradley.com>

Mr. Halvorson & Mr. Blair,

Pursuant to T.R.C.P. Rule 5.02, I, Mawule Tepe serve my Interrogatories and Request of Production upon BRADLEY ARANT BOULT CUMMINGS LLP.

A hard Copy will be served upon BRADLEY ARANT BOULT CUMMINGS LLP as well.

Thank you,

Mawule Tepe

Plaintiff, Pro Se

Tel: +1 423 994 3805

Request For Production.pdf, Interrogatories.pdf

MAWULE TEPE
3403 PEEPLESS ROAD NW APT#C
CLEVELAND, TN 37312-3432

CERTIFIED MAIL



9589 0710 5270 1245 2075 10

BRADLEY, ARANT, BOULT, CUMMINGS LLP
ATTN: ATTORNEY ERIK HALVORSON
ATTN: CONNOR MCCARTHY BLAIR
1819 5TH AVENUE N
BIRMINGHAM, AL 35203

Retail



35203



U.S. POSTAGE PAID
FCM LETTER
CLEVELAND, TN 37311
SEP 21, 2024

\$8.20

R2305H130828-08

RDC 99

**IN UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

Mawule Tepe,

Plaintiff,

v.

Erik Halvorson,

BRADLEY ARANT BOULT CUMMINGS
LLP, and

NATIONAL LIFE INSURANCE
COMPANY OF THE SOUTHWEST,
Defendants.

1:24-cv-00197-DCLC-CHS

District Judge Clifton L Corker
Magistrate Judge Christopher H Steger

**PLAINTIFF MAWULE TEPE'S
REQUEST FOR PRODUCTION OF
DOCUMENTS OR THINGS**

PROPOUNDING PARTY: Mawule Tepe

RESPONDING PARTY: BRADLEY ARANT BOULT CUMMINGS LLP

SET NUMBER: ONE (1)

To Defendant: **BRADLEY ARANT BOULT CUMMINGS LLP**, and to his Pro Se Status of record:

Pursuant to Rule 34 of Tennessee Rules of Civil Procedure, Plaintiff, Mawule TEPE, demands that you permit the inspection and copying by or on behalf of himself of the documents and/or tangible things in the categories described below.

PLACE AND TIME:

Production is to be by production of the original documents or things for inspection and copying at: 3403 Peerless Road NW Apt# G, Cleveland, TN 37312, before or on July 31, 2024 at 5:00 p.m. EST. Requesting party or requesting party's agent will inspect and copy the documents and then return forthwith to the responding party or responding party's agent the original documents or things. If unable to produce documents and/or things on this date, please contact the requesting party two (2) weeks before the due date to set up a mutually agreeable time and date.

CATEGORY OF DOCUMENTS OR THINGS TO BE PRODUCED:

- 1) **Document Request:** Produce a Copy of the record of Admission of Erik Halvorson and Connor McCarthy Blair to the Federal Bar Association of the U.S. District Court for the Eastern District Court of Tennessee.

RESPONSE

- 2) **Document Request:** Produce Erik Halvorson and Connor McCarthy Blair's Federal Bar Admission Oath of Office.

RESPONSE

- 3) **Document Request:** Produce Erik Halvorson and Connor McCarthy Blair's Certificate to Practice Law at Eastern District Court of Tennessee.

RESPONSE

- 4) Document Request: Produce a copy of any disciplinary action Erik Halvorson and Connor McCarthy Blair's have ever received (if any.)

RESPONSE.

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing document has been served pursuant to T.R.C.P. Rule 5.02 upon BRADLEY ARANT BOULT CUMMINGS LLP, Erik Halvorson and Connor McCarthy Blair on this date of June 28, 2024.

Dated: June 28, 2024

Respectfully submitted



Mawule TEPE

**IN UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

Mawule Tepe,

Plaintiff,

v.

Erik Halvorson,

BRADLEY ARANT BOULT CUMMINGS
LLP, and

NATIONAL LIFE INSURANCE
COMPANY OF THE SOUTHWEST,
Defendants.

1:24-cv-00197-DCLC-CHS

District Judge Clifton L Corker
Magistrate Judge Christopher H Steger

**INTERROGATORIES PROPOUNDED TO DEFENDANT BRADLEY ARANT BOULT
CUMMINGS LLP**

Pursuant to the T.R.C.P. Rule 26.01, the undersigned propounds the following Interrogatories to be answered separately, under oath and in writing, in accordance with said Rules. Plaintiff requests that BRADLEY ARANT BOULT CUMMINGS LLP respond to the following interrogatories. You are required to answer these interrogatories separately and fully in writing, under oath. You are required to respond to these interrogatories no later than Monday, July 31, 2024 to Plaintiff's address at 3403 Peerless Rd NW Apt# G, Cleveland, TN 37312.

By Definition You, yours and your mean you individually BRADLEY ARANT BOULT CUMMINGS LLP, or your employees Erik Halvorson and Connor McCarthy Blair Please respond in a separate paragraph.

INTERROGATORIES

1. Identify all persons answering or supplying information used in answering these Interrogatories by stating the name, home and business address, and telephone number of each person.

ANSWER

2. Are your employees Erik Halvorson and Connor McCarthy Blair licensed to Practice Law in Tennessee?

ANSWER

3. Are your employees Erik Halvorson and Connor McCarthy Blair admitted to the Federal Bar of the U.S. District Court for the Eastern District?

ANSWER

4. Have you passed the Federal Bar Exam at Eastern District of Tennessee? State the date.

ANSWER

5. Are you a member of Federal Bar Association in your State?

ANSWER

6. Provide your license Number?

ANSWER

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing document has been served pursuant to T.R.C.P. Rule 5.02 upon the Defendants BRADLEY ARANT BOULT CUMMINGS LLP, Erik Halvorson and Connor McCarthy Blair on this date of June 28, 2024.

Dated: June 28, 2024

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Mawule TEPE', is written over a horizontal line.

Mawule TEPE

APPENDIX 5

[Query](#) [Reports](#) [Utilities](#) [Help](#) [Log Out](#)

APPEAL,DCLC3

Live Database
U.S. District Court - Eastern District of Tennessee (Chattanooga)
CIVIL DOCKET FOR CASE #: 1:24-cv-00338-DCLC-CHS

Tepe v. Blair et al
Assigned to: District Judge Clifton L Corker
Referred to: Magistrate Judge Christopher H Steger
related Cases: [1:21-cv-00040-TRM-CHS](#)

[1:22-cv-00111-TRM-CHS](#)
[1:22-cv-00231-DCLC-CHS](#)
[1:22-cv-00261-DCLC-CHS](#)
[1:22-cv-00264-DCLC-CHS](#)
[1:22-cv-00275-DCLC-CHS](#)
[1:23-cv-00286-DCLC-CHS](#)

Date Filed: 10/14/2024
Jury Demand: None
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question

Case in other court: Sixth Circuit, 25-05088
Circuit Court for Bradley County, Tennessee,
V-24-00520

Cause: 28:1331 Fed. Question

Plaintiff

Mawule Tepe

represented by **Mawule Tepe**
RESTRICTED FILER
3403 Peerless Road, NW #G
Cleveland, TN 37312
PRO SE

V.

Defendant

Connor McCarthy Blair

represented by **Connor McCarthy Blair**
Buchalter, A Professional Corporation
1 Music Circle South
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37203
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629-224-6600
Email: cblair@buchalter.com
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ATTORNEY TO BE NOTICED

Erik Halvorson
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Ste 2400
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Defendant

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ATTORNEY TO BE NOTICED

Erik Halvorson
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Frankie Neil Spero
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Frankie Neil Spero

represented by **Connor McCarthy Blair**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Erik Halvorson
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Frankie Neil Spero
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ATTORNEY TO BE NOTICED

Defendant

Bradley Arant Boult Cummings LLP

represented by **Connor McCarthy Blair**
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ATTORNEY TO BE NOTICED

Erik Halvorson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Frankie Neil Spero
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Defendant

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Defendant

William Stewart Rutchow

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William Stewart Rutchow
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Ogletree Deakins Nash Smoak & Stewart
P.C.**

represented by **Lucille Lattimore Nelson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Stewart Rutchow
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Defendant

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Defendant

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Erno D Lindner
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ATTORNEY TO BE NOTICED

Justin M Sveadas
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Baker Donelson Bearman Caldwell &
Berkowitz P.C.**

represented by **Derek Wayne Mullins**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Erno D Lindner
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Justin M Sveadas
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Whirlpool Corporation

represented by **Lucille Lattimore Nelson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Stewart Rutchow
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Dakia Taylor

represented by **Lucille Lattimore Nelson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Stewart Rutchow
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Mark Jones

represented by **Lucille Lattimore Nelson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Stewart Rutchow
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Patton Joshua Musick

represented by **Lucille Lattimore Nelson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Stewart Rutchow
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Monica Jill Culpepper**

represented by **Lucille Lattimore Nelson**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Stewart Rutchow
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Cleveland High School****Defendant****Bradley County**

represented by **B Thomas Hickey**
 Spicer Rudstrom, PLLC
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 Chattanooga, TN 37402
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 Email: thickey@spicerfirm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Jone Doe**

Date Filed	#	Docket Text
10/14/2024	<u>1</u>	NOTICE OF REMOVAL from Circuit Court for Bradley County, Tennessee, case number V-24-520. (Filing fee \$ 405 receipt number ATNEDC-5809915), filed by Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, Bradley Arant Boulton Cummings LLP. (Attachments: # <u>1</u> Exhibit Order from In re: Mawule Tepe, Case No. 1:23-mc-25, # <u>2</u> Exhibit Process and Pleadings, # <u>3</u> Other Civil Cover Sheet)(Spero, Frankie) (Entered: 10/14/2024)
10/15/2024	<u>2</u>	NOTICE of Appearance by B Thomas Hickey on behalf of Bradley County (Hickey, B) (Entered: 10/15/2024)
10/17/2024	<u>3</u>	MOTION to file by Mawule Tepe. (Attachments: # <u>1</u> Motion to Vacate, # <u>2</u> Exhibit 1, # <u>3</u> Declaration in Support, # <u>4</u> Proposed Order, # <u>5</u> envelope)(SAC) (Entered: 10/17/2024)
10/17/2024	<u>4</u>	ANSWER to Complaint by Bradley County.(Hickey, B) (Entered: 10/17/2024)
10/21/2024	<u>5</u>	MOTION to Strike (<i>Motion to Enforce Permanent Injunction Order, Motion to Strike, and Motion to Stay Proceedings, or, Alternatively, for Extension of Time</i>) by Connor McCarthy Blair, Bradley Arant Boulton Cummings LLP, Erik Halvorson, Frankie Neil Spero. (Spero, Frankie) (Entered: 10/21/2024)
10/24/2024	<u>6</u>	NOTICE of Appearance by William Stewart Rutchow on behalf of Monica Jill Culpepper, Mark Jones, Patton Joshua Musick, Lucille Lattimore Nelson, Ogletree Deakins Nash

		Smoak & Stewart P.C., William Stewart Rutchow, Dakia Taylor, Whirlpool Corporation (Rutchow, William) (Entered: 10/24/2024)
10/24/2024	7	NOTICE of Appearance by Lucille Lattimore Nelson on behalf of Monica Jill Culpepper, Mark Jones, Patton Joshua Musick, Lucille Lattimore Nelson, Ogletree Deakins Nash Smoak & Stewart P.C., William Stewart Rutchow, Dakia Taylor, Whirlpool Corporation (Nelson, Lucille) (Entered: 10/24/2024)
10/24/2024	8	MOTION to Strike <i>Motion to Enforce Permanent Injunction Order, Motion to Strike, and Motion to Stay Proceedings, or, Alternatively, for Extension of Time</i> by Monica Jill Culpepper, Mark Jones, Patton Joshua Musick, Lucille Lattimore Nelson, Ogletree Deakins Nash Smoak & Stewart P.C., William Stewart Rutchow, Dakia Taylor, Whirlpool Corporation. (Rutchow, William) (Entered: 10/24/2024)
11/12/2024	9	NOTICE of Appearance by Derek Wayne Mullins on behalf of Justin Michael Sveadas, Baker Donelson Bearman Caldwell & Berkowitz P.C., Derek Wayne Mullins (Mullins, Derek) (Entered: 11/12/2024)
11/20/2024	10	MOTION to Expedite case assignment by Mawule Tepe. (SAC) (Entered: 11/20/2024)
11/20/2024	11	MOTION for Preliminary Injunction by Mawule Tepe. (Attachments: # 1 Declaration, # 2 Proposed Order)(SAC) (Entered: 11/20/2024)
11/27/2024	12	RESPONSE to Motion re 10 MOTION to Expedite filed by Bradley County. (Hickey, B) (Entered: 11/27/2024)
11/27/2024	13	RESPONSE to Motion re 11 MOTION for Preliminary Injunction filed by Bradley County. (Hickey, B) (Entered: 11/27/2024)
12/04/2024	14	RESPONSE to Motion re 11 MOTION for Preliminary Injunction, 10 MOTION to Expedite <i>Response to Plaintiff's Motion for Case Assignment and Motion for Permanent Injunction and Defendants' Incorporated Motion to Strike and for Sanctions</i> filed by Whirlpool Corporation, Dakia Taylor, Mark Jones, Patton Joshua Musick, Monica Jill Culpepper, Lucille Lattimore Nelson, William Stewart Rutchow, Ogletree Deakins Nash Smoak & Stewart P.C.. (Attachments: # 1 Exhibit A - Collective - Email and Attachments) (Rutchow, William) (Entered: 12/04/2024)
12/04/2024	15	MOTION to Strike 11 MOTION for Preliminary Injunction, 10 MOTION to Expedite by Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, Bradley Arant Boulton Cummings LLP. (Spero, Frankie) (Entered: 12/04/2024)
12/04/2024	16	RESPONSE in Opposition re 11 MOTION for Preliminary Injunction, 10 MOTION to Expedite (<i>The Bradley Defendants' Notice of Joinder and Adoption of Argument in the Ogletree and Whirlpool Defendants' Response to Plaintiff's Motion for Case Assignment and for Permanent Injunction and Incorporated Motion to Strike and for Sanctions (Doc. 14)</i>) filed by Connor McCarthy Blair, Erik Halvorson, Frankie Neil Spero, Bradley Arant Boulton Cummings LLP. (Spero, Frankie) (Entered: 12/04/2024)
12/18/2024	17	MOTION to Compel by Mawule Tepe. (DCB) (Entered: 12/18/2024)
12/23/2024	18	ORDER RELATING CASES. Pursuant to Local Rule 3.2(d)(3), the undersigned finds that the above-captioned case is related to case nos. 1:22-cv-264, 1:21-cv-40, 1:22-cv-111, 1:22-cv-231, 1:22-cv-261, 1:22-cv-275, and 1:23-cv-286. The Court finds that these cases arise out of the same transaction or occurrence and involve one or more of the same parties. Therefore, these cases are related. See E.D. Tenn. L.R. 3.2(d)(3)(A)(1). Because the first of these cases was assigned to District Judge Clifton Corker and Magistrate Judge Christopher Steger, this case will also be assigned to those same judges. However, consolidation is not ordered. This entry is the complete order of the Court. No document is

		attached. Signed by Magistrate Judge Christopher H Steger on 12/23/2024.(Steger, Christopher) (Entered: 12/23/2024)
12/23/2024		District Judge Clifton L Corker and Magistrate Judge Christopher H Steger added. (ABF) (Entered: 12/23/2024)
12/23/2024	19	Order Governing Depositions. Signed by District Judge Clifton L Corker on 12/23/24. (c/m to Mawule Tepe, 3403 Peerless Road, NW #G, Cleveland, TN 37312) (ABF) (Entered: 12/23/2024)
12/23/2024	20	Order Governing Motions To Dismiss. Signed by District Judge Clifton L Corker on 12/23/24. (c/m to Mawule Tepe, 3403 Peerless Road, NW #G, Cleveland, TN 37312) (ABF) (Entered: 12/23/2024)
12/23/2024	21	Order Governing Sealing Confidential Information. Signed by District Judge Clifton L Corker on 12/23/24. (c/m to Mawule Tepe, 3403 Peerless Road, NW #G, Cleveland, TN 37312) (ABF) (Entered: 12/23/2024)
12/31/2024	22	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>or, in the Alternative, for Insufficient Process and Service of Process</i> by Justin Michael Sveadas, Baker Donelson Bearman Caldwell & Berkowitz P.C., Derek Wayne Mullins. (Attachments: # 1 Exhibit Ex. 1 - Pleadings filed in Tepe v. Baker Donelson Bearman Caldwell & Berkowitz, PC, et al. in 2024-CV-3702, # 2 Exhibit Ex. 2 - Pleadings filed in Tepe v. Baker Donelson Bearman Caldwell & Berkowitz, PC, et al. in 2024-CV-4189, # 3 Exhibit Ex. 3 - Certificate of Good Standing of Derek W. Mullins, # 4 Exhibit Ex. 4 - Certificate of Good Standing of Justin M. Sveadas, # 5 Exhibit Ex. 5 - Summonses Issued and Returns of Service for the Baker Defendants, # 6 Exhibit Ex. 6 - Declaration of Rachel Goldsmith, # 7 Exhibit Ex. 7 - Good Faith Email to Plaintiff)(Mullins, Derek) (Entered: 12/31/2024)
12/31/2024	23	MEMORANDUM in Support of Motion re 22 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>or, in the Alternative, for Insufficient Process and Service of Process</i> filed by Justin Michael Sveadas, Baker Donelson Bearman Caldwell & Berkowitz P.C., Derek Wayne Mullins. (Mullins, Derek) (Entered: 12/31/2024)
01/03/2025	24	RESPONSE to Motion re 17 MOTION to Compel, 22 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>or, in the Alternative, for Insufficient Process and Service of Process</i> Response to Pending Motions filed by Whirlpool Corporation, Dakia Taylor, Mark Jones, Patton Joshua Musick, Monica Jill Culpepper, Lucille Lattimore Nelson, William Stewart Rutchow, Ogletree Deakins Nash Smoak & Stewart P.C.. (Rutchow, William) (Entered: 01/03/2025)
01/03/2025	25	MOTION for Recusal by Mawule Tepe. (SAC) (Entered: 01/03/2025)
01/30/2025	26	MOTION for Permission to File by Mawule Tepe. (Attachments: # 1 Notice of Appeal, # 2 Motion to Proceed in Forma Pauperis, # 3 Envelope)(DCB) (Entered: 01/30/2025)
01/30/2025	27	NOTICE OF APPEAL as to 18 Order, by Mawule Tepe. (Attachments: # 1 Motion for IFP) (SAC) (Entered: 01/31/2025)
02/06/2025	28	USCA Case Number 25-5088 for 27 Notice of Appeal filed by Mawule Tepe. (SAC) (Entered: 02/06/2025)

PACER Service Center
Transaction Receipt
02/25/2025 02:10:32

PACER Login:	tepealex	Client Code:	
Description:	Docket Report	Search Criteria:	1:24-cv-00338-DCLC-CHS
Billable Pages:	9	Cost:	0.90

APPENDIX 6



Mawule TEPE <tepealex2002@gmail.com>

Emergency Application for Injunctive Relief // IMMEDIATE RELIEF REQUESTED

Mawule TEPE <tepealex2002@gmail.com>

Mon, Jan 20, 2025 at 1:12 PM

To: CA06_Pro_Se_Efiling@ca6.uscourts.gov

Cc: "Rutchow, William S." <william.rutchow@ogletree.com>, Emily Nenni <EStrumpf@jblfc.com>, "McClanahan, Leah (USATNE)" <Leah.McClanahan@usdoj.gov>, Michael Slodov <MSlodov@jblfc.com>, "Mullins, Derek" <dmullins@bakerdonelson.com>, "Spero, Frankie" <fspero@bradley.com>, "Sveadas, Justin" <jsveadas@bakerdonelson.com>, "Blair, Connor" <CBlair@bradley.com>, "Halvorson, Erik" <ehalvorson@bradley.com>

Good day,

I would like to file the attached **Emergency Application for Injunctive Relief**. You can docket it in the case In re: 24-5101.

Thank you,
Mawule Tepe
Tel: 423 994 3805

5 attachments



Appendix 2.pdf
115K



Appendix 1.pdf
195K



Emergency Application for Injunctive Relief.pdf
813K



Appendix 4.pdf
3696K



Appendix 3.pdf
6517K

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT
100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

KELLY L. STEPHENS
CLERK

TELEPHONE
(513) 564-7000

January 21, 2025

Mawule Tepe
3403 Peerless Road NW
Apartment G
Cleveland, TN 37312

Re: Tendered "Emergency Application for Injunction Relief"

Dear Mr. Tepe:

On January 20, 2025, this office received from you an "Emergency Application for Injunction Relief" along with tendered appendices. In your correspondence, you ask that the clerk file the tendered documents on Case No. 24-5101. After careful review, please find your documents returned unfiled.

The electronic casefile in Case No. 24-5101, *In re: Mawule Tepe*, reflects that you filed a petition for a writ of mandamus on February 1, 2024. A three-judge panel of this court denied relief on September 4, 2024, and judgment entered the same date. This resulted in the closure of your case. As your case is closed, no further filings will be accepted. Further, a search of the court's electronic records reveals that you have no active appeal or other open case. As such, we are returning your tenders unfiled.

Sincerely,

/s/Alicia Harden
Chief Legal Advisor

APPENDIX 7

NOT RECOMMENDED FOR PUBLICATION

No. 25-5088

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**FILED**

Apr 2, 2025

KELLY L. STEPHENS, Clerk

MAWULE TEPE,)	
)	
Plaintiff-Appellant,)	
	)	ON APPEAL FROM THE UNITED
v.	)	STATES DISTRICT COURT FOR
	)	THE EASTERN DISTRICT OF
CONNOR BLAIR, et al.,	)	TENNESSEE
)	
Defendants-Appellees.)	

ORDER

Before: STRANCH, MURPHY, and MATHIS, Circuit Judges.

This case is before the court upon initial consideration of appellate jurisdiction.

The underlying case is one of many lawsuits Mawule Tepe has filed since 2019. This case was removed from Tennessee state court in October 2024. Since that time, Tepe has filed motions to expedite, for preliminary injunctions, to compel, and for recusal of the district court judge. The defendants have moved to strike several of Tepe's pleadings and to dismiss the action for failure to state a claim. The district court has not addressed any of the motions filed by either party. In fact, the only orders issued by the district court were all issued on December 23, 2024. One order informed the parties which judge would be assigned the case. The other three were case-management orders detailing the procedures governing depositions, motions to dismiss, and sealing confidential information. On January 30, 2025, Tepe filed a notice of appeal seeking to challenge "any orders and/or judgments by the District Court." In this court, Tepe has filed an "Emergency Application for Injunction Relief" pending appeal.

We lack jurisdiction over this appeal. Not only is the notice of appeal untimely, *see* Fed. R. App. P. 4(a), but none of the December 23, 2024, orders are appealable. This court may exercise

No. 25-5088

- 2 -

jurisdiction to review final decisions of the district courts, *see* 28 U.S.C. § 1291, and specific types of interlocutory and “collateral” orders that are not present here, *see id.* § 1292; *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949).

The December 23, 2024, orders are not final orders because they did not dispose of any of the claims or parties involved in this action and did not direct entry of a final, appealable judgment under Federal Rule of Civil Procedure 54(b). *See Liberty Mut. Ins. v. Wetzel*, 424 U.S. 737, 742-45 (1976); *Solomon v. Aetna Life Ins.*, 782 F.2d 58, 59-60 (6th Cir. 1986). Nor are the orders otherwise appealable because case-management orders are generally not immediately appealable. *Taylor v. Pilot Corp.*, 955 F.3d 572, 579, 581 (6th Cir. 2020).

The appeal is therefore **DISMISSED**. Tepe’s motion for an injunction pending appeal is **DENIED** as moot.

ENTERED BY ORDER OF THE COURT


Kelly L. Stephens, Clerk

United States Court of Appeals for the Sixth Circuit

U.S. Mail Notice of Docket Activity

The following transaction was filed on 04/02/2025.

Case Name: Mawule Tepe v. Connor Blair, et al

Case Number: 25-5088

Docket Text:

ORDER filed: The appeal is therefore DISMISSED. Tepe's motion for an injunction pending appeal is DENIED as moot. No mandate to issue. Decision not for publication. Jane Branstetter Stranch, Circuit Judge; Eric E. Murphy, Circuit Judge and Andre B. Mathis, Circuit Judge.

The following document(s) are associated with this transaction:

Document Description: Order

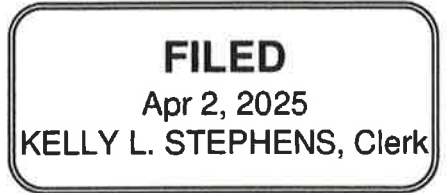
Notice will be sent to:

Mr. Mawule Tepe
3403 Peerless Road, N.W.
Apartment G
Cleveland, TN 37312

A copy of this notice will be issued to:

Mr. Connor Blair
Mr. Erik Halvorson
Mr. Ben Thomas Hickey Jr.
Mr. Erno D. Lindner
Mr. Derek Wayne Mullins
Ms. Lucille Lattimore Nelson
Mr. William Stewart Rutchow
Mr. Frankie Neil Spero
Mr. Justin M. Sveadas
Ms. LeAnna Wilson

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT



No. 25-5088

MAWULE TEPE,

Plaintiff-Appellant,

v.

CONNOR BLAIR, et al.,

Defendants-Appellees.

Before: STRANCH, MURPHY, and MATHIS, Circuit Judges.

JUDGMENT

THIS MATTER came before the court upon consideration of appellate jurisdiction.

IN CONSIDERATION THEREOF, it is ORDERED that the appeal is DISMISSED.

ENTERED BY ORDER OF THE COURT



Kelly L. Stephens, Clerk

APPENDIX 8


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
CHATTANOOGA DIVISION

MAWULE TEPE,)	
)	
Plaintiff,	)	1:23-CV-00093-DCLC-CHS
)	
v.)	
)	
TRUIST FINANCIAL CORPORATION,)	
)	
Defendant.)	

ORDER

Before the Court is Plaintiff Mawule Tepe's motion challenging the qualifications of the attorneys representing Defendant Truist Financial Corporation in this action [Doc. 12]. Specifically, Plaintiff seeks to disqualify attorneys Derek Wayne Mullins and Justin Michael Sveadas along with the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz P.C. unless they or the firm "present proof of admission to practice laws at this court along with the Oaths that [they] have respectfully taken upon their admission pursuant to Local Rule 83.5(a)(5)" [*Id.* at pg. 3].¹ Mr. Mullins was admitted to practice in this Court in 2018 and Mr. Sveadas was admitted in 2003. Accordingly, Plaintiffs' motion [Doc. 12] is **DENIED**.

SO ORDERED:



United States District Judge

¹ Plaintiff asserts he checked the Federal Bar Association website and could not find the attorneys' names [Doc. 12, pg. 2]. The Federal Bar Association, a voluntary professional organization, is wholly unrelated to admission to practice in this Court.

APPENDIX 23

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

MAWULE TEPE,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	
)	
WHIRLPOOL CUSTOMER)	
EXPERIENCE CENTER)	
)	
<i>Defendant.</i>)	

MAWULE TEPE,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	
)	
WHIRLPOOL CORPORATION, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	

MAWULE TEPE,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	
)	
JAVITCH BLOCK, LLC, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	

MAWULE TEPE,

Plaintiff,

v.

BANK OF AMERICA, *et al.*

Defendants.

Case No. 1:22-cv-111

MAWULE TEPE,

Plaintiff,

v.

WHIRLPOOL CORPORATION,

Defendant.

Case No. 1:22-cv-136

MAWULE TEPE,

Plaintiff,

v.

BANK OF AMERICA,

Defendant.

Case No. 1:22-cv-231

MAWULE TEPE,

Plaintiff,

v.

LUCILLE LATTIMORE NELSON, *et al.*,

Defendants.

Case No. 1:22-cv-252

MAWULE TEPE,)	
	)	Case No. 1:22-cv-261
<i>Plaintiff,</i>)	
)	
v.)	
)	
BANK OF AMERICA, N.A., <i>et al.</i>)	
)	
<i>Defendants.</i>)	

MAWULE TEPE,)	
	)	Case No. 1:22-cv-264
<i>Plaintiff,</i>)	
)	
v.)	
)	
EMILY LOUISE NENNI, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	

MAWULE TEPE,)	
	)	Case No. 1:22-cv-275
<i>Plaintiff,</i>)	
)	
v.)	
)	
UNITED STATES OF AMERICA, <i>et al.</i>)	
)	
<i>Defendants.</i>)	

ORDER

Mawule Tepe filed suit against Whirlpool Corporation and related parties in May of 2019. *Tepe v. Whirlpool Customer Experience Center, et al.*, No. 1:19-cv-158 (E.D. Tenn. May

24, 2019). Since that time, Tepe has filed four additional lawsuits against Whirlpool Corporation and related parties, all of which are related to the original lawsuit.¹ Tepe also filed suit against Bank of America and related parties in March of 2021. *Tepe v. Javitch Block LLC, et al.*, No. 1:21-cv-040 (E.D. Tenn. March 03, 2021) (dismissed without prejudice for failure to effectuate service). Since that time, Tepe has filed five additional lawsuits against Bank of America and related parties, all of which are related to the original lawsuit.²

Beginning as early as January 2020, Tepe was recognized by the Court as a “prolific filer of motions and discovery requests....” *Tepe v. Whirlpool Customer Experience Center, et al.*, No. 1:19-cv-158, Doc. 60 (E.D. Tenn. Jan. 23, 2020). The Court has repeatedly warned Tepe about his filing conduct. *See Tepe v. Nelson, et al.*, No. 1:22-cv-252, Doc. 17, pp. 6-7 (Oct. 25, 2022) (outlining previous warnings by Court).

Tepe’s prolific filings have continued to increase unnecessarily. Seven of Tepe’s lawsuits were filed in 2022, five of those being within the same thirty-day period. The lawsuits duplicate allegations made in earlier lawsuits and collaterally attack orders entered in earlier lawsuits. Additionally, Tepe has begun to sue the attorneys representing the Defendants in the earlier lawsuits. *Tepe v. Nelson, et al.*, No. 1:22-cv-252 (E.D. Tenn. Oct. 5, 2022) and *Tepe v. Nenni, et al.*, No. 1:22-cv-264 (E.D. Tenn. Oct. 18, 2022). Due to the onslaught of lawsuits and

¹ *See Tepe v. Whirlpool Corp., et al.*, No. 1:20-cv-332 (E.D. Tenn. Dec. 2, 2020) (dismissed, with prejudice, pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim); *Tepe v. Whirlpool Corp., et al.*, No. 1:22-cv-136 (E.D. Tenn. May 25, 2022) (dismissed without prejudice for failure to effectuate service); *Tepe v. Nelson, et al.*, No. 1:22-cv-252 (E.D. Tenn. Oct. 25, 2022); and *Tepe v. United States, et al.*, No. 1:22-cv-275 (E.D. Tenn. Nov. 08, 2022).

² *Tepe v. Bank of America, et al.*, 1:22-cv-111 (E.D. Tenn. May 09, 2022); *Tepe v. Bank of America, et al.*, 1:22-cv-231 (E.D. Tenn. Sep. 09, 2022); *Tepe v. Bank of America N.A., et al.*, No. 1:22-cv-261 (E.D. Tenn. Oct. 14, 2022); *Tepe v. Nenni*, No. 1:22-cv-264 (E.D. Tenn. Nov. 18, 2022); and *Tepe v. United States, et al.*, No. 1:22-cv-275 (E.D. Tenn. Nov. 08, 2022).

motions therein, both the Bank of America Defendants and the Whirlpool Corporation Defendants have moved for protective orders against Tepe. *See Tepe v. Nelson, et al.*, No. 1:22-cv-252, Doc. 17 (E.D. Tenn. Oct. 25, 2022) and *Tepe v. United States, et al.*, No. 1:22-cv-275, Doc. 38 (E.D. Tenn. Dec. 01, 2022) (“Short of entry of a Vexatious Litigant Order, there is no end in sight to Plaintiff’s dilatory, duplicative, and bad faith conduct. Plaintiff continues to abuse the federal court system by harassing BANA, its counsel . . . with frivolous litigation, discovery requests, and filings.”). Accordingly, pursuant to Standing Order 18-04 (Aug. 2018), the Court referred Tepe to Chief Judge Travis R. McDonough for consideration of whether to implement a filing injunction against Tepe. *Tepe v. United States, et al.*, No. 1:22-cv-275, Doc. 10 (E.D. Tenn. Nov. 15, 2022) (Order).

On February 15, 2023, the Court held a hearing in Tepe’s cases. At the hearing, Tepe represented that he is considering filing additional lawsuits, including a potential lawsuit against judges of the United States Court of Appeals for the Sixth Circuit based on that court’s dismissal of his appeals in Case Nos. 1:21-cv-40 and 1:22-cv-111. Moreover, Tepe also indicated that he intends to continue his practice of including allegations and claims from previously-filed cases, many of which are still pending before the Court, in new lawsuits or amended complaints in more recently-filed lawsuits to avoid substantively responding to pending motions to dismiss, or, alternatively, to attempt to revive claims already dismissed by the Court. In other words, Tepe has made clear that he intends to continue taxing the Court’s resources with his filings absent Court intervention.

The Court has the authority to restrict prolific litigants from repeatedly filing frivolous matters without first obtaining leave of court. *Chambers v. NASCO, Inc.*, 501 U.S. 32, 43-50 (1991); *Jones v. Kolb*, 91 Fed. Appx. 367, 369 (6th Cir. 2003). The Sixth Circuit has determined

that restricting prolific litigators from filing any document without prior approval by the Court is a proper method for handling the complaints of prolific litigators. *Filipas v. Lemons*, 835 F.2d 1145, 1145 (6th Cir. 1987); *Feathers v. Chevron U.S.A., Inc.*, 141 F.3d 264, 269 (6th Cir. 1998). “A prefiling review requirement is a judicially imposed remedy whereby a plaintiff must obtain leave of the district court to assure that the claims are not frivolous or harassing” and such a requirement is appropriate when a litigant has demonstrated a pattern of repetitive or vexatious litigation, particularly where “a litigant is merely attempting to collaterally attack prior unsuccessful suits.” *Raimondo v. United States*, No. , 2022 WL 3581144 (E.D. Mich. Aug. 19, 2022)

Here, Tepe has shown a pattern of repetitive and vexatious litigation as well as a pattern of attempting to collaterally attack prior unsuccessful suits. Considering Tepe’s history, the Court finds that nothing less than an injunction will likely be adequate to prevent future frivolous and vexatious filings in this Court.

Accordingly, Mawule Tepe is hereby permanently **ENJOINED** from filing any new lawsuit in this Court without first seeking and obtaining the Court’s permission to file.³ To obtain the Court’s permission to file, Tepe **MUST** submit to the Court:

1. A copy of the proposed petition or complaint to be filed.
2. A “Motion Pursuant to Court Order Seeking Leave to File,” which must include as exhibits:
 - a. A copy of this Order;

³ At this time, the Court’s injunction is limited to enjoining Tepe from filing new lawsuits without permission from the Court. Tepe’s filing history, however, includes numerous instances of frivolous motions practice, including, but not limited to, seeking to disqualify opposing counsel from appearing in his cases premised on his baseless assertion that opposing counsel are not admitted to practice before this Court. If Tepe continues to engage in frivolous motions practice that detracts from addressing the underlying merits of his claims, the Court will consider whether additional restrictions are appropriate.

- b. A declaration which has been prepared pursuant to 28 U.S.C. § 1746, or a sworn affidavit, certifying that:
 - i. the petition or complaint raises a new issue which has never been previously raised by him in this or any other court;
 - ii. the claims asserted in the petition or complaint are not frivolous; and
 - iii. the petition or complaint is not filed in bad faith.
- c. A statement that lists:
 - i. the full caption of each and every suit which has been previously filed by him or on his behalf in any court against each and every defendant named in any new suit he wishes to file, and
 - ii. the full caption of each and every suit which he has currently pending.

The Clerk is instructed to reject any proposed filings by Tepe that do not contain the required Motion Pursuant to Court Order Seeking Leave to File and exhibits. The Court may deny any motion for leave to file if the proposed document is frivolous, vexatious, harassing, or otherwise fails to comply with this Order. If the motion is denied, the proposed document shall not be filed and will be returned to Tepe.

The Court may dismiss any action initiated by the inadvertent filing by the Clerk's Office of any petition or complaint submitted by Tepe that has not been approved for filing pursuant to this Order. A failure to comply with this Order may lead to further sanctions.⁴

SO ORDERED.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE

⁴ In several of his cases, named defendants have filed motions for protective order or for sanctions based on Tepe's repetitive filings. (See Doc. 115 in Case No. 1:19-cv-158; Doc. 16 in Case No. 1:22-cv-252; Doc. 24 in Case No. 1:22-cv-252; Doc. 20 in Case No. 1:22-cv-261; Docs. 6, 37 in Case No. 1:22-cv-275). Those motions for protective orders are **GRANTED** to the extent they are consistent with the Court's filing injunction and are otherwise **DENIED**.